



**DIALOGUE ON SOLAR PV QUOTA
APPLICATION 2013**

9TH MAY 2013 (THURSDAY)

**DEWAN SRI SIANTAN 1,
KOMPLEKS PERBADANAN PUTRAJAYA**



Verification Methodology of the Recently Released Solar PV Quota

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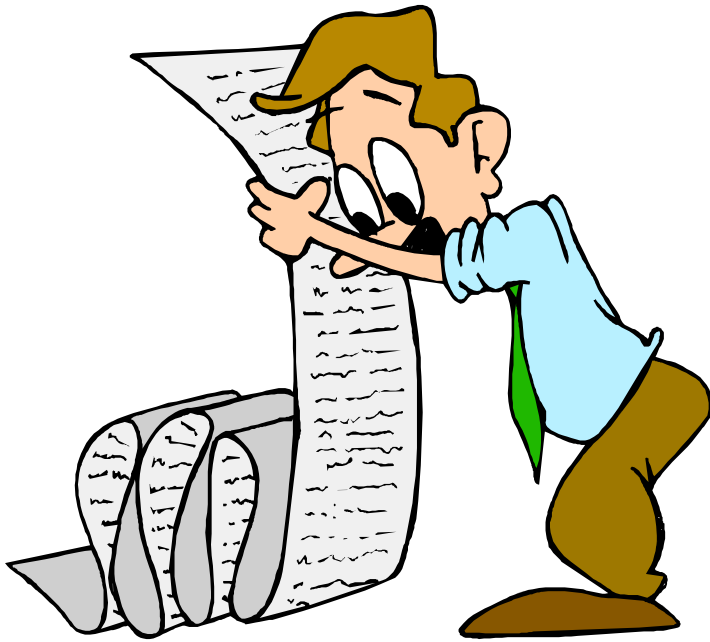
Director, FiT Division, SEDA Malaysia

Date: 9th May 2013

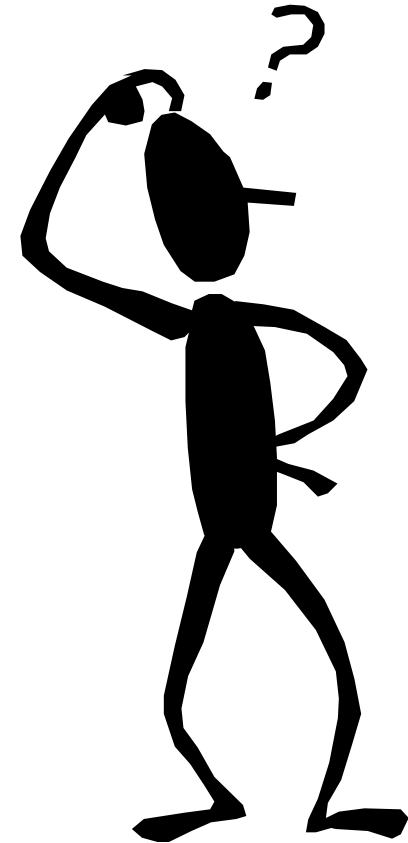
Time: 9.00 am - 11.00 am

Venue: Dewan Seri Siantan, Putrajaya

The Verification Process



Are applicants complying to our requirements?



How are applications being verified?
Why have I been refused/rejected?

Please take note:

When applying, please ensure:

- All documents are in order and complete;
- Documents are readable and clear – any ambiguity may result in the refusal of your application;
- Onus is on the applicant and service providers to provide all related/necessary information to the Authority;
- There are no queries to applicants (unlike the first quota release) post application – a recent directive by the Sr Management of SEDA Malaysia.

