

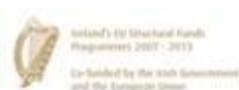
Ocean Energy Prototype Research and Development

Programme Application Guide

IMPORTANT NOTICES

- It is the responsibility of each applicant to ensure that they have read, and fully understand, this Application Guide and the Application Form before submitting a signed application form. Failure to fully adhere to the provisions of this Application Guide and the Application Form will result in application refusal, grant offer revocation or grant claim refusal, depending on the particular status and stage of the application.
- SEAI accepts no liability or responsibility, whether for breach of contract, negligence or otherwise, in respect of any claim or cause of action arising out of, or in relation to, any equipment, product, work, system or installation in respect of which grant approval was given by SEAI.

Date: 13/05/2013



This programme is supported by the Sustainable Energy Authority of Ireland (SEAI). SEAI is partly financed by Ireland's EU Structural Funds Programme co-funded by the Irish Government and the European Union

Contents

1 Description of Programme.....	3
2 Programme Objectives.....	3
3 Who Can Avail of the Programme?.....	3
4 What Projects are Eligible?	4
5 What Level of Funding is Available?	5
6 Eligible Costs	7
6.1 Costs Allowable	7
6.2 Procurement Guidelines	7
7 Application, Evaluation and Approval Procedure	8
7.1 Application Form and Financial Statement Form	8
7.2 Submission	8
7.2.1 Electronic Application Only	8
7.2.2 Hardcopy Application.....	9
7.3 Approval.....	9
7.4 Evaluation Criteria.....	10
7.5 Evaluation Method.....	10
7.6 Payment Procedure.....	11
8 Terms and Conditions	13
9 Contact Information.....	15
10 Further Information	15
Appendix A Company Financial Statement Requirements	16

1 Description of Programme

The Government's lists growth through R&D and market development of Ocean Energy as one of its 5 Strategic Goals in its Strategy for Renewable Energy 2012 – 2020 (published in May 2012). Additionally Marine Renewable Energy is one of the fourteen priority research areas identified under the Government's Research Prioritisation Exercise.

In 2006, Sustainable Energy Ireland and the Marine Institute prepared the National Strategy for Ocean Energy Development. This phased strategy aims (a) to introduce ocean energy into the renewables portfolio in Ireland and (b) to develop an ocean energy sector. It aims to support national developers of wave energy devices through concept validation, model design optimisation and scale model testing and deployment.

- In Phase 1 an offshore test site for ¼ scale prototypes was developed in Galway Bay, research capability was enhanced and some funding was provided, from a variety of sources, to researchers and developers.
- Phase 2 continued activities of Phase 1 and provided enhanced support for the demonstration of Pre-Commercial Single Devices. This phase provided a mechanism to bring successful designs from the prototype stage to the construction of a fully operational pre-commercial wave energy converter which will supply power directly to the electricity network. The results of this phase will be used to assess the commercial viability of the technology and the resulting industrial opportunities available to Ireland. A grid-connected test site is under development to allow grid connection of full scale devices.
- Phase 3 will involve pre-commercial small array testing and evaluation over a sustained period.
- Phase 4 will involve development of strategies for commercial deployment of wave power technologies.

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2 Programme Objectives

The objectives of this Programme are to accelerate and enhance support for the research, development, testing and deployment of wave and tidal energy devices. By encouraging the introduction of innovative solutions which can improve the future market prospects for ocean energy technologies, the R&D Fund can help to accelerate the development of this sector.

3 Who Can Avail of the Programme?

The scheme is open to public and private sector based in Ireland (including Irish subsidiaries of overseas companies) and carrying out projects in Ireland. In some circumstances, the programme may support Irish entities on work undertaken overseas, where this is necessary for the completion of the work. In exceptional cases, funding of work overseas may be supported where there is a demonstrable contribution to resolving specific Irish issues.

Applications will be accepted from individual organisations, or from organisations acting in collaboration with other organisations or with third level colleges/research institutes, either on a contractual basis or within consortia or joint ventures. Collaborative development programmes between manufacturers or service companies and research institutions or other centres of learning are encouraged.

4 What Projects are Eligible?

The main focus of the programme is on stimulating the development and deployment of ocean energy devices and systems. As such, the emphasis is on industry-led projects for the following types of activities:

- Industry-led projects to develop and test wave and tidal energy capture devices and systems.
- Independent monitoring of projects/technologies.
- Industry-led R&D aimed at the integration of ocean energy into the electricity market and the national electricity grid (and network).
- Data monitoring, forecasting, communications and control of OE systems.
- Specific industry-led research projects which will be carried out by research centres such as tank testing or numerical model development.

