



# Flo Energy Australia Pty Ltd

## AER Retail Authorisation Application

Date Submitted: 2 November 2023





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## Introduction

### Background

This is an application by Flo Energy Australia Pty Ltd (“**Flo Energy Australia**”), an Australian proprietary company limited by shares, for a retail authorisation for the sale of electricity in those states that have adopted the National Energy Consumer Framework.

Flo Energy Australia is a wholly owned subsidiary of Flo Holding Pte. Ltd. (“**Flo Holding**”), a registered company in Singapore. Another wholly owned subsidiary of Flo Holding is Flo Energy Singapore Pte. Ltd. (“**Flo Energy Singapore**”), a licensed electricity retailer in Singapore. Flo Energy Singapore is the largest independent retailer in Singapore offering 100% certified renewable electricity and services to small and large business customers. Together, the group of entities (“**Flo Group**”) and owners have significant experience in the energy industry.

The Flo Group develop and operate our own proprietary energy technology platform built with deep understanding of the energy sector to serve our customers best. The platform is based around a scalable, cloud-based advanced architecture and running continuous deployment. By investing in technology, we bring our costs down and we share the savings with our customers to realise our mission; switching as many people as we can to renewable energy by making it affordable.

Using our technology platform approach, experience and execution power, Flo Group aims to become a leading renewable energy retailer in Asia and commercialise our solutions to realise our mission. The Flo Group desires to commence it’s regional expansion in Australia.

### The Application

To assist the Australian Energy Regulator (**AER**) in its review of this application, below we provide answers to each of the criteria set out in the Retail Authorisation Guideline and accompanying checklist. This application was prepared with the assistance of Compliance Quarter.

This application consists of the following:

- **Part One** of this document provides the Required Information: general particulars;
- **Part Two** of this document provides the Required Information: organisational and technical capacity;
- **Part Three** of this document provides the Required Information: financial resources;
- **Part Four** of this document provides the Required Information: suitability; and
- **Attachments** to this document, as referenced throughout.

Documents marked as 'Commercial in Confidence' do not form part of the public component of this application. Documents will be marked as such if proprietary to the application or if they contain legally privileged, copyright or commercially sensitive material.

## 1. Part One: Required information – general particulars

	Required information	Response from Flo Energy Australia
1	Fuel type Please enter either Electricity (E), Gas (G) or Dual (D)	Electricity (E)
2	Existing or Start-up business	Startup
3	Confidential documents - Please enter either - Yes or No	Yes
4	Your legal name	Flo Energy Australia Pty Ltd
5	Your trading name if different to your legal name	Not applicable
6	ABN or ACN	<b>ABN:</b> 59 664 209 330 <b>ACN:</b> 664 209 330
7	A registered business address and address for correspondence	Suite 2, Level 25, 100 Miller Street, North Sydney, NSW 2060
8	A nominated contact person, including their position in the organisation and contact details	<b>Name:</b> Mike Pucar <b>Position:</b> Managing Director
9	The date you intend to commence retailing energy	Flo Energy Australia intends to commence energy retail operations on receipt of the Authorisation
10	The nature and scope of operations proposed (business model and size of operations, volume of customers)	<p>Flo Energy Australia intends to retail electricity to Residential, SME and C&amp;I customers in Australia.</p> <p>The Flo Group operates its own in-house developed energy tech platform built specifically for the energy sector.</p> <p>It uses the best practices from over 10 years of energy retail experience in the Netherlands and Singapore to serve our customers best.</p> <p>The system is based around a scalable, cloud-based advanced platform capable of unlimited scale. For the Australian market, it will be tailored to meet the local legislative requirements and technical integrations with AEMO.</p> <p>Our Flo Energy Australia Business Plan (<b>Annexure C1</b>) outlines in greater detail our operations, the intended target market and our business goals. Further supporting detail regarding the size of operations and volume of customers is contained in the Financial Model (<b>Annexure C3</b>)</p>
11	The jurisdictions in which you intend to retail energy	NECF Jurisdictions (SA, NSW, QLD, SA, ACT and Tas)
12	The type of customers you intend to supply (for example, small customers, small market offer customers or large customers as defined in s. 5 of the Retail Law)	Flo Energy Australia intends to retail to residential and small and large commercial customers.

## 2. Part Two: Required information – organisational and technical capacity

### 2.1. Details of previous experience as an energy retailer (Criterion 1 to 6)

Criterion from Guideline	Required information	Response from Flo Energy Australia
Criterion 1	Details of your (or any related parties) previous experience as an energy retailer	<p>Flo Energy Australia is a newly established entity without previous experience as an energy retailer. However, it is part of an international group with significant energy retail experience and leverages the skills and experience of its related companies and employees (see below).</p> <p>Entities/experience within the group (detailed further below), include:</p> <ul style="list-style-type: none"> <li>Flo Energy Singapore Pte Ltd (Singapore)</li> <li>Flo Energy's CEO is also the founder of Vandebron Energie B.V. (Netherlands)</li> </ul> <p>For its intended operations in Australia, the applicant will rely on individuals with significant experience in the energy market both in Australia and regionally. The hiring of the applicant reflects its assessment regarding the required capability, as noted above. The individuals engaged by the applicant have worked in or for energy retailers, including in energy compliance and risk management.</p> <p>Please refer to <b>Annexure A4</b> provided on a commercial in confidence basis for details on all providers and individuals involved in Flo Energy Australia.</p>
1.1	The date and location of previous operations (this should include related entities (if applicable))	<p><u>June 2020 - Now, Singapore (Flo Energy Singapore.</u> <u>December 2013 - December 2019, Netherlands (Vandebron Energie B.V.)</u></p> <p>The Flo Group is co-founded by Matthijs Guichelaar (CEO of Flo Energy Singapore Pte. Ltd.), who previously founded and led Vandebron Energie B.V., one of the biggest renewable energy retailers in the Netherlands.</p>
1.2	The form/s of energy sold	Electricity and Gas
1.3	The scale of operations (including the number and size of customers)	<u>[redacted]</u>
1.4	A description of how the retail activities were conducted	<p>In both countries retail activities were conducted under the respective licence requirements.</p> <p>For the Netherlands, this was both B2B as well as B2C. For Singapore, this is currently only B2B.</p>
Criterion 2	Details of any other relevant retail or energy market experience	<p>The key staff have significant experience in the energy market. Please refer to the respective CV's (<b>Annexure A5</b>), and a biography summary of key staff (<b>Annexure A4</b>)</p> <p>In particular, Flo Energy Australia's Director of Trading and Portfolio Management (Matthijs Begeer) has worked for Energy Global, a risk and balance responsible service provider to various retailers across the Netherlands.</p>

		<p>Flo Energy has sufficient experience in the following key areas, to assist in carrying out its functions:</p> <ul style="list-style-type: none"> <li> <b>Billing and technical infrastructure:</b>            Flo Energy Australia will utilize the existing technology applications present in the Flo Group. This platform has already shown its competence in the Dutch and Singaporean markets. For Australia, this platform will be extended with the required interfaces to communicate with the systems of AEMO and local legislative requirements around billing and consumer safeguards. For the support of this implementation, Flo Energy Australia has recruited a Head of Market Operations (Arun Wadhwa). Please see Business Plan (<b>Annexure C1</b>) for more information.         </li> <li> <b>Compliance:</b>            Flo Energy Australia Pty Ltd has recruited a Head of Compliance and Risk (Louizanne Diaz) as well as a Compliance Manager (Konstantina Buzi). Compliance Quarter has also been engaged to support our compliance program and we have a Compliance Policy aligned with ISO 37301:2021. For more information, please see Business Plan (<b>Annexure C1</b>).         </li> <li> <b>Wholesale risk management:</b>            Flo Energy Australia has a comprehensive risk management plan in place. For more information, please see Business Plan (<b>Annexure C1</b>).         </li> </ul>
Criterion 3	Where you do not have previous energy market experience, how you intend to bring this experience into your business	<p>Flo Energy Australia has sufficient experience within the group to carry out energy retail in a compliant and responsible manner.</p> <p>However, to assist in implementing systems in Australia, Flo Energy has recruited a Head of Market Operations. Please refer to <b>Annexure A13</b> for the Head of Market Operations capabilities and experience.</p> <p>If, in future, a business case determines that further external assistance is needed, suitably qualified contractors will be engaged as per the Third Party Management Policy (<b>Annexure B4</b>) and Third Party supplier or software selection process (<b>Annexure B24</b>).</p>
Criterion 4	An organisation chart showing the structure of your organisation (this should include Board members and Operational Managers)	<p>Please see <b>Annexure A3</b> for a copy of the Flo Energy Australia Organisational Chart</p> <p>Flo Energy Australia roles will initially be carried out by Australian based employees with Australian energy market experience and members of the regional team, and will expand post-authorisation as the company grows.</p> <p>The organisational chart shows the positions currently filled and those to be filled in the next 1-3 years. For the roles not yet filled, Flo Energy Australia has drafted position descriptions (see <b>Annexure A8</b>).</p>
Criterion 5	The number of employees, broken down by business unit or other relevant classification	<p>Please see <b>Annexure A3</b> for a copy of the Flo Energy Australia Organisational Chart, which provides a tabulation of the planned resourcing configuration</p>



	(are employees shared with any other entities)	<p>from initial launch to approximately 24 months of operations.</p> <p>The roles marked in red boxes on the chart, which are temporarily occupied by existing Flo Group personnel, are a transitional arrangement intended for the initial phase, spanning approximately 6 to 9 months. Only during this period, these positions will be held by Flo Group employees. During this phase, we will continue to be actively recruiting local staff members from Australia to fulfil these roles.</p> <p>Furthermore, our expansion plans involve hiring for the roles highlighted in green boxes on the organizational chart. Over the course of 2023, we anticipate augmenting our workforce to around [redacted] members, thus facilitating the growth and development of our team in line with our business objectives.</p> <p>For an understanding of our staffing strategy and the step-by-step plan for team expansion, please refer to the dedicated section titled "Team Structure and Hiring Step-Up Plan" within <b>Annexure 8</b>.</p>
Criterion 6	A summary of qualifications, technical skills and experience of your officers, and the relevance of those skills and experience to meeting the requirements of the retailer authorisation (this may include a CV)	<p>Please see <b>Annexure A4</b> for a summary of skills and experience of our team, and the relevance of those skills and experience to meeting the requirements of the retailer authorisation.</p> <p>Please see <b>Annexure A5</b> for a copy of the CVs.</p>

## 2.2. Third party involvement (Criterion 7)

Criterion from Guideline	Required information	Response from Flo Energy Australia
Criterion 7	Where you may be relying on a third party to provide staff and resources to meet the technical requirements of your retailer authorisation or to perform retail roles (such as operating phone centres or billing), you must -	<p>Flo Energy Australia will undertake most of the functions internally to meet the technical requirements of the retailer authorisation, supported by other entities in the Flo Group. These functions include:</p> <ul style="list-style-type: none"> <li>• billing;</li> <li>• compliance; and</li> <li>• wholesale risk management.</li> </ul> <p>However, Flo Energy Australia has also recruited a Head of Market Operations to also assist in implementing our billing and technology (software). Please see attached the CV (<b>Annexure A13</b>).</p> <p>In the event that external assistance is needed in the future for other functions (e.g. legal), a suitably qualified third party will be engaged in accordance with the Third Party Management Policy (<b>Annexure B4</b>), Third Party Supplier or Software Selection process (<b>Annexure B24</b>) and managed in accordance with our Third Party Management Oversight process (<b>Annexure B23</b>).</p>

7.1	State all functions and activities you propose to outsource	To ensure compliance with local legislative requirements around billing and consumer safeguards, the Flo Energy Australia platform will be extended with the necessary interfaces with AEMO. To support this implementation, we have recruited a Head of Compliance and Risk and a Compliance Manager with expertise in the Australian energy market.  Please see attached for the signed consulting agreement ( <b>Annexure A12</b> ) and ( <b>Annexure A13 and Annexure A5</b> ) for CVs.
7.2	Provide a summary of the third party's experience in, and knowledge of, the relevant area	Please see Key Employees and Individuals ( <b>Annexure A4</b> )  Please see attached for the signed consulting agreement ( <b>Annexure A12</b> ) and a CV ( <b>Annexure A13</b> ).
7.3	Provide evidence of the third party's technical capacity to meet relevant obligations	Please see attached ( <b>Annexure A13</b> ) for a copy of consultants CV.
7.4	Provide evidence of controls in place to ensure the third party's compliance with the Retail Law and Retail Rules (this may include contracts, deeds and/or policies with other parties)	Please refer to the attached Third Party Management Policy ( <b>Annexure B4</b> ) explaining the controls implemented by Flo Energy Australia with respect to the engagement of third parties and also our Third Party Supplier or Software Selection process ( <b>Annexure B24</b> ) and Third Party Management Oversight process ( <b>Annexure B23</b> ).

### 2.3. Business plan (Criterion 9)

Please refer to **Annexure C1**, provided on a commercial in-confidence basis, a copy of the applicant's Business Plan. The assumptions made for the forecasts are contained in the Financial Model detailed in **Annexure C3**.

### 2.4. Compliance strategy (Criterion 9)

Flo Energy Australia's compliance strategy is governed by the Flo Group's Compliance Management Policy and Standard, which set out the organisational framework, expectations, and governance structures in place for compliance management. Flo Energy Australia is committed to an effective compliance program implemented in accordance with AS/ISO 19600:2015. Flo Energy Australia's Compliance Policy (**Annexure B2**) demonstrates the extent to which the standard has guided Flo Energy Australia. From a technical and security perspective, Flo Energy Australia will use the Flo Groups platform, which has obtained the ISO27001 certification. The internal compliance team at Flo Energy Australia has significant compliance experience. Louzanne Diaz is a seasoned compliance, risk, and governance professional with over 17 years of experience in these domains. She has an extensive 22-year history in the highly regulated energy industry. Louzanne is committed to enabling businesses to adapt to changing regulatory landscapes and promoting a culture of ongoing compliance. She holds an MBA, a Master of Politics and Policy, and a Bachelor of Management. Louzanne has previously held senior roles at Dairy Australia, AGL Energy, and Computershare, among others.