Verification of FiT Application: Part 1 - RE Applicant Profile (Non-Individual)

Category of Applicant:**Private Limited Company****DOCUMENTARY EVIDENCE:**

- Form 9 (Certificate of Incorporation of Private Company) in connection with the Applicant under the Companies Act 1965;
- The **Memorandum and Articles (M&A)** of association of the Applicant (**showing power generation from renewable energy as part of their line of business**). Please highlight this in your document when you submit to SEDA Malaysia.
- the **latest** Form 49 (Return giving particulars of Register of Directors, Managers and Secretaries and change of particulars) lodged by the Applicant with the Registrar of Companies **and a written confirmation from the company secretary on the current shareholding of the Applicant** (recently dated letter & not something issued years ago);
- the latest audited accounts of the Applicant (if the company is incorporated more than 1 year).

Category of Applicant:

Public Listed Company

DOCUMENTARY EVIDENCE:

- Form 8 (Certificate of Incorporation of Public Company)
- The **Memorandum and Articles** (M&A) of association of the Applicant (**showing power generation from renewable energy as part of their line of business**). Please highlight this in your document when you submit to SEDA Malaysia.
- the **latest Form 49** (Return giving particulars in Register of Directors, Managers and Secretaries and change of particulars) lodged by the Applicant with the Registrar of Companies **and a written confirmation from the company secretary on the current shareholding of the Applicant** (recently dated letter & not something issued years ago);
- the latest audited accounts of the Applicant (if the company is incorporated more than 1 year)

Category of Applicant:

Registered Society/Associations

DOCUMENTARY EVIDENCE:

- For registered societies / associations, applicants need to provide a copy of the constitution which allows the society/association to generate power from RE.

Apart from the documentary evidence, please be reminded of the following:

1. Ensure the declared shareholders and shareholding structures are valid and Matches all forms 24, etc (can be traced and complete);
2. The shareholding diagram is complete and shows upto the immediate shareholders Who are individuals (if for private limited companies);
3. All sequences or flow in the series of changes experienced by any applicant in terms Of shareholding must be proven by submitting ALL related documents to the authority;
4. Any cheating or dishonest conduct (suspicion of the two) will be viewed seriously by the Authority which may result in the outright refusal of the suspected party.

SOCIETY- SOCIETIES ACT, 1966

- **FORM 3**- Registration Certificate
- **FORM 9**- Essential Information given by every year which consist of List of Committee members
- Can apply society profile or certified documents from the Registrar of society by filing of Form 27.

JOINT MANAGEMENT BODY- BUILDING AND COMMON PROPERTY (MAINTENANCE AND MANAGEMENT) ACT 2007

Is formed before the Strata Titles of Property have been issued.

MANAGEMENT CORPORATION - STRATA TITLES ACT, 1985

- Exists by operation of law upon the opening of a book of the Strata Title in respect of a sub-dividend building such as Condominium.
- Profile of committee member, financial statements, and the minutes of AGM can be obtained from the Land office.

Sample of Accepted M&A

a General Meeting of the member of [REDACTED] duly convened and [REDACTED]
Company registered office at [REDACTED]
[REDACTED] on 30 MAR 2013 the Special Resolution set out below was duly passed

SOLVED that the Company's Memorandum of Association be amended by an additional clause (4a) to the objective 3 clause as below:-

- (4a) To carry on all or any of business of electrical, mechanical, motor and electrical engineers, manufacturers and merchants of, agent for, and dealers in engineering specialities of power generation from SOLAR RENEWABLE ENERGY.

passed this: 1 APR 2013

A handwritten signature in black ink, consisting of several overlapping strokes, positioned above a horizontal line.

Director

Note: SEDA Malaysia shall accept the submission of FORM 11 but it **MUST BE CERTIFIED** by the same company secretary of the applicant

What possible Questions come to mind?

What if...

- The M&A is not updated and does not have 'power generation' or description demonstrating the said activity?
- The latest Form 49 is not submitted?
- There is a name change in the company but no proof to substantiate this was submitted (Form 13)?
- The updated M&A was not uploaded in the profile but a hardcopy was sent to SEDA Malaysia's office?
- The documents are not signed or dated?
- Form 11 is not certified at all?





YOUR APPLICATION WILL BE REFUSED!

Please take note:

1. Do not send us any hardcopies of the documentation (unless there is a specific request for this – technical side);
2. Do not upload any profile documents in the application folder;
3. Do not email us any updates after the application has been submitted –we will not be entertain any post application emails.