The Programme is not intended to support universities or other third-level institutions in undertaking fundamental research. Third-level institutions wishing to undertake fundamental research should contact the relevant body for such funding (such as the Irish Research Council for Engineering Science & Technology, the Programme for Research in Third Level Institutions, administered by the Higher Education Authority (HEA), or Science Foundation Ireland)

5 What Level of Funding is Available?

The level of funding will be decided on a case by case basis. The maximum funding level for which a project is eligible depends on the following factors:

- Category of R&D
- Size of the Applicant's Company

The funding is calculated from the table below. There is a maximum level of support for which a project is eligible. The project is eligible for funding up to these levels; the actual funding level provided will depend on the detailed evaluation of the project with regard to: administrative and technical compliance; acceleration of the development of ocean energy in Ireland; ability to overcome technical and other barriers; contribution to the development of an indigenous OE industry; environmental compatibility; project management capability.

The categories below represent the maximum level of support which could be available.

	Small	Medium	Large
Public Good	≤100%	≤100%	≤100%
Industrial Research	70%	60%	50%
Experimental Development	45%	35%	25%

Each category is defined as follows:

“Public Good” – this is intended to provide support for non-commercial activities. They are generally items of research commissioned by SEAI in cooperation with another institution or body and follow public procurement procedures. They are not project or technology specific but must be of benefit to the whole sector and may include such things as economic studies intended to inform policy development.

“Industrial Research” - means the planned research or critical investigation aimed at the acquisition of **new** knowledge and skills. This new knowledge and skill must be aimed at developing new products, processes or services or used for bringing about a significant improvement in existing products, processes or services. It comprises the creation of components of complex systems, which is necessary for the industrial research, notably for generic technology validation, to the **exclusion of prototypes** as covered by Experimental Development.

This category includes amongst others the following examples:

- Models or components intended **for lab scale or wave tank testing** and intended to acquire initial performance data in order to estimate performance values and initial economic merits.

- Numerical and economic model development.

“**Experimental Development**” - means acquiring, combining, shaping and using **existing** scientific, technological, business and other relevant knowledge and skills for the purpose of producing plans and arrangements or designs for new, altered or improved products, processes or services.

These may also include, for example, other activities aiming at the conceptual definition, planning and documentation of new products, processes and services. The activities may comprise producing drafts, drawings, plans and other documentation, provided that they are not intended for commercial use.

The indicative upper level of support for projects is €1 million.

In the case of a prototype generating income from electricity sales, the value of these sales will be **deducted** from the Eligible Costs of the project.

The category of Experimental Development includes amongst others the following examples:

- Prototype devices or components intended for **use in ocean trials** and used to confirm tank test estimates.
- Site selection or Feasibility Studies

Type of Companies: A Small and Medium-Sized Enterprise (SME) is defined by the European Commission. In general the staff headcount and financial thresholds determining enterprise categories:

1. The category of Small and Medium-Sized Enterprises (SMEs) is made up of enterprises which employ fewer than 250 persons and which have an annual turnover not exceeding €50 million, and/or an annual balance sheet total not exceeding €43 million.

2. Within the SME category, a Small Enterprise is defined as an enterprise which employs fewer than 50 persons and whose annual turnover and/or annual balance sheet total does not exceed €10 million.

6 Eligible Costs

6.1 Costs Allowable

Costs directly associated with delivery of a project may be eligible for support. In the case of successful applicants, only eligible expenditure incurred **from the date of approval** of the application by the Authority will be considered for funding. **Expenditure incurred before this date is ineligible. Therefore Applicants must not begin any work for which funding is sought before the date of approval.** The aid intensity will be calculated on the basis of the costs of the research project to the extent that they can be considered as eligible. All eligible costs must be allocated to a specific category of R&D. The following costs shall be eligible:

- Personnel costs for researchers, technicians and other supporting staff to the extent employed on the research project. This shall be supported by time sheets and salary receipts. Only salary plus employers PRSI shall be eligible for support.
- Costs of instruments and equipment to the extent and for the period used for the research project. If such instruments and equipment are not used for their full life for the research project, only the depreciation costs corresponding to the life of the research project, as calculated on the basis of good accounting practice (for example 20% per year over 5 years), are considered as eligible.
- Cost of contractual research, technical knowledge and patents bought or licensed from outside sources at market prices, where the transaction has been carried out at arm's length and there is no element of collusion involved, as well as costs of consultancy and equivalent services used exclusively for the research activity.
- Other operating expenses, including costs of materials, supplies and similar products incurred directly as a result of the research activity.
- Intellectual property costs.