Konstantina Buzi brings more than five years of compliance specific experience in energy retail (at Momentum Energy). She has also served as a Compliance Officer and Customer Advocacy Officer at Momentum Energy, and has experience working with Origin Energy as a Senior Business Consultant and Investigations Specialist. Konstantina holds a Certificate IV in Compliance and Risk Management from the GRC Institute and an Associate's degree in Business Administration, Management and Operations. Konstantina will commence in October.

Flo Energy Australia understands and will implement a range of measures to ensure compliance with regulatory obligations. A detailed list of regulatory obligations applicable to the applicant is attached and marked **Annexure B10**, provided on a commercial in-confidence basis.

The board of Flo Energy Australia is responsible for setting and overseeing the corporate governance and compliance standards implemented by the Compliance Committee, consisting of a Member of the Board, our Compliance Lead and Country Managing Directors.

Ways that Flo Energy Australia will ensure compliance include:

- **The Compliance Committee:** Responsible for developing and implementing the compliance program via the development of policies, procedures and training programs.



- **Compliance Personnel:** Responsible for the day-to-day oversight of the compliance program of Flo Energy Australia.
- **External Advice:** Flo Energy Australia, as part of its compliance program, obtains advice on compliance and legal issues from a number of qualified external providers.
- **Information Technology:** Flo Energy Australia implements a range of technological solutions that aid in Flo Energy Australia's compliance and implementation of the compliance program. These include the Compliance HUB, developed by Compliance Quarter, a cloud-based software that tracks security compliance and Compliance HUB, which tracks regulatory obligations and assigns various controls against obligations.
- **Documentation:** Flo Energy Australia has developed procedures and policies related to operational processes in order to ensure regulatory compliance. These documents are provided to employees to ensure the implementation of practices in compliance.
- **Compliance Risk Assessments:** Flo Energy Australia actively seeks to identify and reduce the likelihood of breaches of regulatory obligations. A regular Compliance Risk Assessment will be conducted, looking at applicable regulatory obligations, the consequences and likelihood of a breach and appropriate controls.
- **Training and Assessment:** The aim of compliance training and assessment is to reinforce in all staff the understanding that regulatory compliance is core to the applicant's operations. External training providers will be utilised where appropriate. Compliance Quarter will provide ongoing compliance training, including using the Compliance HUB, in a face-to-face setting and via webinar.
- **Qualified Staff:** Appropriately qualified staff will be employed.
- **Monitoring and Reporting:** Any compliance breaches will be monitored, resolved and reported in accordance with the Plan and the applicant's reporting obligations.

Criterion from Guideline	Required information	Response from Flo Energy Australia
Criterion 9	Details of your compliance strategy	<p>Please refer to the statement above and the following attachments relating to compliance in various forms:</p> <ul style="list-style-type: none"> <li>● <b>Annexure B2:</b> Retail Compliance Policy</li> <li>● <b>Annexure B3:</b> Retail Compliance Reporting Procedure</li> <li>● <b>Annexure B5:</b> Retail Complaints and Dispute Resolution Procedure</li> <li>● <b>Annexure B6:</b> Retail Risk Management Policy</li> <li>● <b>Annexure B7:</b> Retail Risk Register / Matrix</li> <li>● <b>Annexure B8:</b> Retail Customer Hardship Policy</li> <li>● <b>Annexure B9:</b> Internal Audit Policy</li> <li>● <b>Annexure B11:</b> Compliance Reporting checklist</li> <li>● <b>Annexure B12:</b> Retailer Website Checklist</li> <li>● <b>Annexure B13:</b> Performance Reporting Checklist</li> <li>● <b>Annexure B14:</b> Website Notices</li> <li>● <b>Annexure B15:</b> Code of Conduct</li> <li>● <b>Annexure B16:</b> WHS Policy</li> <li>● <b>Annexure B17:</b> Cookie Policy</li> <li>● <b>Annexure B18:</b> Personal Data and Privacy Policy</li> <li>● <b>Annexure B19:</b> Flo Employee Handbook (Australia)</li> <li>● <b>Annexure B20:</b> Internal Quality Control Manual</li> <li>● <b>Annexure B21:</b> Quality Manual</li> <li>● <b>Annexure B22:</b> Family Violence Policy</li> </ul>

9.1	Demonstrating your knowledge and understanding of the obligations imposed on authorised retailers under the Retail Law and Retail Rules and applicable statutory, industry and technical requirements of the jurisdictions in which you intend to operate	Please find attached to this application an Obligations Register that has been developed by our external consultants Compliance Quarter ( <b>Annexure B10</b> ).
9.2	Outlining how applicable retailer authorisation obligations and statutory, industry and technical requirements will be met (including how compliance breaches will be identified and remedied)	<p>We refer you to the various annexures outlined above in Criterion 9 and attached, that demonstrate how the applicant will ensure compliance (including breach identification and remediation). Of particular relevance to these issues are:</p> <ul style="list-style-type: none"> <li>● <b>Annexure B2</b> Compliance Policy</li> <li>● <b>Annexure B10:</b> Obligations Register</li> <li>● <b>Annexure B3:</b> Retail Compliance Reporting Procedure</li> <li>● <b>Annexure B11:</b> Compliance Reporting Checklist</li> </ul>
9.3	Including complaint and dispute resolution procedures, developed in accordance with Australian Standard AS/NZS 10002:2014 (AS ISO 10002-2006) (Customer satisfaction— Guidelines for complaints handling in organisations).	<p>Please refer to the Retail Complaints and Dispute Resolution Procedure (<b>Annexure B5</b>) that aligns with Australian Standard AS/NZS 10002:2014 (AS ISO 10002-2006) (Customer satisfaction - Guidelines for complaints handling in organisations)</p> <p>The applicant is committed to freely receiving and resolving complaints in an accessible and transparent way. In all instances, the applicant will:</p> <ul style="list-style-type: none"> <li>● Freely accept complaints lodged on our website, in person, by telephone, email or letter;</li> <li>● Acknowledge any complaint received as soon as possible;</li> <li>● Begin an investigation into the reasons for a complaint within 24 hours of acknowledgement;</li> <li>● Keep the complainant updated about the investigation and any proposed resolution;</li> <li>● Notify the complainant as soon as possible of the outcome of our investigation and any proposal we have for resolution; and</li> <li>● Provide the complainant with the option of an internal review of their complaint if they are unsatisfied with the outcome of the investigation or the proposed resolution.</li> </ul>
9.4	Demonstrating that any gaps in the skills and/or knowledge of staff have been identified and that appropriate steps have been taken to fill those gaps (for example, through recruitment or training).	<p>Flo Energy Australia has undertaken a holistic review of operations and has not noted any gaps in skill/knowledge of the current staff.</p> <p>Flo Energy Australia will continue to focus on is increasing the number of local staff. In the coming months (and in line with the growth strategy), Flo Energy Australia has plans to recruit and train additional local staff.</p>

		<p>Recruitment, training and induction are covered in the Flo Employee Handbook (Australia) (<b>Annexure B19</b>)</p> <p>The Business Plan (<b>Annexure C1</b>) also reference ongoing monitoring in the “Skill and staff retention strategies” section</p>
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## 2.5. Risk management strategy (Criterion 10 to 12)

Criterion from Guideline	Required information	Response from Flo Energy Australia
Criterion 10	A copy of your risk management strategy covering both operational and financial risks	<p>Please find attached to this application (<b>Annexure B6</b>) a copy of Flo Energy Australia's Retail Risk Management Policy covering both operational and financial risks.</p> <p>Please also refer to the Retail Risk Register / Matrix (<b>Annexure B7</b>), which provides further detail about the specific risks and management.</p>
Criterion 11	Evidence that your risk management and compliance strategies have been subject to an external assurance process (we would expect the external assurance process to be conducted by a suitably qualified and independent entity)	<p>Please find attached to this application a copy of the letter of assurance provided by a suitably qualified and independent entity (<b>Annexure B1</b>) and <b>Annexure A16</b> for a copy of the full report.</p>
Criterion 12	Any additional information which demonstrates your ability to manage risk and operate in accordance with the Retail Law objective, particularly the long-term interests of consumers (for example, copies of any retail contracts that you have developed)	<p>Regarding consumer data protection, our Singapore Information Security Management System has already been assessed and certified to meet the ISO/IEC 27001:2013 standard (<b>Annexure A11</b>). Our system will be tailored and ready by our targeted retailing start date and scheduled for immediate assessment and certification.</p> <p>Regarding compliance with retailer-specific compliance obligations, Flo has developed a Retail Compliance Policy (<b>Annexure B2</b>).</p> <p>The analysis of market conditions and responses to the AER's additional information requirements are covered in Market Analysis Report (<b>Annexure C2</b>)</p>

## 2.6. Agreements in place with key market players within the relevant jurisdictions (distribution businesses and AEMO) If agreements not finalised provide information as to negotiations (Criterion 13 to 15)

Criterion from Guideline	Required information	Response from Flo Energy Australia
Criterion 13	Evidence of any membership, or steps taken to obtain membership, of a recognised energy industry ombudsman scheme in the	<p>Flo Energy Australia has submitted scheme membership enquiries to the following Ombudsman Schemes:</p> <ul style="list-style-type: none"> <li>• Energy and Water Ombudsman Queensland (EWOQ)</li> <li>• Energy and Water Ombudsman NSW (EWON)</li> </ul>

	jurisdiction/s in which you intend to retail energy to small customers	<ul style="list-style-type: none"> <li>Energy and Water Ombudsman SA (EWOSA)</li> </ul> <p>Please see attached (<b>Annexure A6</b>) for the inquiry letters and responses.</p> <p>Flo Energy Australia prior to entering into each respective market, will make further inquiries and applications for membership in each jurisdiction.</p>
Criterion 14	Evidence of any agreements / arrangements in place with key market players within the jurisdictions in which you intend to operate. This includes, but is not limited to, distribution businesses and AEMO. Where agreements / arrangements have not been finalised, you should provide details of any negotiations or steps that have occurred to date and when you expect agreements / arrangements to be completed	<p>Flo Energy Australia has made contact with AEMO to introduce the business and is in the process of seeking a market customer status. Flo Energy Australia will enter into the standard form network agreements with LNSPs. Please see <b>Annexure C12</b> for the copy of communications with AEMO.</p> <p>[redacted]</p> <p>Please also see <b>Annexures A15, A15A &amp; A15B</b> for the latest draft contracts with Meter Coordinators.</p>
14a	If you intend only to onsell energy you should provide details of the back-up arrangements you have in place in case your business fails	Not applicable. Flo Energy Australia does not intend to on-sell energy purchased from an authorised retailer, so at this stage, back-up arrangements are not considered necessary.
Criterion 15	Any additional information that will help us assess your organisational and technical capacity	<p>Flo Energy Australia, as a subsidiary of Flo Holding, has the financial resources provided by its parent company and the benefit of the Flo Groups' significant energy market experience.</p> <p>Flo Energy Singapore, a subsidiary of Flo Holding, has a proven track record of market participation, including making sustainable returns during the global energy crisis and managing market reforms. There have been times in the market when Flo Energy Singapore was the only retailer offering fixed-priced plans to C&amp;I customers.</p> <p>With access to people, software platforms and systems, and a governance framework that has allowed Flo Energy Singapore to operate successfully, Flo Energy Australia is set up for sustainable success.</p> <p>The analysis of market conditions and responses to the AER's additional information requirements are covered in <b>Annexure C2: Market Analysis Report</b>.</p>



### 3. Part Three: Required information – financial resources

The applicant is a start up business. Below we address financial resources matters (Criterion 1 to 9).

Criterion from Guideline	Required information	Response from Flo Energy Australia
Criterion 1	<p><u>Existing businesses</u></p> <p>Copies of your audited financial reports for the past 12 months (note, we may ask for the previous two years' reports, if necessary). This information should include:</p> <ul style="list-style-type: none"> <li>• All financial statements required by the accounting standards.</li> <li>• Notes to financial statements (disclosure required by the regulations, notes required by the accounting standards, and any other information necessary to give a true and fair view).</li> </ul>	<p>Flo Energy Australia is not an 'existing business'. Therefore, this section does not apply. Flo Energy Australia is a new 'start-up' business registered on 9 January 2023. Further information required by start-ups is provided below.</p>
Criterion 2	<p><u>Existing businesses</u></p> <p>Evidence of long and / or short term credit rating/s (if available).</p>	<p>Flo Energy Australia is not an 'existing business'. Therefore, this section does not apply. Flo Energy Australia is a new 'start-up' business registered on 9 January 2023. Further information required by start-ups is provided below.</p>
Criterion 3	<p><u>Start-up businesses</u></p> <p>Details and evidence of your current financial position (most recent financial year). For example, interim financial statements (statement of profit or loss, statement of cash flows, statement of financial position), current bank statements</p>	<p>Flo Energy Australia is a newly incorporated entity that currently has no operations and, as such, has no current bank statements or financial reports.</p> <p>However, the following documents demonstrate evidence of access to funds, and solid financial standing:</p> <ul style="list-style-type: none"> <li>• Cross Company Deed of Guarantee between Flo Australia Pty Ltd and parent company Flo Holding Pte Ltd (<b>Annexure C7</b>)</li> <li>• <u>[redacted]</u></li> </ul> <p>This financial strength empowers us to optimize and expand our operations to cater to a growing customer base effectively.</p>
Criterion 4	<p><u>Existing and Start-up businesses</u></p> <p>If you are part of a group of related companies, and/or party to a</p>	<p>Please see attached (<b>Annexure A1</b>) a copy of an ASIC extract for Flo Energy Australia.</p>