**Authorised
Capital (RM)****DOCUMENTARY EVIDENCE:**

- ALL Forms 24** (Return of Allotment of Shares) lodged by the Applicant with the Registrar of Companies under the Companies Act 1965

- Your application **will be refused** if Form 24 was not submitted at all or if it does not meet the requirement on paid up capital

- If there are any transfer of shares to new shareholders – form 32A must be furnished to SEDA Malaysia

- Please work with the company and their appointed company secretary to ensure completeness of submissions

- If the info is ambiguous, the application may be refused so please ensure all necessary information is furnished to SEDA Malaysia. For completeness, applicants can purchase the company profiles from CCM and upload that info as well.

Total Paid Up Capital (RM)

DOCUMENTARY EVIDENCE:

For Companies:

- ALL** Forms 24 (Return of Allotment of Shares) lodged by the Applicant with the Registrar of Companies under the Companies Act 1965
- installed capacity of up to 72kWp or kW – minimum **RM20k**
- installed capacity of exceeding 72kWp or kW – minimum **RM50k**

Applications failing to furnish the required documents will be refused especially if the **total paid up capital stated in Form 24 does not meet requirements and if the amount in the forms cannot be confirmed to show the declared paid up capital.**

Registered & Business address

Electricity Bill (optional) but for indirect feed applications, this is mandatory



Shareholders

If shareholder is an individual (**direct shareholder**), documents required to be uploaded are:

- MyKad or Passport (if foreign person)

If shareholder is an individual (**ultimate shareholder**):

DOCUMENTARY EVIDENCE:

- ALL Forms 24** (Return of Allotment of Shares) lodged by the Applicant with the Registrar of Companies under the Companies Act 1965; and
- the **latest Form 49** (Return giving particulars in Register of Directors, Managers and Secretaries and change of particulars) lodged by the Applicant with the Registrar of Companies **and a written confirmation from the company secretary on the current shareholding of the Applicant.**

**Shareholder
(cont'd)**

If shareholder is a **public listed company**:

- A **certified copy of Form 29A/Form 29B** (Substantial Shareholder) of Public Listed Company **by the company secretary; and**
- a **confirmation letter** by the company secretary confirming the list of shareholders.
- Audited annual report showing list of shareholders can be provided as additional info.

Refusals will happen if any of the documents do not match the persons registered in the application.

If errors (number registered- MyKad/Passport No) are observed, SEDA Malaysia shall request for the correct documents/copies before proceeding with verification.



Authorised Personnel & Declaration Forms

Please take note of the following:

- The extract of the company's board resolution authorizing the authorised personnel to make this application on behalf of the Applicant and to execute and submit all documentation in relation thereto.
- If company registration number in board reso is different from application due to typo error – to query for new board reso.

Applicants will be refused if:

1. the extract of the company's board resolution is missing and if the person applying is different from the name in the resolution;
2. The authorised party is an entity and not individual;
3. A letter is issued in lieu of the board resolution whereby the authorised personnel undersigns the letter appointing him/herself.

Note: Authorized personnel **need not be an employee** of the company applying for FiT.



Before you apply, make sure you check the following:

1. The extract of the board resolution is dated and signed.
2. The document is an extract of the board resolution and not director's circular.
3. The person named in the extract of the board resolution as the authorized personnel appointed to apply matches all signed forms and declarations submitted to SEDA Malaysia.

Verification of FiT Application: Part 2 – Application (Non-Individual)

REQUIREMENT	DOCUMENTARY EVIDENCE
<p>Application Number (SXXXXXXXXXX)</p>	<p>Must match the declaration form and company registration number.</p> <p>If the number differs, we will proceed to process the application and if approved, the applicant to request for amendments later but chargeable with a fee.</p>
<p>Total Installed Capacity / Net Export Capacity</p>	<ol style="list-style-type: none"> 1. The detailed engineering design of the renewable energy installation, including all relevant calculations to justify the installed capacity and claimed efficiencies must be submitted. 2. Net export capacity must tally with CCC or PSS recommendation.