In case of a subsequent commercial use of demonstration or pilot projects, **any revenue generated from such use must be deducted from the final eligible costs.** This can be adjusted at the end of the project following production of verifiable incomes from electricity sales.

6.2 Procurement Guidelines

Note all applicants will need to demonstrate that the project costs represent value for money and this must be documented and verifiable. Value for money is ensured by seeking at least three competitive quotations. Evidence must be submitted with each grant claim made. **Failure to do so will result in a loss of grant related to that purchase.** Further details are available from SEAI.

7 Application, Evaluation and Approval Procedure

7.1 Application Form and Financial Statement Form

Applicants must demonstrate strong technical and theoretical foundation for their technology and be able to describe satisfactorily the theoretical performance of a proposed device. The theoretical model must provide evidence for the performance and cost of the proposed device.

It is recommended that all interested applicants familiarise themselves with and apply the International Energy Agency -Ocean Energy System document on the “Development of Recommended Practices for Testing and Evaluating Ocean Energy Systems” and the Protocol for Ocean Energy Device Development prepared by the HMRC, Cork. (Links to both documents are available on our website).

Where devices have undergone scale-model tests, independently verified data on the results must be provided. Larger scale projects will also be required to demonstrate a viable Business Development Plan.

Application forms are available on request or online at:

http://www.seai.ie/Renewables/Ocean_Energy/Prototype_Development_Fund/

During the project, grant funding payments are made to the Applicant once proof of valid costs incurred and paid for (i.e. only those following the date of approval of the grant (see Section 6)) have been submitted to SEAI in accordance with the grant agreement. The Applicant is required to have sufficient funds in place to make the payments before receiving the grant payment.

Therefore, all applicants are required to submit a signed copy of the document presented in Appendix A. This form will verify that all necessary finances are in place subject to grant approval etc. This will reduce the risk of SEAI entering into a commitment which cannot be delivered and ensures funding resources will remain available to support other prospective Ocean Energy developments.

7.2 Submission

Applicants can submit the form and associated documents electronically to the OEDU email or by hardcopy. Along with the completed application form, applicants must submit a valid Tax Clearance Certificate (a scanned or faxed copy of the valid tax clearance certificate is acceptable).

7.2.1 Electronic Application Only

Applicants should send an electronic version of the Application Form containing electronic signatures to oceanenergy@seai.ie. Electronic signatures are scanned copies of the actually signatures attached to the application form.

7.2.2 Hardcopy Application

Alternatively, applicants can mail a hardcopy to:

Grants Administrator

Ocean Energy Development Unit

Sustainable Energy Authority of Ireland

Wilton Park House

Wilton Place

Dublin 2

7.3 Approval

The indicative decision time from the receipt of a completed application form is 8 to 12 weeks. An application is considered complete if it is signed and does not require any further revisions or changes. If approved, a Grant Agreement will be issued to the applicant. **The offer will only be validated upon the applicant indicating acceptance of offer by returning a signed copy of the Grant Agreement to SEAI, which must be received within 30 days of date of issue.**

The grant agreement will detail financial and progress milestones and deliverables required. There will also be requirements with regard to provision of data and participation in marketing and promotional activities.

The Grant, once approved, is only payable in respect of the approved itemised eligible costs identified in the Application Form and outlined in the Grant Agreement. SEAI's prior written consent is required to approve any changes to the itemised eligible costs. For the avoidance of doubt, SEAI reserves the right to refuse such consent at its absolute discretion; and

The total grant amount will not be permitted to escalate under any circumstances, once approved.

The project will need to be completed by the completion date outlined in the grant agreement. **The grant will automatically be revoked after this date.**

SEAI monitors projects that are awarded funding to ensure that they are implemented efficiently and correctly to help achieve successful results.

The rate of grant commitments to be entered into will be consistent with the funding profiles to which SEAI is subject under the Ocean Energy Programme. Phasing of supports paid to projects is related to the achievement of project milestones and meeting the requirements for deliverables.

