

Application for Exemption from a disclosure provision of the Building Energy Efficiency Disclosure Act 2010 -Unsolicited Offers

This application form is for use by building owners or lessee's who wish to apply for an exemption from a disclosure provision—unsolicited offers under section 17 (3) (c) of the *Building Energy Efficiency Disclosure Act 2010* (BEED Act). Please refer to the *Building Energy Efficiency Disclosure Regulations 2010* for the requirements for making an application for an exemption.

I have read and understood the Unsolicited Offers Guidance note prior to completing this application form.

PART A – APPLICANT DETAILS – BUILDING OWNER OR LESSEE – The Offer Recipient

1. Applicant's Name: Building Owner Lessee

Corporation/ Entity Name: _____

please indicate and provide one of the following:

- Australian Business Number (ABN) **Number:** _____
- Australian Company Number (ACN) _____
- Australian Registered Business Number (ARBN) _____

2. Applicant's Entity Address Details:

Email Address: _____

Postal Address: _____

State/ Territory:

Postcode:

3. Applicant Representative Contact Details: Same as above

Mr **First Name:** _____ **Last Name:** _____

Ms

Telephone Number: () _____ **Mobile Number:** _____

Email Address: _____

Postal Address: _____

State/ Territory:

Postcode:

PART B – BUILDING DETAILS

1. Building Name and Address:

Building Name: _____

Building Street Address: (PO Box address not acceptable)

State/ Territory:

Postcode:

2. Provide the Net-Lettable-Area (NLA) of the Building:

_____ m² (required)

3. If the exemption applied for is for an area of a building - provide a description of the Area of the Building including the NLA:

_____ m²

PART C – OTHER OFFERS TO DEAL

In the six months before this application was made, did the applicant:

- a) invite an offer to deal in relation to the building to any person; Yes No ; or
b) invite an offer to deal from any person in relation to the building; Yes No ; or
c) Advertise the Building for sale, lease or sublease Yes No

During the three months before this offer has the applicant been granted an exemption for the building in relation to another unsolicited offer? Yes No

List any further information that may assist your exemption application in the box below.

STATEMENT, PRIVACY NOTICE, DECLARATION AND SIGNATURE by Applicant receiving unsolicited Offer

By signing below, the signatory acknowledges the following:

1. Statement of unsolicited offer

I am the Applicant or the Applicant's authorised representative.
The Applicant is the owner or lessee of the building.
The Applicant has received an unsolicited offer described in this application.

2. Privacy Use and Disclosure

That the information contained in this application for exemption is true and correct in all material particulars.
That any of the information provided in this form is being collected for the purposes of the BEED Act and may be copied, recorded, used or disclosed for the purposes of ensuring compliance with that Act. The information collected will be treated by the Commonwealth in accordance with the *Privacy Act 1988*.

Full name of Signatory: _____

Signature:

Date: _____

Note: type your name in the signature box if submitting by email

PART D –WAIVER by the OFFER MAKER

1. Details of person making Unsolicited Offer (the Offer Maker):

Corporation/ Entity Name: _____

please indicate and provide one of the following:

- Australian Business Number (ABN) **Number:**
- Australian Company Number (ACN)
- Australian Registered Business Number (ARBN)

2. Applicant's Entity Address Details:

Email Address: _____

Postal Address: _____

State/ Territory:

Postcode:

3. Applicant making unsolicited offer Contact Details:

Mr **First Name:** _____ **Last Name:** _____
 Ms

Telephone Number: () _____ **Mobile Number:** _____
Email Address: _____
Postal Address: _____

State/ Territory: _____ **Postcode:** _____

WAIVER, PRIVACY NOTICE, DECLARATION AND SIGNATURE by the Offer Maker

1. Waiver by Offer Maker.

I/We as the Offer Maker consent to waive our right, for the period during which this exemption is in force, to be given a current Building Energy Efficiency Certificate for the building or area to which the exemption relates.

2. Declaration by the applicant; Privacy, Use & Disclosure Notice

By signing below, the signatory acknowledges that the information contained in this application for exemption is true and correct in all material particulars. The signatory also acknowledges that any of the information provided in this form may be copied, recorded, used or disclosed for the purposes of ensuring compliance with the BEED Act. The information collected will be treated by the Commonwealth in accordance with the *Privacy Act 1988*.

Full name of the Applicant: _____

Signature: _____ **Date:** _____

Note: type your name in the signature box if submitting by email

Notices

1. The Department has a Privacy Policy available:

- (i.) online at <https://www.industry.gov.au/data-and-publications/privacy-policy>
- (ii.) by contacting the Department by Email: privacy@industry.gov.au
- (iii.) by post at:

Privacy Contact Officer
Department of Industry, Science, Energy and Resources
GPO Box 2013
Canberra ACT 2600

2. Applicants must not, and must ensure that their officers, employees, agents and advisors do not, in relation to the preparation, lodgement or assessment of this Nomination:

- (ii.) make false or misleading claims or statements;
- (iii.) improperly obtain confidential information;
- (iv.) receive improper assistance;
- (v.) attempt to improperly influence an officer of the Commonwealth.

3. Under section 137.1 of the Criminal Code Act 1995, it is an offence to knowingly provide false or misleading information to a Commonwealth entity.

Penalty: 12 months imprisonment

4. This document is not business, investment, legal or tax advice. Nominators should seek their own independent professional advice in respect of all matters in connection with their Nomination.

Submitting this Exemption Application

This application can be sent electronically to the CBD Program: info@cbd.gov.au the subject line should be – Unsolicited Offer Exemption Application – ‘Building Address that exemption is being applied for’-

There are no fees associated with this application.

Or mailed to: (Please note mailed applications will take additional time to process)

Commercial Building Disclosure
Exemptions Administrator
Energy Security and Energy Efficiency Division
Department of Industry, Science, Energy and Resources
PO Box 2013
Canberra ACT 2601

What happens after submission?

You will be notified that your application has been received.

You will be provided an Exemption Letter once approval has been granted.

If granted the exemption will be valid for a period up to 12 months or until;

- End of period specified in the exemption letter; or
- Contracts entered into by the offer recipient and offer maker; or
- Termination of negotiations to which this exemption relates to; or
- Commencement of negotiations between the applicant and another party other than the offer maker; or
- Advertising for the Building or area has commenced for sale or lease.