REQUIREMENT	DOCUMENTARY EVIDENCE
For PSS or CCC	<p data-bbox="649 325 1083 368"><u>PLEASE ENSURE:</u></p> <ol data-bbox="649 396 1835 1389" style="list-style-type: none"><li data-bbox="649 396 1835 525">1. PSS report is submitted together with the approval letter from the DL;<li data-bbox="649 539 1835 668">2. CCC report is submitted together with the approval letter from the DL;<li data-bbox="649 682 1835 953">3. Please do not send us any hardcopies of the above as only the softcopies uploaded at the point of application will be taken into consideration;<li data-bbox="649 968 1835 1389">4. The names of both the reports MUST match the name of the applicant; unless approval letters from the respective DLs are provided to show approval for name change to the PSS. These letters must be uploaded to the folder at the point of application.

<p>If net export capacity is > 72kW and up to 180kW</p>	<p>Net export capacity MUST tally with the CCC recommendation</p>
<p>If net export capacity is > 180kW</p>	<p>Net export capacity MUST tally with the PSS recommendation</p>
<p>Connection Point (LV or MV)/ Connection Type (Direct/Indirect)/ Distribution Licensee</p>	<p>All info submitted MUST match the approvals of the the CCC or PSS</p> <ul style="list-style-type: none"> • For >72 upto 180 kW, Indirect Connection only for LV & applicant must be an existing registered TNB customer. The CCC will be the decider. • For <72 kW, the FIAH must ensure that the current electricity bill account holder is the same as FiT applicant (for indirect connection).

Documentary Evidence Required for the Bonus FiT Rate

<p>Additional For Use As: a) Installation In Buildings Or Building Structures; b) Building Materials</p>	<p>Design drawings accompanied by the written confirmation by a qualified person that the criteria will be met based on such design drawings</p> <ol style="list-style-type: none"> 1. Design drawings MUST be submitted with the written confirmation by the QP; 2. The award of the applied bonus will be confirmed upon the project reaching FiTCD.
<p>Additional For Use Of Locally Manufactured Or Assembled: a) Solar PV Modules; b) Solar Inverters</p>	<p>Either:</p> <ol style="list-style-type: none"> a. A certified copy of the manufacturer's licence issued under the Industrial Co-ordination Act 1975 [Act 156]; b. A certificate of factory acceptance test or its equivalent; or c. A certificate from the manufacturer. <p>The required documentation MUST be submitted and for item (a), take note of the requirement for a certified true copy be submitted.</p>



<p>Land Title's UPI Location (Universal Parcel Index)</p>	<p>Land Title Showing Ownership and Lot Number</p> <p>Application will be refused if:</p> <ol style="list-style-type: none">1. The Land title, land assessment/cukai tanah were not submitted. If the applicant submitted only the land assessment and cukai tanah, SEDA will request via the query function for the land title to be provided.2. The documentation does not match the application.
<p>Project Site Postal Address</p>	<p>Documents proving the Applicant's ownership of the site, or other conditional or unconditional rights (e.g. Option-to-Rent/Lease or leasing agreement) that the Applicant has to utilise/lease the site for a minimum period equivalent to the effective period.</p> <p>Refusal will happen if:</p> <ol style="list-style-type: none">1. Documents are not submitted at all;2. The postal address differs from the applied address (in terms of location shown via the GPS coordinates) or other related evidence such as the land title, etc [any mismatch may result in the refusal of the application]

Remember, it is your duty to substantiate all claims and if your submission is ambiguous and Without enough documentary evidence of the exact location, we may refuse the application!²⁴

Fully Owned	S&P document / Land Assessment
Owned (Charged To Bank)	S&P document / Land Assessment
Owned by Shareholder/ Director	<p>S&P document / Land Assessment</p> <p>Applicants will be refused, if:</p> <ol style="list-style-type: none"> 1) S&P Document/ Land Assessment not submitted if the applicant checked ‘fully owned/or owned’.
Option-to-Rent/Lease	<p>Leasing agreement</p> <p>Applicants will be refused, if:</p> <ol style="list-style-type: none"> 1) There is no leasing agreement or some form of legal documentation to show intent to lease. 2) If the address in the agreement differs from the leasing document. <p>Note: Please ensure all documents bear some sort of official/legal proof especially for all leasing documents.</p>