The grant programme is subject to any clearances required from the Commission of the European Union, any consents, clearances or licenses which might be required from any other competent body. SEAI reserves the right to alter or amend any aspect of this

Programme as a consequence of any directions, conditions or requirements of any such consents, clearances or licenses.

7.4 Evaluation Criteria

Proposals will be evaluated to determine:

- Administrative compliance with programme requirements.
- Technical merit.
- Compliance with the programme objectives.
- Ability to facilitate and accelerate the development and deployment in Ireland of competitive ocean energy products, processes and systems.
- Ability to enable technical and other barriers to the development and introduction of Ocean Energy to be overcome.
- Contribution to the development of an indigenous OE industry.
- Environmental compatibility of the technology/project.

Project management capability is assessed on the basis of:

- Methodology of approach.
- Strength and balance of the team.
- Efficient use of resources.

Independent experts may be employed to review applications.

7.5 Evaluation Method

Applicants should note the following evaluation processes which apply and vary depending on the scale of funding sought from SEAI, this will naturally affect the SEAI response time for an application:

- 1) Grant Request \leq €50k
 - a. Internal Evaluation
 - b. Programme Manager, Head of Department and Legal Manager Approval
- 2) €50k < Grant Request < €100k
 - a. Internal Evaluation
 - b. Programme Manager, Head of Department and Legal Manager Approval
 - c. Management Approval
- 3) €100k \leq Grant Request < €250k
 - a. Internal Evaluation
 - b. External Evaluation
 - c. Programme Manager, Head of Department and Legal Manager Approval
 - d. Energy Investment Advisory Committee Recommendation
 - e. Management Approval

- 4) Grant Request \geq 250kEuro
 - a. Internal Evaluation
 - b. External Evaluation
 - c. Programme Manager, Head of Department and Legal Manager Approval
 - d. Energy Investment Advisory Committee Recommendation
 - e. Management Approval
 - f. SEAI Board Approval

Note the Internal Evaluation itself comprises the following:

- Administration Compliance
- Technical Evaluation

Failure of the Application at either stage of the Internal Evaluation will result in the Rejection of the Application. Companies are required to submit a valid Tax Clearance Certificate before a grant offer can be issued. Administration Compliance confirms this is in place and ensures that the Application Form is completed correctly.

If you are unhappy with an SEAI decision, you may appeal the decision by writing to the Head of Finance and Corporate Services in SEAI within four weeks of the date of the SEAI decision and providing documentation to support the appeal.

7.6 Payment Procedure

Projects must be completed by 30th October 2013 and the final claim for payment with supporting financial documentation must be submitted to SEAI by the 30th October 2013. If the project is not complete and the required documentation is not submitted by the deadline, the grant will be revoked.

Grant payment will be made to the Applicant in accordance with the Grant Agreement.

The level of Grant payment will be strictly proportional to receipts payments made by the Applicant to suppliers and contractors connected to the project.

Grant payment will be conditional upon satisfactory receipt by SEAI of the following on or before the 30th October 2013:

- (a) Project Completed (deliverables outlined in the Grant Agreement)
- (b) Project Completion Report;
- (c) A completed Payment Request Form;
- (d) Invoices documenting all approved itemised eligible costs;
- (e) Proof of payment of invoices in the form of a statement from the Contractor/Supplier confirming the invoice has been paid and a bank statement verifying payment.
- (f) A Valid Tax Clearance Certificate (where a Tax Clearance Certificate submitted with the application has expired);
- (g) VAT status confirmation from Revenue Commissioners where seeking VAT inclusive costs;

SEAI will:

- Review the Project Completion Report
- Review all financial documentation
- Carry out a Project Site Inspection on a sample of projects. These inspections may take place at any stage of the project including: during the project; the project review or post project completion.

Once the reports and financial documentation are deemed satisfactory, SEAI will normally transfer grant funds electronically to the Grantee's bank account and issue an accompanying letter notifying payment to the Grantee.