	partnership, joint venture or alliance agreement with another company, and you are given financial support by that entity, you should provide -	Flo Energy Australia is part of the Flo Group and is being provided financial support by parent entity Flo Holding Pte Ltd (via Deed of Guarantee).
4.1	Details of the ownership structure of the group (including relationships with group entities). If you are not a group but a standalone entity you should also provide details of your ownership structure.	Please see <b>Annexure A2</b> for a diagram of the ownership structure of Flo Energy Australia, including relationships between entities in the Flo Group.
4.2	The contractual arrangements (e.g. alliance contracts, associate contracts, establishment contracts) that define relationships within the group— including shared resources (such as office space, staff, sales channel, any other resource), guarantees, revenue flows, obligations and/or responsibilities	Please see the following contractual arrangements between entities in the group: <ul style="list-style-type: none"> <li>● <b>Annexure C6:</b> Shared Services Agreement</li> <li>● <b>Annexure C7:</b> Cross Company Deed of Guarantee</li> <li>● <b>Annexure C16:</b> [redacted]</li> </ul>
4.3	Consolidated audited financial statements for the group	Please see attached the following: [redacted]
Criterion 5	A written declaration, within 6 months of the application being accepted by the AER (published), from your Chief Financial Officer, Chief Executive Officer or director/s stating you are a going concern and that the officer is unaware of any factor that would impede your ability to finance your energy retailer activities under the retailer authorisation for the next 12 months. For unincorporated applicants, a written declaration should be provided by the person/s in effective control of the business	Please see attached for the declaration addressing this criterion: <b>Annexure D1:</b> Criterion 5 Declaration (Financial)
Criterion 6	A written declaration, from an independent auditor/accountant or	Please see attached for the declaration addressing this criterion: <b>Annexure D2:</b> Criterion 6 Declaration (Financial)(Accountant)

	your principal financial institution stating that -	
6.1	An insolvency official has not been appointed in respect of the business or any property of the business	Flo Energy Australia confirms that an insolvency official has not been appointed in respect of the business or any property of the business. (See <b>Annexure D2</b> )
6.2	No application or order has been made, resolution passed or steps taken to pass a resolution for the winding up or dissolution of the business	Flo Energy Australia confirms that no application or order has been made, the resolution passed or steps taken to pass a resolution for the winding up or dissolution of the business. (See <b>Annexure D2</b> )
6.3	They are unaware of any other factor that would impede your ability to finance your energy retail activities under the authorisation	Flo Energy Australia is unaware of any other factor that would impede its ability to finance its energy retail activities under the authorisation. (See <b>Annexure D2</b> ).
Criterion 7	Details of any bank guarantees or arrangements or process to access additional capital	Please refer to <b>Annexure C9</b> for an explanatory diagram of the financing arrangements in place.
Criterion 8	Forecast revenue and expenses for three to five years or to the point where your business is cash-flow positive, whichever is the latter. This forecast should include profit and loss, cash flow, and balance sheet and be consistent with your business plan and highlight all key assumptions and risks	Please refer to <b>Annexure C3</b> for a financial forecast provided in excel. This covers profit and loss, cash flow, and balance sheet, highlights all key assumptions and risks, and is consistent with the Business Plan ( <b>Annexure C1</b> ).  The additional stress test scenarios identified by the AER are also covered in this Financial Model. An explanation of how to view the scenarios, is contained in the Dashboard of the Financial Model ( <b>Annexure C3</b> )
Criterion 9	Any additional information that will help us assess your financial capacity to operate as an energy retailer (this could include your ownership structure if you are a stand-alone entity).	In response to the AER additional questions posed in response to the volatile market conditions of 2022, Flo Energy conducted a rigorous analysis of the issues.  The analysis of market conditions and responses to the AER's additional information requirements are covered in <b>Annexure C2: Market Analysis Report</b>  In order to hedge price risk, we have entered into <u>[redacted]</u> .  Please refer to <b>Annexure C9</b> for an explanatory diagram of the financing arrangements in place.

## 4. Part Four: Required information – suitability

Flo Energy Australia is a fit and proper entity to hold a retail authorisation. Neither itself, its related body corporates, its officers or associates have had any criminal or civil convictions. Below, we address suitability matters (Criterion 1 to 7))

Criterion from Guideline	Required information	Response from Flo Energy Australia
Criterion 1	For you (the applicant) and your associates, any other business where your officers have held an officer position and any other entity that exerts control over your business activities— details of -	Please refer to the individual responses below and the attached declarations
1.1	any material failure to comply with regulatory requirements, laws or other obligations over the previous 10 years, including infringement notices or other enforcement action (including voluntary administrative undertakings) being taken by a regulatory body.	There have been no such events. See <b>Annexure D3</b> : Criterion 1 Declaration (Suitability)
1.2	any previously revoked authorisations, authorities or licences held in any industry and the reason/s for the revocation	There have been no such events. See <b>Annexure D3</b> : Criterion 1 Declaration (Suitability)
1.3	any failed authorisation, authority or licence applications in any industry and the reason/s the application was unsuccessful	There have been no such events. See <b>Annexure D3</b> : Criterion 1 Declaration (Suitability)
1.4	any past or present administrative or legal actions in relation to an authorisation, authority or licence in any industry	There have been no such events. See <b>Annexure D3</b> : Criterion 1 Declaration (Suitability)
1.5	any situation/s where you (or an associate) have previously triggered the RoLR provisions of the Retail Law or equivalent state/territory/foreign legislation, or have transferred or surrendered an authorisation or licence in circumstances where if	There have been no such situations. See <b>Annexure D3</b> : Criterion 1 Declaration (Suitability)



	not done, triggering a RoLR event would have been likely	
Criterion 2	Details of any offences or successful prosecutions under any territory, state, Commonwealth or foreign legislation (including, but not limited to, the <i>Australian Securities and Investments Commission Act 2001 (Cth)</i> , <i>Competition and Consumer Act 2010 (Cth)</i> and the <i>Corporations Act 2001 (Cth)</i> ) relevant to your capacity as an energy retailer, or written confirmation that no offences have been committed against, or been prosecuted under, any such legislation. This information must be provided for -	There have been no such offences or prosecutions. See <b>Annexure D4</b> : Criterion 2 Declaration (Suitability)
2a	your current director/s (or shadow / de facto director/s), and any other person that exerts control over your business activities	There have been no such offences or prosecutions. See <b>Annexure D4</b> : Criterion 2 Declaration (Suitability)
2b	if your business is unincorporated, the person/s with effective control of the business	Not applicable.
2c	all persons who are responsible for significant operating decisions for your business	There have been no such offences or prosecutions. See <b>Annexure D4</b> : Criterion 2 Declaration (Suitability)
Criterion 3	Upon request, a criminal history check conducted within the past 12 months for persons listed under information requirement 2	The applicant is willing to provide this on request.
Criterion 4	Written declarations from your Chief Financial Officer (or Chief Executive Officer) -	Please refer to the attached declaration: <b>Annexure D5</b> : Criterion 4 Declaration (Suitability)
4.1	that members of your management team have not been disqualified from the management of corporations	As above. See <b>Annexure D5</b> : Criterion 4 Declaration (Suitability)
4.2	about the record of bankruptcy of your management team	As above. See <b>Annexure D5</b> : Criterion 4 Declaration (Suitability)

	(including in any overseas jurisdiction)	
Criterion 5	Full names and current residential addresses of all your officers	Please see <b>Annexure A7</b> for the names and addresses of Officers.
Criterion 6	Details of policies and procedures addressing the probity and competence of officers and any other key management staff	Please refer to the attached <ul style="list-style-type: none"> <li>● <b>Annexure B19:</b> Flo Employee Handbook (Australia)</li> <li>● <b>Annexure B15:</b> Code of Conduct;</li> <li>● <b>Annexure B16:</b> WHS Policy; and</li> <li>● <b>Annexure B9:</b> Internal Audit Policy.</li> </ul>
Criterion 7	Any additional information that will assist us in our consideration of the character and past performance of your officers. If there has been a compliance issue, how will this be addressed in your future operations	Please find attached documents which are relevant to this component of the application: <ul style="list-style-type: none"> <li>● <b>Annexure B2:</b> Retail Compliance Policy</li> <li>● <b>Annexure B15:</b> Code of Conduct</li> <li>● <b>Annexure B19:</b> Flo Employee Handbook (Australia)</li> </ul>



## 5. Annexures

Document	Descriptions	Confidential
<b>Operational and Technical</b>		
Annexure A1	ASIC Extract	No
Annexure A2	Flo Energy Group Structure Diagram	No
Annexure A3	Flo Energy Australia Organisational Structure	Yes
Annexure A4	Key Employees (Bios) and Third Parties	Yes
Annexure A5	CV's – Key Employees	Yes
Annexure A6	Ombudsman Schemes inquiries (NSW, SA, QLD)	Yes
Annexure A7	Names and Addresses of Officers	Yes
Annexure A8	Job descriptions	Yes
Annexure A9	Certification of Retailer Electronic Business Transaction System and Interface	Yes
Annexure A10	Deloitte Penetration Testing for OEM Retailer - Flo Energy	Yes
Annexure A11	ISO / IEC 27001:2013 Flo Energy Singapore	No
Annexure A12	Third Party Consulting Agreement	Yes
Annexure A13	Consultant Third Party CV	Yes
Annexure A14	Compliance Quarter Capability Statement	No
Annexure A15	[redacted]	Yes
Annexure A15A	[redacted]	Yes
Annexure A15B	[redacted]	Yes
Annexure A16	[redacted]	Yes
Annexure A17	[redacted]	Yes
Annexure A18	Third party services table	Yes
Annexure A19	[redacted]	Yes
<b>Policies and Procedures</b>		
Annexure B1	External review of compliance and risk management documentation	No
Annexure B2	Retail Compliance Policy	No
Annexure B3	Retail Compliance Reporting Procedure	Yes
Annexure B4	Third Party Management Policy	Yes
Annexure B5	Retail Complaints and Dispute Resolution Procedure	No
Annexure B6	Retail Risk Management Policy	Yes
Annexure B7	Retail Risk Register / Matrix	Yes
Annexure B8	Retail Customer Hardship Policy	No
Annexure B9	Internal Audit Policy	Yes
Annexure B10	Obligations Register	Yes
Annexure B11	Compliance Reporting checklist	No
Annexure B12	Retailer Website Checklist	Yes
Annexure B13	Performance Reporting Checklist	Yes

Annexure B14	Website Notices	Yes
Annexure B15	Code of Conduct	No
Annexure B16	WHS Policy	Yes
Annexure B17	Cookie Policy	No
Annexure B18	Personal Data and Privacy Policy	No
Annexure B19	Flo Employee Handbook (Australia)	Yes
Annexure B20	Internal Quality Control Manual	Yes
Annexure B21	Quality Manual	Yes
Annexure B22	Family Violence Policy	No
Annexure B23	Third Party Management oversight process	Yes
Annexure B24	Third Party Supplier or Software selection process	Yes
<b>Business Plan and Financial Information</b>		
Annexure C1	Business Plan	Yes
Annexure C2	Market Analysis Report	Yes
Annexure C3	Financial Model (MS Excel)	Yes
Annexure C4	[redacted]	Yes
Annexure C5	[redacted]	Yes
Annexure C6	Shared Services Agreement	Yes
Annexure C7	Cross Company Deed of Guarantee	Yes
Annexure C8	C8 Flo Energy Singapore bank statement - 01 Oct 2022 to 28 Mar 2023	Yes
Annexure C9	[redacted]	Yes
Annexure C10	[redacted]	Yes
Annexure C11	[redacted]	Yes
Annexure C12	Communication with AEMO	Yes
Annexure C15	[redacted]	Yes
Annexure C16	[redacted]	Yes
<b>Declarations</b>		
Annexure D1	Criterion 5 Declaration (Financial)	No
Annexure D2	Criterion 6 Declaration (Financial)(Accountant)	No
Annexure D3	Criterion 1 Declaration (Suitability)	No
Annexure D4	Criterion 2 Declaration (Suitability)	No
Annexure D5	Criterion 4 Declaration (Suitability)	No



ASIC EXTRACT SNAPSHOT

CURRENT ORGANISATION DETAILS

Date Extracted	15/03/2023
ACN	664 209 330
ABN	-
Current Name	FLO ENERGY AUSTRALIA PTY LTD
Registered In	Victoria
Registration Date	09/01/2023
Review Date	09/01/2024
Company Type	ACN (Australian Company Number)
Current Directors	3
Current Secretaries	1

Start Date	09/01/2023
Name	FLO ENERGY AUSTRALIA PTY LTD
Name Start Date	09/01/2023
Status	Registered
Type	Australian Proprietary Company
Class	Limited By Shares
Sub Class	Proprietary Company
Disclosing Entity	No



# CERTIFICATE

*This is to certify that the  
Information Security Management System of*

**Floenergy Singapore Pte. Ltd.**

55B Amoy Street, 069881 Singapore

*has been assessed and found to conform to the requirements of*

**ISO/ IEC 27001:2013**  
**Information Security Management System**

*This Certificate is valid for the following scope:*

**Design, development, implementation, maintenance and technical support of Floenergy Singapore's core applications, systems, people and processes that support the sales, marketing and trading of energy and energy related products.**

**SOA Detail: FE/CISO/SOA/001 Dated: 10/10/2022**

**Certificate No. :BQSR19577**  
**Registration Date :12/11/2022**  
**Issue Date :15/11/2022**  
**Expiry Date :11/11/2023**  
**Recertification Date :11/11/2025**



*Director*

**BQSR QUALITY ASSURANCE PVT. LTD.**

Key Location: 183 Broadway, Ste 210 Hicksville, New York NY 11801, USA  
Operations Office: D 303, 104-108, Nisarg Plaza, Wakad, Pune - 411057. | Web: [www.bqsrcert.com](http://www.bqsrcert.com)  
Accredited by IAS (3060 Saturn Street, Suite 100, Brea, California 92821 U.S.A.)





