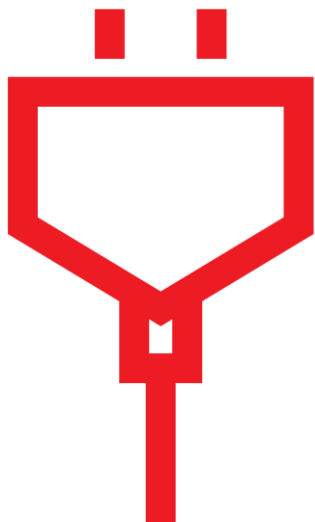


Energy Saver

Program guidelines Commercial refrigerators rebate



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Find out more about Energy Saver at:

www.energysaver.nsw.gov.au

The Commercial Refrigerator Rebate Program (the Program) is administered by the Department of Planning, Industry and Environment (the Department or we/us). The Program offers eligible Small Businesses (you) a partial reimbursement (Rebate) for the purchase or lease of up to 5 new Eligible Commercial Refrigerators.

The Rebate can help you by subsidising the cost of energy efficient refrigerated cabinets. Over their life, these cabinets can use less electricity and therefore save energy and reduce energy bills.

How do I use these Guidelines?

These Guidelines outline important information about the Program including the eligibility requirements, how to apply, the information you will need to provide, warranties and liability and the role and responsibilities of the Department for the Program.

As well as assessing your own circumstances, you should review these Guidelines carefully before deciding whether or not to buy an Eligible Commercial Refrigerator and before making an application for a Rebate to us under the Program.

If you receive a Rebate under the Program, you should keep a copy of these Guidelines somewhere safe so that you can refer to it in future.

Which products are eligible for a Rebate? How much is the Rebate?

The Eligible Product List is a list of the only commercial refrigerators (Eligible Commercial Refrigerators) that you can receive a Rebate for under the Program.

The Eligible Product List is maintained and published on the Energy Saver website (energysaver.nsw.gov.au). The products that meet the energy efficiency benchmarks are listed by brand and model. The Rebate amount for each product is displayed. The Rebate is calculated for each Eligible Commercial Refrigerator based on estimated energy consumption over its lifetime.

The Department reserves the right to update or amend the Eligible Product List, and the rebates payable for those Eligible Commercial Refrigerators, at any time, but only after at least 3 weeks' notice has been given on the Energy Saver website.

If the Department amends the Eligible Product List it may, at its discretion, continue to accept applications for products listed on the previous Eligible Product Lists.

You should consider the Eligible Product List, and the potential for the List to change, before purchasing or leasing an Eligible Commercial Refrigerator and making an application to participate in the Program.

When can I make an application?

You can only make an application for a Rebate for an Eligible Commercial Refrigerator that has been purchased or leased during the Rebate Term, which is the period from 9 September 2019 to 30 September 2021.

You must make your application no later than 45 days after the Rebate Term ends.

How many rebates can I receive under the Program?

You can receive a maximum of 5 Rebates under the Program.

What are the eligibility requirements?

If you make an application for a Rebate for a commercial refrigerator, we will assess your application against the following Eligibility Criteria:

1. You must be acting on behalf of a Small Business that:
 - is an actively trading business employing 50 or fewer full-time employees (or equivalent) and/or is a business with less than \$10 million annual turnover;
 - is not an investment trust, managed fund, strata title scheme, holding company or subsidiary of a larger business;
 - has an Australian Business Number (ABN) and is registered for GST;
 - is not insolvent; and
 - produces goods and/or provides services in NSW.
2. You must have either purchased outright, or leased under an agreement, an Eligible Commercial Refrigerator within the Rebate Term
3. You must provide the following evidence in your application:
 - a paid invoice for the purchase of a new Eligible Commercial Refrigerator indicating the model number and serial number of the Eligible Commercial Refrigerator, if you have purchased the Eligible Commercial Refrigerator outright;
 - a lease agreement and paid invoice for the purchase of a new Eligible Commercial Refrigerator, indicating the model number and serial number of the Eligible Commercial Refrigerator, if you have leased an Eligible Commercial Refrigerator;
 - a photo of the serial number of the Eligible Commercial Refrigerator you have purchased or leased;
 - your NSW business address where the Eligible Commercial Refrigerator will be operated; and
 - any other information requested on the Application Form or otherwise requested.
4. You must not be excluded from receiving a Rebate due to the circumstances listed further below.