8 Terms and Conditions

1. The Application Guide, Application Form and Terms and Conditions are those published on the SEAI website on the date of submitting the application. However, SEAI may, if required by law or otherwise and without incurring any liability, vary, revise or supplement the Terms and Conditions of the Programme after the applicant's submission of an application and these revised or supplemented Terms and Conditions (as published on the SEAI website) will apply to the application unless the applicant chooses to withdraw his/her application or withdraw from the Grant Agreement. The applicant must monitor SEAI's website in order to learn of any such changes to the Terms and Conditions.
2. The applicant's agreement with SEAI in the event of a Grant Offer being accepted will comprise the Grant Agreement, Terms and Conditions of the Programme, the Application Guide (including its Appendices), and the rest of the Application Form. The applicant having accepted the Grant Offer and communicated his/her acceptance of it to SEAI shall comply with and agree to be bound by the provisions of these documents. In the event of any conflict arising between these documents the order of precedence shall be:
 - a. the Grant Agreement
 - b. the Terms and Conditions of the Programme
 - c. the rest of the Application Guide less the Terms and Conditions of the Programme
 - d. the rest of the Application Form less the Terms and Conditions of the Programme
3. The project, in respect of which the grant application is made, must be located in the Republic of Ireland.
4. Only new products shall be installed for the purposes of the project.
5. The Grant Offer only becomes valid upon receipt by SEAI from the applicant of the signed Grant Agreement.
6. The applicant must ensure Grant approval is received before proceeding with any orders, product purchase or commencing works. No payments will be made retrospectively for costs incurred prior to approval being granted. Orders placed or invoices dated prior to grant approval will not be eligible for grant support.
7. The grant, once approved, is only payable in respect of the project(s) identified in the Application Form and referenced in the Grant Agreement.
8. The grant, once approved, is only payable in respect of the approved itemised eligible costs identified in the Application Form and outlined in the Grant Agreement.
9. The applicant must obtain all necessary consents and statutory approvals and have authority to implement the project.
10. The applicant must ensure that compliance is achieved with the relevant principles of Irish and EC law regarding the spending of this funding and, where applicable, the laws and guidelines concerning State Aid and public procurement.

11. The applicant must be prepared to participate in follow-up site visit(s) to verify impacts and achievements and to participate in follow-up research (telephone or questionnaire) as may be commissioned by SEAI to establish the programmes' impacts and achievements. This will also include the acquisition of information and data for the development of case studies for wider dissemination (protecting as appropriate all confidential or commercially sensitive information/ data). The applicant acknowledges that SEAI will have to provide certain contact details to third party contractors in relation to these matters and the applicant hereby consents to SEAI making these disclosures.
12. The timing of payment to approved applicants is subject to the funding allocated by government to the Programme in a particular calendar year, in accordance with public financial procedures. Where all other conditions are met, payment will be made on a "first come, first served" basis. Where funding is exhausted in a particular calendar year, payment to remaining applicants will be deferred until such time as further funds may become available. Deferred payments will receive priority, if and when those funds become available.
13. The applicant must facilitate full access to SEAI and its agents to inspect and review the project within seven days of request for access, save in exceptional circumstances demonstrated to the satisfaction of SEAI. Failure to satisfy this full access requirement will be considered a breach of these Terms and Conditions (see Clause 15 below).
14. SEAI accepts no liability or responsibility, whether for breach of contract, negligence or otherwise, in respect of any direct or indirect loss, expense, dispute, claim, proceedings or cause of action arising out of, or in relation to, any product (or its suitability), any materials (or their suitability), equipment (or its suitability), work, system, service, specification, standard, installation in respect of which a Grant Offer has issued, or grant approval or payment was given by SEAI. No undertaking, guarantee, assurance or other warranty, express or implied, is given by SEAI, or any of its agents or servants, in respect of the cost, quality, efficiency and/or benefit of any work, equipment, materials, product, service or installation provided under the Programme.
15. In the event of any breach of these Terms and Conditions of the Programme or the other documents referred to in Clause 2 above by the applicant and where the applicant has received payment pursuant to the Programme, SEAI shall, amongst its remedies against the applicant, be entitled to demand the complete repayment of and fully clawback the Grant and the applicant agrees to comply with any such demand within one month of the date of the letter from SEAI containing such demand.
16. The applicant shall follow the SEAI complaints procedure in relation to any disputes between the applicant and SEAI concerning any matter in connection with the Programme.
17. Any false, fictitious or fraudulent statements or claims knowingly made on grant applications, or supporting documentation, submitted in respect of previous grant applications / requests for payment or otherwise made to SEAI, its authorised officers, or an SEAI Inspector, or any breach of these Terms and Conditions of the Programme may result in current and future applications being deemed ineligible by SEAI. In respect of applications where the applicant has already received payment pursuant to the Programme Clause 15 shall also apply.