# Family Violence Policy

Flo Energy Australia Pty Ltd

ACN 664 209 330





**Flo Energy**  
**Australia Pty Ltd**  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
NSW 2060

[hello@floenergy.com.au](mailto:hello@floenergy.com.au)  
[floenergy.com.au](http://floenergy.com.au)







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Australia Pty Ltd  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
NSW 2060

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floenergy.com.au

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## 1. Policy Statement

- 1.1 Our organisation recognises that family violence is a serious and widespread issue that affects the whole community.
- 1.2 We are committed to providing customers affected by family violence with confidential support and flexible payment arrangements to help manage their needs.
- 1.3 This policy will be implemented immediately and reviewed at least every 2 years to ensure it remains effective.
- 1.4 We have a number of resources set out in this Policy.

**For immediate support, you can contact 1800 RESPECT on 1800 737 732.**  
This is the National Sexual Assault, Domestic Violence Counselling Service 24-hour helpline.

**If you require urgent help from the police, fire, or ambulance, call 000.**

## 2. Purpose

- 2.1 Our objective as an energy retailer is to reduce the risk of harm to our customers who are experiencing or who have experienced family violence. We do this by:
  - 2.1.1 Designing our systems and processes in a way that reduces the risk of harm;
  - 2.1.2 Reducing the barriers to customers who are seeking help, assistance or information under this Policy;
  - 2.1.3 Adopting the measures set out in this Policy; and
  - 2.1.4 Demonstrating our commitment to support customers at all levels within our business, including from senior leadership.
- 2.2 The purpose of this policy is to:
  - 2.2.1 Reduce the risk of harm to our customers experiencing family violence;
  - 2.2.2 Provide safe, flexible and confidential support for customers affected by family violence; and
  - 2.2.3 Demonstrate our commitment to addressing family violence at all levels of our business.

## 3. Publication and access

- 3.1 We can send you a copy of this policy if you would like us to. We will make sure this policy is easy to find on our website so that you can print it or read it online.
- 3.2 We recognise that there are many forms of family violence. Family violence is any behaviour that occurs in family, domestic or intimate relationships that is physically or sexually abusive; emotionally or psychologically abusive; economically abusive; threatening or coercive; or is in any other way controlling, that causes a person to live in fear for their safety or wellbeing or that of another person. Family violence is also defined as behaviour by any person that causes a child to hear or witness or otherwise be exposed to the effects of the above behaviour.

## 4. Scope

- 4.1 This policy applies to all current and former residential and small business customers who are impacted by family violence.





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## 5. Your rights

Our customers who are impacted by family violence have the following rights to:

- 5.1 Receive support from our employees in a respectful and supportive manner.
- 5.2 Have your personal information handled securely, privately, and sensitively.
- 5.3 Choose a method of communication of your preference. We offer a variety of communication channels, such as email, phone, and secure messaging, to suit different needs and comfort levels.
- 5.4 Access information about external family violence support services. We will maintain an updated list of external family violence support services and make it easily accessible. Appoint an authorised representative or a support person to act on your behalf. We will implement a secure verification process for authorised representatives to ensure they are legitimate.
- 5.5 Remove the joint account holders and, if needed, set up a new account in your name (if required). We will implement a simplified, expedited process for removing joint account holders and setting up new accounts.
- 5.6 Receive payment assistance support, including access to the assistance under our hardship policy. We won't charge you anything to change details on your account.
- 5.7 Avoid the need to repeatedly disclose your circumstances and receive continuity of service. If you are comfortable with us doing so, we will assign you a dedicated contact and backup contact within our organisation. You can request a change to who your contacts are at any time.
- 5.8 Account security options: we will implement additional account security measures as set out below. These are designed to keep your account safe.

## 6. What we will do

- 6.1 We will implement a robust and meaningful intersectional approach to our customer relationships which will include induction training, workplace resources, refresher training, and collecting client and staff feedback with the aim of continually improving.
  - 6.1.1 Ongoing training is provided to every person (including employees, agents and contractors) acting on our behalf who may engage with affected customers, managers of any person who may engage with affected customers and also anyone responsible for systems and processes that guide interactions with small customers.
  - 6.1.2 The purpose of the training we provide is to ensure that we comply with this policy and our obligations under relevant law and to ensure that our customers are adequately supported and protected.
  - 6.1.3 Training will cover the nature and consequences of family violence, the application of this policy, how to identify affected customers using the 'Recognise, Respond, Refer' model and how to engage appropriately and effectively with affected customers
- 6.2 We have systems and controls in place to effectively identify customers experiencing family violence and also internal processes to avoid an affected customer from having to repeat their situation during subsequent interactions providing for effective ongoing engagement.
- 6.3 We will manage all engagement with affected customers in a respectful, understanding, and sensitive manner.
- 6.4 We will handle information pertaining to customers affected by family violence securely and confidentially.
- 6.5 We will ensure that customer consent is obtained before disclosing their personal information to a third party (unless required under law).
- 6.6 We will contact emergency services (police and/or ambulance) on request by the customer or if they believe further assistance is needed.
- 6.7 We will take your specific circumstances into account and discuss a safety plan with customers who have disclosed family violence to confirm and ensure the safety of the customer and their children.
- 6.8 We will provide information regarding government support programs, including concessions and the availability of external family violence support services (see below).





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## 7. How we secure your account

- 7.1 Our organisation takes our obligations regarding all of our customer's personal information seriously and we manage this in accordance with the *Privacy Act 1988 (Cth)* and the *Australian Privacy Principles*. A copy of our privacy policy is available [<here>](#).
- 7.2 We take various steps to secure your data including:
- Restricting access to your accounts,
  - customer defined account security,
  - data masking and redaction, and
  - de-identifying correspondence.
- 7.3 These measures are applied based on your preferences or our assessment of your needs.
- 7.4 Your personal information will be securely handled and will remain confidential. We will not disclose your confidential information to any other person without your prior consent or where we are required to do so by law.
- 7.5 Our organisation will maintain records relating to our compliance with our obligations under the law relating to retailers and family violence. These records will be maintained for at least two years, for as long as you continue to receive assistance from us, or as long as there are any unresolved disputes.

## 8. What we will do about your debts

- 8.1 Our organisation recognises family violence as a potential cause of financial hardship or payment difficulty. Before taking action to recover arrears from an affected customer or transferring affected customer debt to a third party debt collector, we will consider each customer's individual circumstances and take into account the potential impact of debt recovery action at that time on the affected customer. We will aim to find a suitable solution specific to the customer's needs and offer support in accordance with our hardship policy [<link to the policy>](#). This will include whether other persons are jointly or severally responsible for the energy usage that may have resulted in the accumulation of any arrears. Prior to arranging for disconnection of electricity to your premises we will ensure that we take into account the potential impact on you considering your circumstances and any other parties that may be involved in the non-payment of any debt.
- 8.2 We will not ask for a security deposit from any customer who has or is experiencing family violence and we will waive late fees associated with late payment of a bill
- 8.3 Regardless of whether or not you are in hardship, the support that we offer may include:
- Flexible payment arrangements.
  - Reviewing your energy plan and placing you on a more suitable plan.
  - Waiving or suspending the debt.
  - Suspending the collections cycle to ensure that your premise is not de-energised for an overdue bill.





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## 9. Centrepay

- 9.1 You may request that we accept payment using Centrepay as a payment option.
- 9.2 If you are on a standard retail contract, we must accept Centrepay as a payment option.
- 9.3 If you are on a market retail contract, and if Centrepay is available as a payment option, we must allow you to use Centrepay as a payment option.
- 9.4 If you are on a market retail contract and Centrepay is not available as a payment option, we must review the market retail contract.
- 9.5 If as a result of the review an alternative contract that allows Centrepay as a payment option is considered to be more appropriate, we must transfer you to that contract where you give us your explicit informed consent to do so.
- 9.6 If as a result of the review, there is no appropriate alternative contract that allows Centrepay as a payment option, we must make Centrepay available as a payment option under your existing contract.
- 9.7 We won't charge you for the review, for switching contracts, or for ending your old contract early.

## 10. What support is available

- 10.1 You can access support by contacting our customer service department through various channels such as phone, email or online. An independent financial counsellor, case worker or an external family violence support services to access resources and support.
- 10.2 We will ensure that we ask your preferred method of communication and will communicate with you via this method of communication. If your preferred method of communication is not practicable, you may communicate with us via SMS, Email, or by Phone. We will keep a record of the ways in which we will communicate with you.

## 11. Supporting Documentation

- 11.1 We will never request you or a third party acting on your behalf to provide family violence evidence before providing you with support under this policy or the Rules.
- 11.2 We will only ask for documented evidence of family violence in limited circumstances and where we are expressly permitted to do so under the law. Any evidence sought will be limited to that which is reasonably required under the relevant law and held confidentially.

## 12. External Support

- 12.1 We will advise you of external support services, including access to a free interpreter service (telephone <number>).
- 12.2 We will also maintain a list of external support services that are published on our website.
- 12.3 We will keep this information up-to-date, ensuring that customers affected by family violence can easily access this assistance.

## 13. If you have a question, complaint or feedback

- 13.1 At any time, if you have concerns about your well-being or need support with your energy account, please do not hesitate to contact us. You can reach us via email at <email address> or by phone at <phone number>.
- 13.2 We take all your concerns and complaints seriously and will handle them in accordance with our Complaints and Dispute Resolution Policy <include link>.
- 13.3 We welcome feedback on this policy. If you have feedback on this policy please do not hesitate to contact us.





FLOENERGY.COM.AU

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floenergy.com.au

13.4 If you are not satisfied with the outcome of our investigation, you can also contact the state-specific Ombudsman for further assistance.

13.5 See below a list of state specific energy ombudsman contact details.

Ombudsman	Contact no.	Website
Energy and Water Ombudsman (VIC)	1800 500 509	www.ewov.com.au
Energy and Water Ombudsman (SA)	1800 665 565	www.ewosa.com.au
Energy and Water Ombudsman (NSW)	1800 246 545	www.ewon.com.au
Energy and Water Ombudsman (QLD)	1800 662 837	www.ewoq.com.au
Civil and Administrative Tribunal (ACT)	02 6205 4855	www.acat.act.gov.au

## 14. What external support is available

14.1 We will advise you of external support services, including access to a free interpreter service. (see above) We will ensure that this information is provided in a safe, respectful and appropriate manner taking your specific circumstances into consideration.

14.2 We will also maintain a list of external support services that are published on our website (see below).

14.3 We will keep this information up to date, ensuring that customers affected by family violence can easily access this assistance.

14.4 If you or someone you know is experiencing sexual abuse or family violence contact:

External support services	Contact number
National Sexual Assault, Domestic Violence Counselling Service 24-hour helpline	1800 RESPECT on 1800 737 732
24-hour Emergency Accommodation helpline	1800 800 588
Safe Steps (Victoria)	1800 015 188
Sexual Assault Crisis Line (Victoria)	1800 806 292
Safe At Home helpline	1800 633 937
National Violence and Abuse Trauma Counselling and Recovery Service	1800 FULLSTOP (1800 385 578)
SHE (free and confidential counselling and support)	6278 9090
Sexual Assault Support Services on 6231 1811, or after hours	6231 1817
Family Violence Crisis and Support Service	1800 608 122
Bravehearts – Sexual Assault Support for Children	1800 BRAVE 1
Kids Helpline is for young people aged 5 to 25	1800 551 800
Men's Referral Service	1300 766 491
Don't Become That Man helpline	1300 243 413

## Version Control

Version	Amendment	Author and date
Version 1	Initial draft	





# Personal Data Protection and Privacy Policy

Last updated 01 February 2023





**Flo Energy**  
**Australia Pty Ltd**  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
NSW 2060

hello@floenergy.com.au  
floenergy.com.au

# Personal Data Protection and Privacy Policy

Flo Energy Australia Pty Ltd (a wholly-owned subsidiary of Flo Holding Pte. Ltd.) ("**we**", "**us**" or "**our**") respects the privacy of all users of our website and services.

## 1. What does this Policy Cover?

- 1.1. This Personal Data Protection and Privacy Policy ("**Policy**" or "**Privacy Policy**") sets out the basis on how we may collect, use, disclose or otherwise process Personal Data of individuals. This Policy applies to Personal Data in our possession or under our control, including Personal Data in the possession of organisations which we have engaged to collect, use, disclose or process Personal Data for our purposes. We may modify this Policy at any time by giving you written notice, such as via our service emails.
- 1.2. This Policy explains to you how we collect, use, disclose, store and process data that is capable of identifying you as an individual, whether on its own or in conjunction with other data accessible by us ("**Personal Data**").
- 1.3. By continuing to use our services, accessing our website(s), content or engaging with us (whether by electronic means such as online forms, web threads or email; telephone, writing, or otherwise) pre-sales or post settlement or procurement of new/ continuation of products and services from us, you signify that you have read, understood and agree to our collection, use, and disclosure of your Personal Data as described in this Policy.
- 1.4. *The Privacy Act 1988 (Cth)* ("**Privacy Act**") includes thirteen (13) Australian Privacy Principles ('APPs'). The APPs regulate the way many companies collect, use, hold and disclose personal information.
- 1.5. We have adopted an approach that is consistent with the Privacy Act, the APPs and the APP guidelines.
- 1.6. Our practices and internal policies are consistent with this privacy policy and our staff are required to ensure compliance as a condition of their employment. In any third-party contracts we enter into, there is a duty to maintain personal information in accordance with this privacy policy and in a manner consistent with the Privacy Act.
- 1.7. From time to time we will update this privacy policy. If we do so we will update the version number. Any changes to this privacy policy will be consistent with our legal obligations.