Qualified Persons

A **certificate** in solar photovoltaic system design from any institution recognised by the Authority (ISPQ/MBIPV)

A **wireman** certificate(s) issued by the Energy Commission to the Qualified Person(s) for LV

A **certificate of registration** of each Qualified Person with the Board of Engineers Malaysia as a Professional Engineer (Electrical) for MV

- 1) Applications will be refused if the submitted documents do not match the endorsements on the drawings/ written documents validating the application.
- 2) For applications < 180 kW, drawings submitted must have the registration number of the ISPQ QP printed on the sheet of drawing.

Technical Part on DAA

Capacity
Factor /
Energy Yield /
Specific Yield
/ DAA

Application **will be refused** if your DAA is $< 10\%$ without acceptable reasons.

SEDA will send a query to applicants but a response must be provided within the stipulated timeframe given by the Authority. Failing which the application will be refused.

**Self-
finance**

Relevant documents confirming that you have the financial capacity equivalent to or your bank account statement showing a credit balance of at least:

- a) total capital cost of the Renewable Energy installation (Bank Statement, Annual Reports, etc); and
- b) a minimum paid-up capital of RM50,000 in the case of a proposed renewable energy installation having a rated kWp or net export capacity of more than 72 kWp or kW.

(SEDA will check this part from the Applicant's profile tab)

The application will be refused if:

- There is no evidence (no proof whatsoever) at all;
- The paid-up capital is not as per applied and does not meet the minimum threshold. █

Financial Institution

The letter(s) of intent/offer letter(s)/financing term sheet(s) from the entity (ies) that will be or has provided financing to the Applicant for the project.

Relevant documents confirming that you have the financial capacity equivalent to or your bank account statement showing a credit balance of at least:

- a) 5 % of the total capital cost of the Renewable Energy Installation (Bank Statement, Annual Reports, etc); and
- b) a minimum paid-up capital of RM50,000 in the case of a proposed renewable energy installation having a rated kWp or net export capacity of more than 72 kWp or kW. (Check in Applicant profile tab)

Your application will be refused if the required documents were not submitted.

<p>Declaration: ALL forms must be signed by the Authorised Personnel</p>	<p><u>Profile of the applicant:</u> Authorized personnel tab; Supporting Doc on Board Resolution; Declaration tab and the signed document.</p> <p><u>Application side:</u> Declaration form must match the documents submitted in the profile side.</p>
<p>Fees: Payment must reach SEDA within 7 days from the application date</p>	<p>As soon as a quota is secured, applicants MUST make payment and upload the proof of payment into the e-FiT system. Please ensure the proof is furnished to SEDA and the amount must reach SEDA within 7 days.</p> <p>Failing to perform the above may result in an outright refusal.</p>
<p>Other notes</p>	<p>If documents submitted online is different from the hardcopy - the online documents should take precedence and approvals will be based on those documents (unless prior approvals were given by the Authority to consider the hardcopies).</p>

Approved or Refused?



If your **application is approved**, Congratulations!
But there is much more to do....

- Your commitment towards ensuring success of the project kicks in.
- Need to achieve the milestones and their deadlines.
- Fully responsible for updating the project folder/files in the e-FiT system especially upto the point of achieving FiTCD