18. SEAI undertakes to use its best endeavours to hold confidential, any information provided by the applicant subject to its obligations under law, including the Freedom of Information Act 1997 (as amended). Should the applicant wish that any of the information supplied by him/her should not be disclosed because of its sensitivity, he/she should, when providing the information, identify the same and specify the reasons for its sensitivity. SEAI will consult with the applicant about such information before making a decision on any Freedom of Information request received.
19. Any personal information which an applicant volunteers to SEAI will be treated with the highest standards of security and confidentiality, strictly in accordance with the Data Protection Acts, 1988 & 2003. SEAI, as data controller, and its agents, will store such information on its database and fully respect the confidentiality of the data provided. The information provided by applicants will be used for evaluation purposes and to facilitate the administration of the grant process. This may require that data be supplied to and discussed, in confidence, with any person or organisation appointed by SEAI to assist in assessing or monitoring this application. These persons will be subject to the same requirements for protection of confidentiality. The applicant's signature on the Application Form is treated as confirmation that SEAI and its agents may use the information thus supplied for the aforementioned purposes.

9 Contact Information

Programme Manager

Ocean Energy Development Unit

Sustainable Energy Authority of Ireland

Wilton Park House

Wilton Place

Dublin 2

Phone: 01-808-2062

Fax: 01-808-2013

Email: oceanenergy@SEAI.ie

This document together with the necessary forms may be downloaded from SEAI's website.

10 Further Information

Further information on the Ocean Energy Programme is available from the SEAI web site www.seai.ie/oceanenergy.

Appendix A Company Financial Statement Requirements

Commercial Grant Applicants Financial Documentation Required

The following documentation is required at application stage.

The relevant forms are a pre-requisite to any loan offer.

Grant Amount Requested	Public Sector Applicants	Other Applicants
< €50,000	Declaration of Financial Resources Availability	Declaration of Financial Resources Availability
>€50,000 <€200,000	Declaration of Financial Resources Availability	Declaration of Financial Resources Availability And Supporting Evidence (bank statement or letter from financial institution or entity making funding available)
>€200,000	Declaration of Financial Resources Availability	Declaration of Financial Resources Availability And Supporting Evidence (bank statement or letter from financial institution or entity providing funding) And Declaration of Solvency

Availability of financial resources must **include the total value of the project including the SEAI grant amount**. The above thresholds are based on individual grant amounts requested by each organisation.

For example:

5 organisations submit a joint application of €125k payable as €25k to each organization.

Therefore, the financial documentation required is based on a threshold of €25k and not €125k.

On Company Letterhead

DECLARATION OF FINANCIAL RESOURCES FOR THE PROJECT

I, _____, in my capacity as Managing Director/Finance Director /
(or equivalent) of _____ (hereinafter called the
“Organisation”) confirm to the Sustainable Energy Authority of Ireland that the Organisation
has access to an amount of _____ in place to meet the total
costs of the project outlined in the Organisation’s grant application to the Ocean Energy
Prototype Research and Development Programme.

Managing Director/Finance Director

(or equivalent) : (Print)

Signature:

Date:

Where a number of organizations submit a joint application, a declaration is required from each organization.

On Company Letterhead

DECLARATION OF SOLVENCY

I, _____, in my capacity as Managing Director/Finance Director/(or equivalent) of _____ (hereinafter called the “Organisation”) wish to assure the Sustainable Energy Authority of Ireland that I am unaware at this time of any issue that could present a threat to the solvency of the Organisation.

I declare, based on my own judgement and on the information at my disposal that the Organisation can meet its financial obligations and does not envisage any challenge to this situation in the immediate future. I believe the organisation will continue to operate as a going concern.

Furthermore, I am not, at this time, aware of any undisclosed matter, which could be damaging to the financial interests of the Organisation including a pending litigation.

I commit to informing the Sustainable Energy Authority of Ireland immediately should such a situation should it arise.

I understand that any false, fictitious or fraudulent statements knowingly made by me to the Sustainable Energy Authority of Ireland may result in the Grant being revoked, demand for Grant repayment and current and future Grant applications being deemed ineligible by the Sustainable Energy Authority of Ireland.

Managing Director/Finance Director

Co-coordinator: (Print) _____

Signature: _____

Date: _____

Where a number of organizations submit a joint application, a declaration is required from each organization.