## 2. Collection of Personal Data

- 2.1. We only collect, use and disclose Personal Data with your consent or deemed consent or as otherwise permitted under the applicable laws and regulations.
- 2.2. For us to provide services requested by you, it is necessary for us to collect, use and disclose certain Personal Data.
- 2.3. Depending on the nature of your interaction with us, some examples of Personal Data which we may collect from you include:
  - (a) Personal information (such as your full name, ID number, ethnicity, telephone numbers, address, financial data such as payment and billing information).
  - (b) Records from discussions or correspondences, including details obtained through customer satisfaction or other surveys.
  - (c) Details of your usage of our services or Third Party Utility services (including consumption and usage data and reports prepared by utility affiliates, general market information or meter-readers) in your interactions with us or in relation to the provision of any services from us or a Third Party Utility to you







**Flo Energy**  
**Australia Pty Ltd**  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
NSW 2060

hello@floenergy.com.au  
floenergy.com.au

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- (d) Information derived from cookies (small text files which uniquely identify your browser) where you visit any website or use any application created by or on our behalf.
- 2.4. We generally do not collect your Personal Data unless:
  - (a) it is provided to us voluntarily by you directly or via a third party who has been duly authorised by you to disclose your Personal Data to us (your "authorised representative") after (i) you (or your authorised representative) have been notified of the purposes for which the data is collected, and (ii) you (or your authorised representative) have provided written consent to the collection and usage of your Personal Data for those purposes, or;
  - (b) from publicly available sources or where collection and use of Personal Data without consent is permitted or required by law. We shall seek your consent before collecting any additional Personal Data and before using your Personal Data for a purpose which has not been notified to you (except where permitted or authorised by law).
- 2.5. When you use our website, or access our online content, we may automatically collect certain data through the use of website cookies. Please refer to our Cookie Policy (Can be downloaded from the Flo website) for more information about how we use cookies to collect your information.
- 2.6. We shall seek your consent before collecting any additional Personal Data and before using your Personal Data for a purpose which has not been notified to you (except where permitted or authorised by law).
- 2.7. We may run marketing campaigns or offer gifts and promotions from time to time. As there may be media recording or written testimonials involved, by participating in these events and activities, consent is deemed to have been given to us for collection of all Personal Data.
- 2.8. You agree that we (and our marketing agents, affiliates and collaborators) may use the information collected and you have given us consent to the collection, usage, storage, disclosure and processing of your information. In addition, you agree that we shall have the right at any time to contact and/or mail/write to you (whether electronically or otherwise) with promotional materials, information and/or mailers. It is deemed that you have consented to being featured in photographs, motion pictures, recordings, or any other media records for the purpose of promotion by us or for any legitimate purpose, including any commercial and marketing uses, and/or to be updated onto our public websites and channels, including but not limited to Facebook, Twitter, Instagram, YouTube, LinkedIn and/or any promotional material and publication related to these marketing related activities. You further agree that we may disclose and publish your name and other particulars (including but not limited to media articles such as photographs) for the purposes of publicity and hereby release us from any liability with respect thereto.
- 2.9. We are also granted the rights necessary for distribution and public display of any content submitted as part of any event that you have participated in, and hereby grants us the perpetual right to exclusively; royalty-free and without limitation freely use, modify, edit, copy, reproduce, distribute, broadcast, translate, create derivative works from, alter and publicly display or publish any such intellectual property rights, for whatever purpose, in any form or medium, either on our sites and content pages or elsewhere, whether promotional or in other activities or events arranged by us (and our marketing agents, affiliates and collaborators), whether locally or worldwide.

### 3. Use of Personal Data

- 3.1. We may collect and use your Personal Data for any or all of the following purposes:
  - (a) performing obligations in the course of or in connection with our provision of the goods and/or services requested by you;
  - (b) verifying your identity;
  - (c) responding to, handling, and processing queries, requests, applications, complaints, and feedback from you;
  - (d) managing your relationship with us;
  - (e) conducting market analysis, market research, customer satisfaction and quality assurance surveys to improve our products and services;
  - (f) processing payment or credit transactions (including debt recovery purposes);
  - (g) complying with any applicable laws, regulations, codes of practice, guidelines, or rules, or to assist in law enforcement and investigations conducted by any governmental and/or regulatory authority; and





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- (h) transmitting to any unaffiliated third parties including our third party service providers and agents, and relevant governmental and/or regulatory authorities, for the aforementioned purposes.
- 3.2. Where you have consented to receive marketing or promotional information or materials from us (and our affiliates), we may collect and use your Personal Data for any or all of the following purposes:
  - (a) contacting you by email, phone call, SMSes and/or social media platforms;
  - (b) informing you of promotions, products, and services which may be of interest to you;
  - (c) administering and disclosing the winner of contests and lucky draw competitions conducted by us or on our behalf.
- 3.3. Where you have submitted a job application to Flo, we may collect and use your Personal Data for any or all of the following purposes, without limitation:
  - (a) managing your application for an employment opportunity;
  - (b) evaluating your suitability for an employment opportunity, which may include passing your Personal Data to recruitment consultants or third parties to conduct assessment test, pre-employment screening checks, and the likes;
  - (c) storing your application in our database to build a talent pool that may be used to identify you as a prospective candidate for future employment opportunity based on your qualifications, and contacting you accordingly;
  - (d) managing your employment (if your application is successful) and your work performance;
- 3.4. We will only use your Personal Data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If there is any change in the purpose for which we collected your Personal Data, we will inform you of such change by way of email via your email address on our records. If you wish to have an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact our Data Protection Office using details available at Flo's website. If we need to use your Personal Data for an unrelated purpose, we will notify you and explain the legal basis, which allows us to do so.
- 3.5. Please note that Personal Data does not include information that has been made anonymous or aggregated so that it can no longer be used to identify a specific person. We may (but not in a manner that would identify you personally) use anonymised or aggregated data derived from your Personal Data and/or disclose such data to advertisers, business partners, sponsors and other third parties for their use, to customise or improve our content and advertising to deliver a better experience to users. It may also be used to improve candidate shortlisting by our recruitment agents.

## 4. Disclosure of Personal Data

- 4.1. We may disclose your Personal Data:
  - (a) where such disclosure is required for performing obligations in the course of or in connection with our provision of the goods and services requested by you;
  - (b) to third-party service providers, agents and other organisations we have engaged to perform any of the functions in Clause 3.1 for us;
  - (c) if we are under a duty to disclose or share your Personal Data where we believe that we are under a legal obligation to disclose; in order to enforce or apply agreed terms and conditions or other agreements; or to protect the rights, property, security or safety of our company, our customers, or premises, or others. The foregoing includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.
  - (d) to persons who have been validly identified as being you or your authorised representative(s) pursuant, for the purpose of the relevant transaction or enquiry.
- 4.2. To safeguard your Personal Data, we disclose Personal Data both internally and to third parties (including our authorised third-party service providers and agents) only on a need-to-know basis. We expect all parties to whom we disclose your Personal Data to respect the security of your Personal Data and to treat it in accordance with the law.



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## 5. Retention of Information

- 5.1. We may retain your Personal Data for as long as it is necessary to fulfil the purpose for which it was collected, or as required or permitted by applicable laws.
- 5.2. We will cease to retain your Personal Data, or remove the means by which the data can be associated with you, as soon as it is reasonable to assume that such retention no longer serves the purpose for which the Personal Data was collected, and is no longer necessary for legal or business purposes.

## 6. Accuracy and Correction of Personal Data

- 6.1. We generally rely on Personal Data provided by you (or your authorised representative). In order to ensure that your Personal Data is current, complete and accurate, please promptly update us if there are changes to your Personal Data by informing our Data Protection Officer in writing or via email using details available at Flo's website. We shall handle such requests as soon as reasonably practicable.
- 6.2. We reserve the right to disregard or correct information which seems, on a reasonable basis, to be inaccurate or out of date by reason of the time which has elapsed since it was collected or by reason of any other information in our possession.
- 6.3. Should we disagree and reject your written request for a correction of your Personal Data on reasonable grounds, we shall annotate the Personal Data with the correction that was requested but not made.

## 7. Access to Personal Data

- 7.1. We provide a customer portal to update your personal information. If such personal data cannot be accessed or updated via the portal or customer service, then if you wish to make (a) an access request for access to a copy of the Personal Data which we hold about you or information about the ways in which we use or disclose your Personal Data, or (b) a correction request to correct or update any of your Personal Data which we hold about you, you may submit your request in writing or via email to our Data Protection Office using details available at Flo's website.
- 7.2. We will respond to your request as soon as reasonably possible. In general, our response will be within thirty (30) business days. Should we not be able to respond to your request within thirty (30) days after receiving your request, we will inform you in writing within thirty (30) days of the time by which we will be able to respond to your request. If we are unable to provide you with any Personal Data or to make a correction requested by you, we shall generally inform you of the reasons why we are unable to do so (except where we are not required to do so under all applicable law).
- 7.3. Please note that a reasonable fee to meet our costs may be charged for an access request. If so, we will inform you of the fee before processing your request.

## 8. Transfer of Personal Data to Other Countries

- 8.1. We generally do not transfer your Personal Data to other countries. However, if we do so, we will obtain your consent for the transfer to be made and we will take steps to ensure that your Personal Data continues to receive a standard of protection that is at least comparable to that provided under all applicable laws.

## 9. Security

- 9.1. To safeguard your Personal Data from unauthorised access, collection, use, disclosure, copying, modification, disposal or similar risks, we have introduced appropriate administrative, physical and technical measures such as up-to-date antivirus protection, encryption, and disclosing Personal Data both internally and to our authorised third-party service providers and agents only on a need-to-know basis.





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- 9.2. You should be aware, however, that no method of transmission over the Internet or method of electronic storage is completely secure. While security cannot be guaranteed, we strive to protect the security of your information and are constantly reviewing and enhancing our information security measures.
- 9.3. If you use a login user ID or password obtained through the website, you shall be responsible for maintaining the confidentiality of the user ID and password and not to share or authorise the use of the user ID and password by third-parties. You shall be responsible for all activities undertaken using your user ID and password whether authorised or otherwise. You shall immediately notify us if it comes to your knowledge that your user ID and/or password has been compromised or there has been unauthorised use.

## 10. Withdrawal of Consent

- 10.1. You may choose whether or not to provide your Personal Data, and if already provided, you may choose to exercise your right to withdraw the consent you provided for the use or disclosure of your Personal Data.
- 10.2. You may withdraw your consent for the collection, use or disclosure of your Personal Data, by giving us a written request made by email to our Data Protection Office.
- 10.3. Upon receipt of your written request to withdraw your consent, we may require reasonable time (depending on the complexity of the request and its impact on our relationship with you) for your request to be processed and for us to notify you of the consequences of us acceding to the same, including any legal consequences which may affect your rights and liabilities to us. In general, we shall seek to process your request within ten (10) business days of receiving it.
- 10.4. Whilst we respect your decision to withdraw your consent, please note that depending on the nature and scope of your request, we may not be in a position to continue providing our goods or services to you and we shall, in such circumstances, notify you before completing the processing of your request. Should you decide to cancel your withdrawal of consent, please inform us in writing in the manner described in **Clause 10.2** above.
- 10.5. Please note that withdrawing consent does not affect our right to continue to collect, use and disclose Personal Data where such collection, use and disclose without consent is permitted or required under applicable laws.
- 10.6. Please note that your consent given here will override any registration on a Do Not Call Registry and shall apply to telephone numbers under your name (including your employee, representative or authorised person), including new telephone numbers which you may provide us from time to time. You may opt-out of receiving marketing communications from us and our affiliates using the opt-out facility provided by us, or giving us a written request made by email to our Data Protection Officer using details available on Flo's website.

## 11. Links to Other Sites

- 11.1. Our website may contain links to or from other websites. This Policy is not applicable to Personal Data collected on third-party websites.
- 11.2. We are not responsible for the policies, statements and practices of other third-party websites even if you accessed the third-party website through links from our website or you linked to our website from a third-party website. We encourage you to read the policies of such third-party websites for information on how they collect, use and/or disclose your information.

## 12. Limitation of Liability

- 12.1. We, and our related companies and affiliates, are not liable for any direct, indirect, special or consequential damages or loss of any kind resulting from:
  - (a) any unauthorised use of your user ID and/or password;
  - (b) your access to and/or use of our website and/or any online services; and/or





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(c) your non-compliance with this Policy.

### 13. Changes to our Policy

- 13.1. We may revise this Policy from time to time without any prior notice. You may determine if any such revision has taken place by referring to the date on which this Policy was last updated. Your continued use of our website or services constitutes your acknowledgement and acceptance of such changes.
- 13.2. This Policy applies in conjunction with any other notices, contractual clauses and consent clauses that apply in relation to the collection, use and disclosure of your Personal Data by us.
- 13.3. We strive to ensure that our customers get consistent information. In the event of any discrepancy between the terms set out in this Personal Data Protection and Privacy Policy and the Standard Terms and Conditions, and in so far as it relates to the collection, use and disclosure of Personal Data, the terms set out in the Personal Data Protection and Privacy Policy shall prevail.

### 14. Contact Us

- 14.1. If you have any comments, questions or complaints about our Policy or about our collection, use and/or disclosure of your Personal Data, you may contact our Data Protection Officer using details available on Flo's internal website.

Effective date: 26/01/2023

Last updated: 26/01/2023





# Cookie Policy

Last updated 01 February 2023





Flo Holding Pte. Ltd.  
UEN/GST Reg No  
202006024R

55B Amoy Street  
Singapore 069881

# Cookie Policy

## Introduction

Flo Holding Pte Ltd and its wholly-owned subsidiaries ("**we**", "**us**" or "**our**") uses cookies on our website and mobile application ("**App**") to remember you. They're needed to allow our website and App to function properly, and we also use them to improve your online experience and to help us deliver advertising.

Where any information we collect through cookies qualifies as Personal Data, our Privacy Policy (Can be downloaded from the Flo Energy website) applies to the collection and use of such Personal Data.

By using our website, we're assuming you're happy with our use of cookies. If you have any questions about it, do get in touch with our Data Protection Officer

## What's a cookie?

Cookies are small text files generated by the website you're viewing. They allow the website to store information as you browse and contain data that is used to make your browsing experience better.

