Capacity Investment Scheme Tender 1 – National Electricity Market (NEM) Generation

Mandatory returnable schedule:

Conflict of Interests

#### Guidance Notes

The purpose of this form is for Proponents to provide notiﬁcation to the Australian Government and AEMO in relation to an actual, potential or perceived conﬂict of interests during the Tender Process or any fact, matter or thing which may have an adverse effect on the Tender Process or which may affect the probity or perception of probity in respect of the Tender Process, in accordance with Section 4.14 of the Tender Guidelines.

Proponents should read the Tender Guidelines prior to completing this form. Capitalised terms in this form that are not otherwise deﬁned here have the same meaning as in the Tender Guidelines. The terms and conditions set out in the Tender Guidelines apply in respect of this form and the information provided pursuant to it.

A Proponent must not, and must ensure that its Associates do not, place themselves in a position that may or does give rise to an actual, potential or perceived conﬂict of interests between the interests of:

* the Australian Government or AEMO and the Proponent or its Associates; or
* the Proponent or its Associates and a Competing Proponent,

during the Tender Process, as outlined in Section 4.14 of the Tender Guidelines.

Please complete this form with details of any:

* actual, potential or perceived conﬂicts of interests; or
* relevant fact matter or thing which may have an adverse eﬀect on the Tender Process,

with an accompanying explanation, supporting materials and the proposed conflict management protocol to manage or otherwise mitigate the risk arising from the conflict of interests or relevant fact, matter or thing.

**Select the category to which the conﬂict of interests relates:**

☐ Conﬂict of interests between the Proponent and a Competing Proponent

☐ Conﬂict of interests between the Proponent and the Australian Government or AEMO

☐ Conﬂict of interests in connection with a Proponent’s Associate

☐ No conflict of interests to declare

☐ Other facts, matters or things which may have an adverse impact: *<provide more details if other>*

**Provide an explanation of the actual, potential or perceived conﬂict of interests, or relevant fact, matter or thing which may have an adverse eﬀect on the Tender Process, including without limitation:**

* nature of details of the conﬂict of interests or fact, matter or thing which may have an adverse eﬀect, including details of:
  + the relevant entities or if relevant, individuals, involved;
  + whether the conflict is historical, current or future; and
  + the connection/s or issue/s;
* if conﬁdential information has been shared with a Competing Proponent;
* if the Proponent is a member and/or Associate of, or otherwise involved with, a Competing Proponent or Consortium Member of a Competing Proponent;
* if the Proponent was or is engaged at any time during, or after, the 12 months immediately preceding the Registration Date, or is aware of any relationship the Proponent or any of its Associates may have with,:
  + the Australian Government, AEMO or any Authority involved or connected with the Project or the administration of the Tender Process; or
  + any experts, consultants or advisers appointed by the Australian Government, AEMO or their Associates for the purpose of the Tender Process;
* if the Proponent’s Bid was prepared or otherwise assisted by a person who or which:
  + is or was an Associate of, or was otherwise engaged by, the Australian Government at any time during, or after, the 12 months immediately preceding the Registration Date; or
  + was involved in the management of the Tender Process, or the preparation of the Tender Documentation of Project Documents, at any time; and
* details of any processes, safeguards and protocols in place (or proposed to be put in place) to manage the treatment of conﬁdential information from another party, or to mitigate the risk of conﬂict of interest for Associates (eg personnel separation, information barriers and ringfencing).

Please note that the policy intent of Section 4.14 in the Tender Guidelines is not to restrict key contractors, OEMs, banks, etc. from working across multiple projects, provided that appropriate conﬂict of interests controls are in place to ensure any competition and collusion related issues are appropriately managed.

**Provide detail here:**