

23 August 2018

## Golden International Trading Pty Ltd

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On 21 August 2018 the NSW Civil and Administrative Tribunal (**NCAT**) affirmed the decision of the Scheme Administrator to cancel the accreditation of Golden International Trading Pty Ltd (**Golden International**) for failing to conduct a required audit.

NCAT's full judgment is available [here](#).

### Failure to conduct audit

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Golden International failed to conduct an audit as required by the Scheme Administrator. This was a breach of its conditions of accreditation and a ground for cancellation under the *Electricity Supply (General) Regulation 2014* (**ES Regulation**).

### Cancellation of accreditation

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On 15 March 2018 the Scheme Administrator cancelled Golden International's *Energy Efficient Lighting Upgrade* accreditation under section 137(2) of the *Electricity Supply Act 1995* (NSW) (**ES Act**) and clause 42(1)(c) of the ES Regulation.

This decision was affirmed at internal review. Golden International sought external review of the decision by NCAT, and the matter was heard on 6 August 2018 before N Isenberg, Senior Member.

### Decision

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Senior Member Isenberg affirmed the decision to cancel the accreditation, noting that Golden International's failure to comply with its audit requirement 'was a straightforward refusal to comply with existing conditions of accreditation'. She further noted that one of the 'fundamental duties of a participant in the Scheme is submitting to audits, when required by the Scheme Administrator'.

### ACP compliance

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The decision highlights the importance of each ACP ensuring that it complies with all its obligations under the ESS, including under the ES Act, the ES Regulation, the *Energy Savings Scheme Rule of 2009* and the ACP's accreditation notice.

IPART will remain vigilant in monitoring compliance with the Scheme, and will continue to act where necessary to ensure the ongoing integrity of the ESS.