Cookies we use only store information used by your browser. They cannot access any other content on your computer, nor do they create malware or viruses.

## How do we use cookies?

Here are some key ways in which we use cookies. We also sometimes allow third parties to place cookies. We've included some examples of who these third parties are below.

### To help navigate around our website and App and use its features

- Cookies remember that you're logged in to your account with us.
- Get a quote: they remember information you give us, like your postcode
- Get referral rewards: they remember if you or your friend came through a referral link so you can both receive the referral credit.

### To help customise how the website and App works for you

- Preferences: cookies remember your preferences, such as the language you use.
- Website optimisation: we use tools to test different web designs by showing you a version of our website that is different from everyone else's, so we can see which is best.

### To help spot problems and improve the experience of our website and App

- We use programs like Google Analytics to help us find out how many people visit our websites, where they came from, what devices they used, which pages they visited, and what information they are searching for.
- Record web sessions: By replaying your journey through our website, it helps us see the website through your eyes and helps our tech team find and fix errors and improve the usability of the website.

### To help deliver advertising

- To measure the effectiveness of our advertising campaigns and to tailor our advertising so that they're more relevant to you.
- We share with platforms like Facebook and Google which pages you've visited on our website. So for example, if you've recently logged into your account, we will not show you any "Join Flo" ads, and instead share different content about us.

## How do I turn off cookies?

- 1) Most common browsers enable cookies by default. But you can usually modify your browser or device settings to decline cookies, delete installed cookies or to notify you when you receive a cookie.
- 2) Blocking cookies may mean that parts of our website, and other websites you visit, may no longer function properly.

Effective date: 01/02/2023

Last updated: 01/02/2023





# Flo Code of Conduct

Last updated on 30 January 2023







**Flo Holding Pte. Ltd.**  
UEN/GST Reg No  
202006024R

55B Amoy Street  
Singapore 069881

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## Introduction

At Flo, we want to make sustainable lifestyles accessible for everyone. We care deeply about what we can do to save the earth, and we want to maintain and build a transparent and responsible business. The Flo Code of Conduct (the "**Code**") is one of the ways we put Flo's values into practice. The Flo Code of Conduct is applicable to all employees of Flo Holding Pte Ltd and its wholly-owned subsidiaries.

Adhering to the Code is critical to maintaining trust and credibility with our customers, employees, and other stakeholders. We expect all of you to know and follow the Code. Adherence to the Code is a condition of employment.

So please do read the Code and Flo's values. It's impossible to spell out every possible ethical scenario we might face. Instead, we rely on one another's good judgment to uphold a high standard of integrity for ourselves and our company. We expect all of you to be guided by both the letter and the spirit of this Code. And if you have a question or ever think that one of your fellow colleagues or the company as a whole may be falling short of our commitment, don't be silent. We want – and need – to hear from you.

Thank you for your support in implementing the Code.

### **Matthijs Guichelaar**

Chief Executive Officer

Flo Holding Pte Ltd





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## Your Right as an Employee

While we expect all employees of Flo Holding Pte Ltd and its wholly-owned subsidiaries to follow and adhere to the Code, we also recognise your rights as a Flo employee. For example, you have the right to speak freely or participate in discussions related to the terms of your employment (e.g. wages, hours, working conditions, etc.). Nothing in this Code or any Company Policy is intended to limit or interfere with your rights under the law.

## Your Responsibility

As a Flo employee, we expect you to:

1. Understand and follow the Code, and any other policy that applies to your job.
2. Practice good judgements.
3. Ask for help. If the situation is unclear, seek guidance before taking action.
4. Speak Up.

### Speak Up!

Suppose you see or hear of any possible misconduct or violations of the Code, other Flo policies, legal and regulatory requirements, or laws and regulations. In that case, you must speak up and report it.

If we have a compliance concern, please talk to your Line Manager. If you are uncomfortable doing so, you can contact:

- HR, or;
- Compliance Officer, or;
- Functional Heads, or;
- The Board of Management

using details available on Flo's internal website.

If you wish to remain anonymous, you may submit your report through the [Flo Ethics & Compliance: File a Report](#). You will be required to sign in to your Flo account to access this form, but your identity will not be captured in the submission process.

We take every report seriously and conduct a thorough investigation. You may choose to remain anonymous where permitted by law. If you provide your identity, we will share your information only with those who need to know in the investigation to ensure prompt enforcement of this Policy and determine disciplinary action.

### No Retaliation

Flo does not tolerate retaliation against anyone reporting a good-faith concern or participating in a Code investigation. If you believe you are being retaliated against, please contact Flo Compliance Officer using details available on Flo's internal website.





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## Behaviours

### Support and Respect Each Other

Our reputation as a company that our members can trust is our most valuable asset, and it is up to all of us to make sure that we continually earn that trust. Our communications and other interactions with our users should increase their trust in us.

Flo has an unwavering commitment to prohibiting and effectively responding to harassment, discrimination, misconduct, abusive conduct, and retaliation. To that end, you are expected to do your utmost to create a supportive work environment where everyone has the opportunity to reach their fullest potential and be free from harassment, intimidation, bias, and unlawful discrimination.

### Sustainability Approach

Sustainability is an integral part of our business and forms the foundation of our business strategy. Our commitment to switch as many people as we can to clean, renewable energy and make the earth a better place for generations to come goes much further. We consider our impact on people and the planet in everything we do. Therefore we continue to ask ourselves how we can make our work an even greater force for good, from our clean energy investments and energy reduction to waste management and our partnerships.

The following guiding principles further embed our commitment:

- We will always ensure 100% renewable electricity is sourced for our office.
- We find ways to consume energy more efficiently.
- We use only recycled and renewable materials (for example. use paper more efficiently and use recycled paper where possible).
- We do not source single-use plastics, and we ask and help employees avoid using them.
- We aim to reduce the amount of waste we create and recycle and reuse wherever possible.
- We source any materials and resources we need responsibly.

We are all expected to:

- Live Flo's commitment to sustainability in our daily business.
- Act as Flo sustainability ambassadors.





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## Responsible Business

### Safe and Healthy Workplace

We are committed to providing a healthy, safe and secure work environment. We take all reasonable and practical steps to provide a safe, secure, healthy and clean working environment.

Behaviour that poses a risk to the safety, health or security of all of us is prohibited. If you become aware of a risk to our workplace's safety, health, or security, you should report it to our Compliance Officer immediately. If it is life-threatening or an emergency, call your local police, fire, or other emergency responders first.

Please refer to our [Workplace Health and Safety Policy](#) for more details.

### Drugs and Alcohol

Our position on substance abuse is simple: It is incompatible with the health and safety of our employees, and we don't permit it.

Consumption of alcohol is not banned at our offices, but use good judgment and never drink in a way that leads to impaired performance or inappropriate behaviour, endangers the safety of others, or violates the law. Illegal drugs in our offices or at sponsored events are strictly prohibited.

Suppose a manager has reasonable suspicion that an employee's use of drugs and/or alcohol may adversely affect the employee's job performance or the safety of the employee or others in the workplace. In that case, the manager may request alcohol and/or drug screening. Reasonable suspicion may be based on objective symptoms such as the employee's appearance, behaviour, or speech.

### Fair Employment

Employment here is based solely on individual merit and qualifications related to professional competence.

We abide by all applicable local laws and employment regulations and ensure we adopt fair, responsible and progressive employment practices set out by these applicable laws.

We will operate in full compliance with applicable wage, work hours, overtime and benefits laws and offer employees opportunities to develop their skills and, where possible, provide advancement opportunities.

### Anti-Harassment and Anti-Discrimination

Flo is committed to providing a safe workplace free of harassment or discrimination, including but not limited to race, ancestry, national origin, age, mental and physical disability, sex, gender, sexual orientation, gender identity, medical condition, and marital status. This policy applies to all interactions when you represent Flo, including interactions outside of the workplace and with external parties.

Suppose you believe you've been bullied, harassed, or discriminated against by anyone at Flo or by a Flo partner or vendor. In that case, we strongly encourage you to immediately report the incident to your manager, Human Resources or both.

### Flo Human Rights Policy

To achieve our mission, respecting, upholding and protecting human rights is essential. We are committed to treating everyone fairly with dignity and respect.

We are guided by international human rights principles set out in the International Bill of Human Rights and the International Labour Organization's (ILO) Declaration on Fundamental Principles and Rights at Work. We also conduct our business in line with the United Nations (UN) Guiding Principles on Business and Human Rights and The Ten Principles of the UN Global Compact.





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The scope of the Flo Human Rights Policy applies to all Flo employees and all business decisions that we take.

We are all expected to:

- Enable and foster human rights in the sphere of our influence.
- Speak up in case of a suspected human rights violation.
- Perform risk-based due diligence when working with business partners.

### **Prohibition of Child Labour and Modern Slavery**

We do not tolerate child labour, forced labour, modern slavery, and human trafficking. We ensure that we are not complicit in human rights abuses in our operations and supply chains.

We are committed to complying with applicable laws and regulations, consistent with the United Nations (UN) Universal Declaration of Human Rights, UN Guiding Principles on Business and Human Rights, UN Convention on the Child's Rights, and the relevant standards under the International Labour Organization (ILO).

### **Anti Bribery and Anti Corruption**

Flo does not tolerate bribery or corruption of any kind. The rule for us at Flo is simple – don't bribe anybody, anytime, for any reason.

You must follow the anti-bribery and anti-corruption policy wherever you do business and whoever you do business with. Consult with your reporting manager before making any decisions if you are unsure.

### **Anti Money Laundering**

Money laundering is illegal and strictly prohibited by Flo. Money laundering is a process of concealing the origin of illicit funds by moving them through legitimate businesses. Below are some examples that may signal potential money laundering:

- Attempts to make large payments in cash.
- Payment to and from individuals or entities not related to the transaction.
- An unusual pattern of transactions that fall outside the normal process.

If you notice anything suspicious, speak up and report it immediately to your reporting manager or the Board of Management.

### **Competition and Trade Practices**

Flo believes that everyone benefits from a competitive and innovative marketplace. Therefore, we follow the antitrust and fair competition laws.

We do not:

- Agree on or exchange information with competitors regarding prices, products, and services.
- Divide territories, markets, or consumers with competitors.
- Participate in unfair bidding.

### **Confidentiality**

Certain kinds of company information, if leaked, can hurt our business, eliminate our competitive advantage and prove costly in other ways. Our responsibilities extend beyond not revealing Confidential Flo material – we must also:

- properly secure, label, and (when appropriate) dispose of Confidential material;





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- safeguard Confidential information that Flo receives from others under non-disclosure agreements;
- take steps to keep our trade secrets and other confidential intellectual property secrets.

Make sure that information classified as “Need to Know” or “Confidential” is handled according to our Data Security Policy. Be sure to protect Flo’s confidential information or any Flo subsidiary or affiliate. Don’t disclose any confidential information about any Flo company, including financial, partner, business, technical, or IP information, before obtaining appropriate sign-off from the Board of Management or Legal.

Ensure your external communications (including online and social media posts) do not disclose confidential, proprietary information or represent (or otherwise give the impression) that you are speaking on behalf of Flo unless you’re authorised to do so by the company. The same applies to communications with the press.

Just as you are careful not to disclose confidential Flo information, it’s equally important not to disclose any confidential information from our partners. Don’t accept confidential information from other companies without first having all parties sign an appropriate Non-disclosure Agreement approved by Legal.

We respect our competitors and want to compete with them fairly. But we don’t want their confidential information. The same goes for confidential information belonging to any former employers. If an opportunity arises to take advantage of a competitor’s or former employer’s confidential information, don’t do it.

## Personal Data and Privacy

Always remember that we are asking users to trust us with their personal information. Preserving that trust requires that each of us respect and protect the privacy and security of that information.

Our security procedures strictly limit access to and use of users’ personal information and require that each of us take measures to protect user data from unauthorised access. Know your responsibilities under these procedures, and collect, use, and access user personal information only as authorised by our Security Policies, our Privacy Policies, and applicable data protection laws.

Our Privacy Policy outlines our standard operating procedures to safeguard personal information inline with all applicable laws.

## Protect Flo’s Assets

We need to conserve company resources and protect company assets and information.

## Intellectual Property

Flo’s intellectual property rights (our trademarks, logos, copyrights, trade secrets, “know-how”, and patents) are among our most valuable assets. Unauthorised use can lead to their loss or severe loss of value. You must respect all copyright and other intellectual property laws, including laws governing the fair use of copyrights, trademarks, and brands. You must never use Flo’s logos, marks, or other protected information or property for any business or commercial venture without pre-clearance from the Marketing Team.

A word about open source – Flo is committed to open-source software development. Consistent with our policy of respecting the valid intellectual property rights of others, we strictly comply with the license requirements under which open source software is distributed.

## Company Equipment

Flo gives you the tools and equipment to do your jobs effectively but counts on you to be responsible and not wasteful with the Flo stuff we are given. Company funds, equipment, and other physical assets are not to be requisitioned for purely personal use.





Flo Holding Pte. Ltd.  
UEN/GST Reg No  
202006024R

55B Amoy Street  
Singapore 069881

## The Network

Our communication facilities (which include both our network and the hardware that uses it, like computers and mobile devices) are a critical aspect of our company's property, both physical and intellectual. Be sure to follow all security policies. If you have any reason to believe that our network security has been violated – for example, you lose your laptop or smartphone or think that your network password may have been compromised – please promptly report the incident to Flo Data Protection Officer using details available on Flo's internal website.

## Employee Data

We collect and store personal information from employees. Access this data only in line with local law and internal policies, and be sure to handle employee data in a manner that is consistent with Data Protection Policies and other Flo policies.

## Personal Integrity

### Conflicts of Interest

When you are in a situation in which competing loyalties could cause you to pursue a personal benefit for you, your friends, or your family at the expense of Flo or our members, you may be faced with a conflict of interest. All of us should avoid conflicts of interest and circumstances that reasonably present the appearance of a conflict.