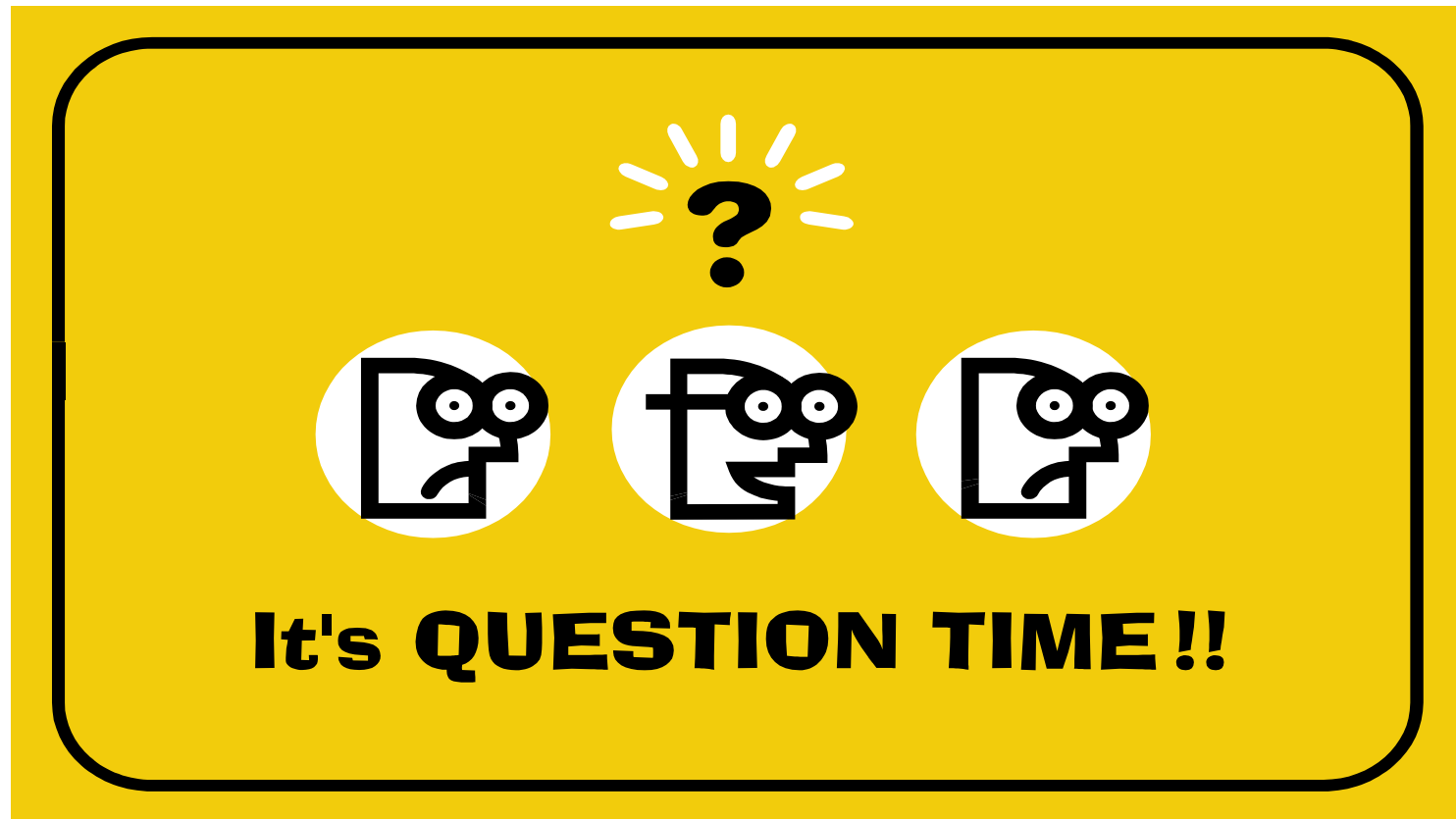
Note: failing to keep your files upto date will prevent FiAHs from achieving FiTCD which will lead to 'no-payments' at all.

Approved or Refused?



If your **application is refused**

- Do not be disheartened;
- Re-apply in the next quota opening but most importantly, ensure you comply to ALL requirements before putting in your application;
- ASK, if unsure or check with the relevant professionals to ensure compliance (company secretary, lawyers, financiers, etc)
- SEDA Malaysia will provide a **refund only on the application fees** to unsuccessful applicants.



Let's begin our dialogue session.....

Thank you



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