We reserve the right to update or amend the Eligibility Criteria for the Program at any time. If we amend the Eligibility Criteria we may continue to accept applications and consider them against the previous Eligibility Criteria.

If you make an application we will consider the information provided in your application against the Eligibility Criteria. We may contact you to ask for additional information or clarification from you as we consider your application.

In what circumstances am I not eligible for a Rebate?

You are not eligible for a Rebate in any of the following circumstances:

- your application is for an Eligible Commercial Refrigerator and a Rebate that has already been provided under the Program for that cabinet;
- you have already received 5 Rebates under the Program;
- you are the supplier (including retailer or wholesaler) of any Eligible Commercial Refrigerator that appears on your application;
- you are, or were at the time the Eligible Commercial Refrigerator was purchased or leased by you, employed by the supplier (including retailer or wholesaler) of any Eligible Commercial Refrigerator that appears on your application;
- you have any legal interest in the supplier (including retailer or wholesaler) of any Eligible Commercial Refrigerator that appears on your application.

We also reserve the right to discontinue or reject your application at any time including for, but not limited to, the following reasons:

- a Small Business related to your Small Business has already received the maximum number of rebates under the Program;
- we consider that the Eligible Commercial Refrigerator you have purchased or leased will be used for domestic or other non-business-related activities;
- the Eligible Commercial Refrigerator you have purchased or leased is not new.

How do I apply?

First you must purchase or lease an Eligible Commercial Refrigerator through a third party, then submit an application through our website at

<https://energysaver.nsw.gov.au/commercial-refrigerators>

What happens if I try to make a false claim?

We take fraud very seriously. It is an offence to provide false or misleading information in an application to a Government agency.

If you provide any information or make any representations to us that we consider is, or may be, inaccurate, intended to mislead, deceptive, deceitful, or otherwise fraudulent, we may take action that includes:

- refusing to deal with your application
- refusing to accept or consider any further applications from you
- reporting the matter to the NSW Police.

Visits to the site/s where commercial refrigerator/s are installed

You accept that if you receive a Rebate for any commercial refrigerator, we reserve the right to visit the site where you say the refrigerator has been installed, to determine if the product is operating at this site. We ask for reasonable efforts to be made to allow us to view and inspect the product.

Liability, warranties and legal relationship

We do not give any representation, warranty or guarantee, whether express or implied, in relation to the quality or otherwise of any commercial refrigerator, including those eligible for a Rebate. If you purchase or lease a commercial refrigerator and have concerns about the product, or the services of the business that sold you the product, you should contact that business and/or NSW Fair Trading.

All liability for any loss or damage incurred by any person, arising from, or as a consequence of, participating in the Program is disclaimed, except for liability which cannot be excluded as a matter of law.

By participating, you acknowledge that neither party intends to create, or will create, any contract or any binding legal relationship.

You must rely entirely upon your own investigations, review and analysis to assess whether to purchase or lease any refrigerator and/or apply to participate in the Program.

Further information

You can contact us at hello@energysaver.nsw.gov.au

Disclaimer

While every reasonable effort has been made to ensure these Program Guidelines are correct at the time of publishing, the State of NSW, its agents and employees:

- disclaim any and all liability to any person in respect of anything, or the consequences of anything, done or omitted to be done in reliance or upon the whole or any part of these Program Guidelines, except for any liability which cannot be excluded as a matter of law; and
- do not make any representation, warranty or guarantee, whether express or implied, in relation to the information contained in these Guidelines including its completeness, accuracy, currency or reliability or the process by which it was prepared.

These Program Guidelines may be amended, updated or withdrawn at any time at the Department's discretion.

These Program Guidelines are not an offer, recommendation or invitation in respect of any contract or commitment and nothing in these Guidelines will form the basis of any contract or commitment.

You must rely entirely upon your own investigations, review and analysis in relation to your assessment of whether or not to apply to purchase or lease any commercial refrigerator and/or apply to participate in the Program.