When considering a course of action, ask yourself whether the action you're considering could create an incentive for you or appear to others to create an incentive for you, to benefit yourself, your friends or family, or an associated business at the expense of Flo. If the answer is "yes," the action you're considering is likely to create a conflict of interest situation, and you should avoid it.

### Ensure Financial Integrity

Financial integrity and fiscal responsibility are core aspects of corporate professionalism. Each person at Flo – not just those in Finance – has a role in making sure that money is appropriately spent, our financial records are complete and accurate, and internal controls are honoured.

Spend money wisely. When you submit an expense for reimbursement or spend money on Flo's behalf, make sure that the cost is reasonable, directly related to company business, and supported by appropriate documentation. If you're uncertain about whether you should spend money or submit an expense for reimbursement, check with your manager.

Each time you enter into a business transaction on Flo's behalf, there should be documentation recording that agreement, approved by the Legal Department or Board of Management. If you are unsure whether you are authorised to enter such an agreement, ask your manager.

You are also expected to take precautions against fraudsters when making payments. The frequency and magnitude of payment fraud are increasing year on year. Attacks are also becoming more sophisticated. Refer to the Payment Fraud Prevention Guide to understand how you can apply best practices on payment fraud prevention to your work.

### Gifts

Flo values our relationships with customers, suppliers, and other business partners. However, gifts should never be used as an exchange for any actions that might be viewed to influence any business decision. The rule of thumb is to give or accept gifts that are modest in value (\$100 and below) and decline extravagant gifts.

Below are some examples of acceptable gifts:

- A token item (a pen, t-shirt, or logo branded item)
- Food items within acceptable cash value, except alcoholic beverages







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55B Amoy Street  
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- Business meals with customers, suppliers, or business partners
- Tickets for business events and conferences within acceptable cash value.

If you receive any gifts that exceed these limitations, you should inform and seek approval from the People team before accepting them. If the gifts are not approved, you must decline or return them. If it is impossible or inappropriate to refuse or return the gifts, inform and seek guidance from the People team on the appropriate next steps.

Gifts that are personal in nature are not allowed, e.g. holiday flight tickets for your family paid for by a business partner. Gifts that are cash or cash equivalents, such as gift cards and vouchers, are also not allowed. In addition, paying for a gift for business purposes without getting reimbursement from Flo does not remove the requirement to comply with the gift policy.

### **Social Media**

Use social media wisely; remember that you represent Flo to the world. If you are engaging in an online conversation related to Flo, you have to make it clear in your posting that you are an employee of Flo, and the views are your own. Never disclose any confidential information about Flo, Flo's employees, customers, suppliers, and business partners.

### **Contacts**

The most recent names and contact details of the Compliance Officers can be found on the Flo Wiki.

### **Compliance Officers**

The Compliance Officer is committed to ensuring that the Code has consistently complied. The Compliance Officer also serves as a contact for employees, business partners, customers, and the general public on issues relating to implementing and complying with the Code.

You can reach the Compliance Officer using details available on Flo's internal website.





**Flo Energy**  
**Australia Pty Ltd**  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
NSW 2060

[hello@floenergy.com.au](mailto:hello@floenergy.com.au)  
[floenergy.com.au](http://floenergy.com.au)

# Compliance Reporting Checklist

This checklist was developed on **21 December 2022**. Please ensure that you consult current and applicable regulatory obligations directly when examining compliance with this area. It is critical that all areas of the business contribute and ensure the success of accurate and timely reporting.

This checklist should be completed by one staff member and reviewed by another.

Step to complete	Check
Reminder to commence work on the report sent to Team Managers (term used to describe any individuals who have overall responsibility for a department of business section).  Reminder email to explain what report is due to be submitted, by when, to contain a general description of contents and due dates.	<input type="checkbox"/>
Operations to review reporting guidelines, to satisfy themselves as to the scope of the report, and to reacquaint themselves with the definitions of key terms.  Performance reporting definitions are critical as they determine what is to be reported by the business. Any concerns as to the meaning of terms used is to be raised with the Compliance Manager	<input type="checkbox"/>
Collate responses and to complete the performance report file including where required obtaining information from third parties.	<input type="checkbox"/>
Review the completed report for potential errors and for consistency with prior reports.	<input type="checkbox"/>
Review reports against prior reports and to identify and address any discrepancies.	<input type="checkbox"/>
Provide the draft report to business leaders (General Managers, relevant Directors) for final review and comment.	<input type="checkbox"/>
CEO or Director to sign the report	<input type="checkbox"/>
Submit the report to the relevant regulatory body.	<input type="checkbox"/>





**Flo Energy**  
**Australia Pty Ltd**  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
NSW 2060

hello@floenergy.com.au  
floenergy.com.au

# Compliance Reporting Checklist

This checklist was developed on **26 September 2022**. Please ensure that you consult current and applicable regulatory obligations directly when examining compliance with this area. It is critical that all areas of the business contribute and ensure the success of compliance reporting.

This checklist should be completed by one staff member and reviewed by another.

Step to complete	Check
Reminder to commence work on the report sent to Team Managers (term used to describe any individuals who have overall responsibility for a department of business section).	<input type="checkbox"/>
Reminder email to explain what report is due to be submitted, by when, to contain a general description of contents and due dates.	<input type="checkbox"/>
Review records of any potential or actual breaches and to request clarification or additional information as required by the next report.	<input type="checkbox"/>
Review reporting guidelines and definitions of key terms	<input type="checkbox"/>
Identify any potential or actual breaches and to request clarification or additional information as required from their own teams to collate and email the information back to the Compliance Manager.	<input type="checkbox"/>
CRM system to be checked for indications of potential breaches including call logs, records of complaints and ombudsman investigations to collate and email the information back to the Compliance Manager.	<input type="checkbox"/>
Check with internal and external BDMs and staff with sales function as to records of knowledge of any actual or potential breaches and to collate and email the information back to the Compliance Manager.	<input type="checkbox"/>
Compliance Manager to consolidate any potential or actual breaches identified in the process into the required template.	<input type="checkbox"/>
Compliance Manager to review reports against prior reports and to identify and address any discrepancies.	<input type="checkbox"/>
Compliance Manager to provide the draft report to business leaders (General Managers, relevant Directors) for final review and comment.	<input type="checkbox"/>
CEO or Director to sign the report	<input type="checkbox"/>
Compliance Manager to submit the report to the relevant regulatory body.	<input type="checkbox"/>





# Customer Hardship Policy

Flo Energy Australia Pty Ltd

Last updated 03 March 2023





Flo Energy  
Australia Pty Ltd  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
NSW 2060

hello@floenergy.com.au  
floenergy.com.au

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Flo Energy  
Australia Pty Ltd  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
NSW 2060

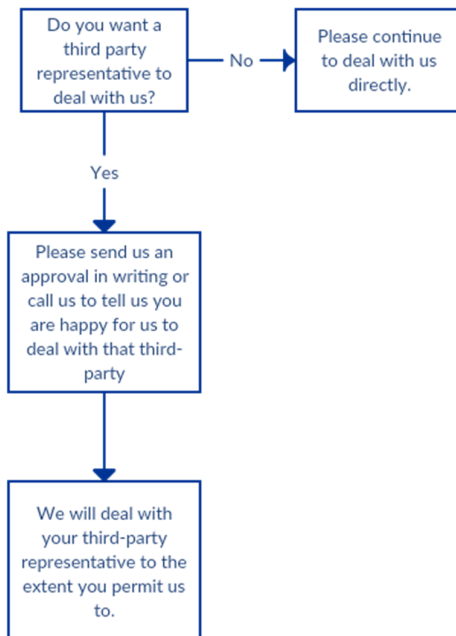
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floenergy.com.au

## 1. Introduction

- 1.1 This Policy applies to all residential customers living in Queensland, New South Wales, the Australian Capital Territory and South Australia who find it hard to pay their energy bills due to hardship. You might experience hardship because of factors like:
  - 1.1.1 death in the family
  - 1.1.2 household illness
  - 1.1.3 family violence
  - 1.1.4 unemployment
  - 1.1.5 reduced income.
- 1.2 This Policy explains:
  - 1.2.1 what we will do to help you manage your energy bills
  - 1.2.2 how we consider your circumstances and needs
  - 1.2.3 your rights as a customer in our hardship program.
- 1.3 You can ask a support person to contact us, such as:
  - 1.3.1 a financial counsellor
  - 1.3.2 someone who helps you manage your energy bills.
  - 1.3.3 We need your permission to talk to your support person.
- 1.4 We need your permission to talk to your support person.

### Support Person

- 1.5 You may provide your permission for us to deal with a third party support person via whatever means are convenient to you.
- 1.6 If you would like a support person to represent you, you may request this at any time, and we will send a consent form or phone you to ensure that you consent (we will accept consent via whatever means are convenient to you).
- 1.7 Where you have elected a support person to act on your behalf, we will engage with that support person as we would with you.
- 1.8 The diagram below summarises our approach:





Flo Energy  
Australia Pty Ltd  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
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hello@floenergy.com.au  
floenergy.com.au

## 2. About our Hardship Policy

- 2.1 We support customers who are experiencing hardship. Electricity is an essential service, so we must do as much as possible to help you maintain access to your supply of electricity.
- 2.2 We have developed this Hardship Policy in accordance with the AER's Hardship Guideline to provide consistent and compliant support to all our customers. We believe early intervention is the best way to help customers who face financial difficulty pay their bills and prevent an accumulation of energy debt which could ultimately threaten a customer's energy supply.
- 2.3 We have systems in place to ensure that we meet our obligations with respect to customer hardship in:
  - 2.3.1 The National Energy Retail Law
  - 2.3.2 National Energy Retail Rules
  - 2.3.3 The AER Customer Hardship Policy Guideline
  - 2.3.4 This Customer Hardship policy

## 3. Our hardship commitment

- 3.1 As an Flo Energy Australia Pty Ltd customer, we will:
  - 3.1.1 Provide you with clear information in a timely manner on what assistance is available to you under this Policy, including on being contacted by a customer
  - 3.1.2 As soon as reasonably practicable, provide you with the assistance you are entitled to under this Policy
  - 3.1.3 Be respectful, compassionate and treat your circumstances with sensitivity and respect for your privacy
  - 3.1.4 Take into account all of your circumstances which we are aware of, and, on that basis, act fairly and reasonably in dealing with a customer who is experiencing payment difficulties due to hardship
  - 3.1.5 Provide you equitable access to this Policy and ensure that it is consistently applied in a transparent way
  - 3.1.6 Waive any late payment fees if you are a participating in the Hardship Program
  - 3.1.7 Maintain customer assistance programs, such as affordable payment plans
  - 3.1.8 Regularly monitor your account during your participation in our hardship program, including quarterly reviews of your payment plan to make sure it remains affordable and you are receiving the right assistance at the right time
  - 3.1.9 Be transparent and accessible and communicate to you, your nominated support person, financial counsellors and community assistance agencies when necessary
  - 3.1.10 Not disconnect your energy supply while you are actively participating in our hardship program

## 4. Accessing our Hardship Policy

- 4.1 You can access a printable version of our Hardship Policy via the URL/hyperlink on the homepage of our website. You can also download an electronic copy of this Hardship Policy at [{Company\\_Website}](#). If you are unable to access our website, we can provide you with a copy of this policy for free in another way. Please contact us if you would like us to provide you with a copy by email or send you a copy by post.

## 5. Eligibility for Flo Energy Australia Pty Ltd's Hardship Program

- 5.1 A customer experiencing hardship is a residential customer who would like to pay their energy bill but does not have the financial capacity to do so at that point in time. This situation can arise as a result of a variety of factors, both long and short term, and some of them are set out in the introduction to this policy.



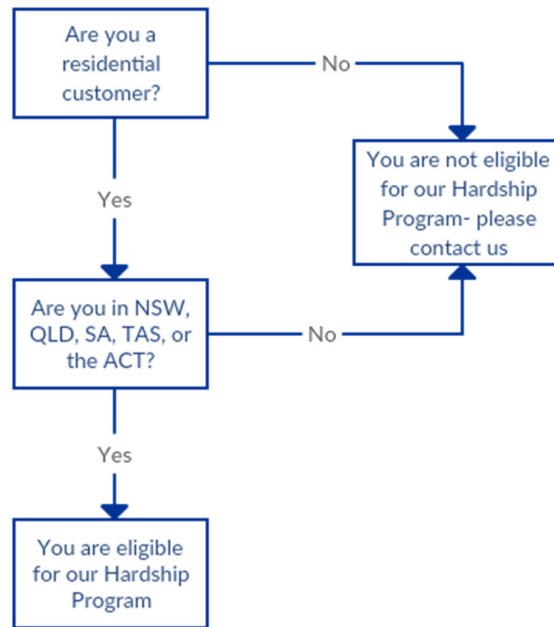


Flo Energy  
Australia Pty Ltd  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
NSW 2060

hello@floenergy.com.au  
floenergy.com.au

- 5.2 If you are experiencing an inability to pay your Flo Energy Australia Pty Ltd energy bill for whatever reason, please contact us.
- 5.3 We will direct customers to this Policy and our Hardship Program if we believe they might be experiencing hardship.
- 5.4 The diagram below sets out whether you are eligible to participate in our hardship program:



- 5.5 If we decide that you are ineligible for our Hardship Program, we will contact you and let you know of the reasons why.

## 6. Re-entry into Flo Energy Australia Pty Ltd’s Hardship Program

- 6.1 If you have previously been removed from or chose to leave our hardship program, but then want to re-enter, your application for entry will be assessed as if you were entering the hardship program for the first time. That is, your eligibility will be assessed based on whether you are experiencing financial difficulties due to hardship and meet the eligibility requirements above.
- 6.2 In no case will we refuse you entry into our Hardship Program on the basis of a need for you to meet any special condition.

## 7. What we will do to help you

- 7.1 We will tell you about our hardship program if:
  - 7.1.1 you tell us you are having trouble paying your bill
  - 7.1.2 you are referred to our program by a financial counsellor or other community worker
  - 7.1.3 we are concerned that you may be experiencing financial hardship.
- 7.2 We will recommend you speak to a staff member to help you join our hardship program if you have:
  - 7.2.1 a history of late payments
  - 7.2.2 broken payment plans
  - 7.2.3 requested payment extensions
  - 7.2.4 received a disconnection warning notice
  - 7.2.5 been disconnected for non-payment.







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Australia Pty Ltd  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
NSW 2060

hello@floenergy.com.au  
floenergy.com.au

- 7.3 We can also support you to join our hardship program if you tell us:
  - 7.3.1 you are eligible for a relief grant or other emergency assistance
  - 7.3.2 you have personal circumstances where hardship support may help. For example, death in the family or job loss.
- 7.4 You may have trouble paying your bills for different reasons. Please contact us so we can discuss your individual situation.
- 7.5 Our staff are specially trained to help you with hardship. Staff will:
  - 7.5.1 ask you a few questions about your circumstances
  - 7.5.2 work out if you can join the hardship program.
- 7.6 We will assess your application for hardship assistance within 5 business days after contacting us.
- 7.7 We will let you know if you are accepted into our hardship program within 10 business days from receipt of the application.
- 7.8 If you are accepted into our hardship program, we will:
  - 7.8.1 tell you if you are on the right energy plan or if there is a better plan for you
  - 7.8.2 tell you about government concessions, relief schemes or energy rebates you may be able to receive
  - 7.8.3 give you ideas about how to reduce your energy use
  - 7.8.4 talk to you about a payment amount that suits your circumstances
- 7.9 We can send you a free copy of our Hardship Policy.
- 7.10 Your free copy of our Hardship Policy will be sent to you via your preferred form of written communication.

## 8. Payment options

### What we will do

- 8.1 There are different payment options available to hardship customers, including:
  - 8.1.1 payment plans
  - 8.1.2 Centrepay
- 8.2 When you are in our hardship program, we will offer you flexible payment options to suit your individual situation.
- 8.3 To make your payment plan, we will consider:
  - 8.3.1 how much you can pay
  - 8.3.2 how much you owe
  - 8.3.3 how much energy we expect you will use in the next 12 months.

This will help us figure out a payment plan that is right for you.

- 8.4 We will offer a payment plan to suit your situation. This will include payments to cover:
  - 8.4.1 what you owe
  - 8.4.2 an amount to cover your energy use.
- 8.5 Once we agree to a payment plan, we will send you information including:
  - 8.5.1 who you can contact for more help
  - 8.5.2 how long the payment plan will go for
  - 8.5.3 the amount you will pay each time
  - 8.5.4 how many payments you need to make
  - 8.5.5 when you need to make your payments (this is also called the frequency of the payments)
  - 8.5.6 how we worked out your payments.





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- 8.6 You can choose to use Centrepay, if you are eligible.
- 8.7 Centrepay is a free service you can use to help pay your bills. Centrepay can automatically take an amount of money from your Centrelink payments to go toward energy bills and expenses.
- 8.8 We will see if another energy plan may be better for you. If you agree, we can transfer you to a better energy plan for free.
- 8.9 Depending on the rules in our Hardship Policy, we may be able to remove some debt, fees or charges you owe. If you miss a payment, we will contact you to see if you need help. We will contact you by your preferred form of communication.
- 8.10 If this contact fails, Flo Energy Australia Pty Ltd will try again within 2 business days. If you fail to respond on our second attempt, we will make a third attempt 2 business days later. If contact is made, we can look to adjust the plan as above.

#### What you must do

- 8.11 Tell us if your situation changes and you can no longer make the payments in your plan. We can then review your payment arrangements.
- 8.12 Tell us if your contact details change.
- 8.13 We may stop helping you if you:
  - 8.13.1 stop making payments under your plan
  - 8.13.2 do not tell us when your contact details change.
- 8.14 If you have had two payment plans cancelled in the last 12 months because you did not follow your plan:
  - 8.14.1 we do not have to offer you another plan
  - 8.14.2 we might disconnect your energy.

## 9. Successful completion

- 9.1 If you have successfully completed a payment plan or have been able to meet all outstanding payment obligations to Flo Energy Australia Pty Ltd, you can request to be removed from the hardship program at any time.
- 9.2 Once confirmed, we will contact you confirming successful completion of the payment plan. You will then be returned to Flo Energy Australia Pty Ltd's normal billing cycle.

#### Steps we will take

- 9.3 We will take the following steps to help you complete our Hardship Program:
  - 9.3.1 Adhere to our Hardship Commitments;
  - 9.3.2 Provide you with the supports outlined in this policy; and
  - 9.3.3 Communicate with you regularly.

#### Changing a Payment Plan

- 9.4 Either at your request, or as a result of our quarterly reviews, payment plans can be modified. It is important for you to stay in contact with us, should your circumstances change so we can agree to any plan revisions.

#### Leaving a Payment Plan

- 9.5 You can return to normal billing and collection processes if you complete the payment plan or pay any previous bill arrears.
- 9.6 If you stop meeting your instalment payments Flo Energy Australia Pty Ltd will attempt to contact you by your preferred method to discuss whether there needs to be changes made to the original payment plan. We can reassess the original payment plan and make changes to help restore payments.
- 9.7 If this contact fails, Flo Energy Australia Pty Ltd will try again within 2 business days. If you fail to respond on our second attempt, we will make a third attempt 2 business days later. If contact is made, we can look to adjust the plan as above.





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- 9.8 It is important that you actively participate with our hardship program. If you refuse to engage with us after these repeated attempts to make contact, we will remove you from our hardship program.
- 9.9 You may leave the hardship program by transferring to another retailer.
- 9.10 If, as a participant in the hardship program, you fail to make payments as per the agreed payment plan and refuse to engage with us, or if you transfer to another retailer, you will default back to our usual debt collections process.
- 9.11 Disconnection and debt collection are Flo Energy Australia Pty Ltd' absolute last resort.

## 10. Other supports to help you pay your energy bill

- 10.1 Depending on the state or territory you live in, there are other supports to help you pay your energy bills.

### What we will do

- 10.2 We will tell you about other ways you can get help to pay your energy bill, such as:
  - 10.2.1 government relief schemes
  - 10.2.2 energy rebates
  - 10.2.3 concession programs
  - 10.2.4 financial counselling services.

### What we need you to do

- 10.3 If you find out you are eligible for these programs, let us know as soon as possible so we can help you.

## 11. Information about government concessions and rebates

- 11.1 There are a variety of Government concession and rebate schemes that can assist low income, vulnerable or medically dependent customers. For customers in hardship, we can help customers identify concessions or rebates they may be eligible for and help with applications to the appropriate authorities. In some circumstances we can check the CCES (Centrelink Confirmation e-services) to determine a customer's eligibility for some concessions.
- 11.2 If we become aware that you may be entitled to a concession or rebate or any other form of assistance, we will notify you by email or phone. Further information on relevant assistance programs can be found by visiting the following websites:
  - New South Wales, visit [www.energy.nsw.gov.au/energy-consumers/financial-assistance](http://www.energy.nsw.gov.au/energy-consumers/financial-assistance)
  - Queensland, visit [www.communities.qld.gov.au](http://www.communities.qld.gov.au) or call 13 74 68
  - South Australia, visit [www.dcsi.sa.gov.au](http://www.dcsi.sa.gov.au) or call 1800 307 758
  - ACT, visit [www.acat.act.gov.au](http://www.acat.act.gov.au)

## 12. Information about financial counselling & advice

- 12.1 We encourage those customers within our Hardship Program to speak to accredited financial counsellors. This is a free service whereby the financial counsellor works with you to help you take control of your finances. To find a financial counsellor in your area, please phone 1800 007 007 or visit <http://www.financialcounsellingaustralia.org.au>.
- 12.2 Further, the National Debt Helpline is a not for profit service that helps people tackle their debt problems and offer free, independent and confidential advice. Visit <http://www.ndh.org.au/>

## 13. Further information about Centrepay

- 13.1 Hardship customers who receive Centrelink benefits or allowances, are eligible to use Centrepay as a payment method. Centrepay is a free service allowing customers to setup and manage regular deductions from their Centrelink payment to help pay their energy bills. If not stated in their existing market contract,





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hello@floenergy.com.au  
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hardship customers who are eligible to use Centrepay will be allowed to use Centrepay as a payment method.

- 13.2 Further information can be obtained from Centrelink by phoning 1800 050 004 or visiting <http://www.humanservices.gov.au/customer/services/centrelink/centrepay>.

## 14. Our programs and services

- 14.1 As a hardship customer, you can access a range of programs and services to help you, including:
- 14.1.1 Flexible payment options;
  - 14.1.2 Review of your tariff to determine if another one of our tariffs would be more appropriate;
  - 14.1.3 Information about your energy use;
  - 14.1.4 Advice on how you can reduce your energy use;
  - 14.1.5 Advice on concessions and other assistance that may be available to you.

### What we will do

- 14.2 We will consider your individual situation to find the right programs (e.g. concession programs) or services that meet your needs.

## 15. We want to check you have the right energy plan

### What we will do

- 15.1 When you join our hardship program, we will talk to you about your energy use and whether you are on the right plan. If we think there is a better energy plan for you, we will:
- 15.1.1 explain why the plan is better
  - 15.1.2 ask if you'd like to transfer to the new plan for free.
- 15.2 We will only talk to you about energy plans we can offer.

## 16. We will work with you

- 16.1 If you have joined our hardship program, we will not:
- 16.1.1 charge late payment fees
  - 16.1.2 require a security deposit
  - 16.1.3 make changes to your plan without your agreement. For example, we will not put you on a shortened collection cycle unless you agree first.

## 17. We can help you save energy

- 17.1 Using less energy can save you money.

### What we will do

- 17.2 When you join our hardship program, we can give you tips to use less energy. This can be different depending on the state or territory you live in.

### Energy Efficiency

- 17.3 Most customers are unaware of simple things they can do around their home which can reduce energy consumption, thus saving them money.
- 17.4 These websites offer some good advice on energy savings tips to help you understand how your household appliances and energy usage affect your energy bills:
- <http://yourenergysavings.gov.au>





Flo Energy  
Australia Pty Ltd  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
NSW 2060

hello@floenergy.com.au  
floenergy.com.au

- <http://www.energyrating.gov.au>
- <https://www.choice.com.au>
- <https://www.moneysmart.gov.au>

### Energy Audits

- 17.5 Please give us a call or email us to find out if you may be eligible for an in-home energy audit. We will conduct an initial assessment to determine whether you would benefit from an in-home energy audit, and if so, we can help organise one for you. After our initial assessment we will provide a quote for the in-home energy audit and we will explain whether we will fully or partially cover the cost of the in-home energy audit. We may offer such an in-home energy audit free of charge, for example, if there is high unexplained electricity consumption within your household and your debt level is high.
- 17.6 You are not required to agree to an in-home energy audit to be accepted into our hardship program.

## 18. What we will do to help you

- 18.1 We recognise the need to ensure that we communicate effectively with customers with different needs including:
- 18.1.1 customers with low English literacy, including customers from culturally and linguistically diverse backgrounds
  - 18.1.2 customers without internet access
  - 18.1.3 customers with disability, and
  - 18.1.4 customers in remote areas.
- 18.2 We will ensure that our customers have support with respect to communicating about the Hardship Policy and Hardship Program including:
- 18.2.1 Referral to language services where available or appropriate;
  - 18.2.2 Communicating via phone or post in accordance with the customer's preferred method of communication;
  - 18.2.3 Ensuring that customers aren't disadvantaged by delays in communication; and
  - 18.2.4 Referral to services that support customers with disabilities.
- 18.3 If you are in our hardship program or are looking to enter the program, and live in a regional area or do not have access to the internet, we can, upon request, provide all relevant material by post for free, making sure that postage delays do not disadvantage you.
- 18.4 If you have not indicated a preference for how you wish to receive written communication, we will send you the Hardship Policy to you via post.
- 18.5 We will provide bills and documentation in large print where this would be helpful to you.
- 18.6 If you need an interpreter, please call the Translating and Interpreting Service (TIS National) on 131 450.
- 18.7 If you are deaf or have a hearing or speech impairment, please call the National Relay Service on 133 677.
- 18.8 If you have any difficulty accessing these services, our staff can help you to do so.

## 19. Contact us

- 19.1 If you find you are struggling to meet your payment obligations or wish to discuss forms of assistance that may be available to you, please contact us as soon as possible by:
- Email: [hello@floenergy.com.au](mailto:hello@floenergy.com.au)
  - Phone: [\[Company\\_Phone\]](#)
- 19.2 If you need an interpreter, please call the Translating and Interpreting Service (TIS National) on 131 450.
- 19.3 If you are deaf or have a hearing or speech impairment, please call the National Relay Service on 133 677.





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## 20. Complaints

- 20.1 Flo Energy Australia Pty Ltd will work with you to resolve any complaints you may have. If you have a complaint, you can contact us by email {Company\_Email} or post at {Company\_Address}. You can also call {Company\_Phone} to leave a complaint.
- 20.2 Once a complaint has been received, a representative from Flo Energy Australia Pty Ltd will immediately acknowledge the complaint and prioritise it for resolution.
- 20.3 Complaints about this Policy or the Hardship Program will be given high priority and we will try to respond as soon as possible.
- 20.4 In all instances, Flo Energy Australia Pty Ltd will:
- 20.4.1 Freely accept complaints lodged on our website, in person, by telephone, facsimile, email or letter;
  - 20.4.2 Acknowledge any complaint received as soon as possible;
  - 20.4.3 Begin an investigation into the reasons for a complaint within 24 hours of acknowledgment;
  - 20.4.4 Keep the complainant updated about the investigation and any proposed resolution;
  - 20.4.5 Notify the complainant as soon as possible of the outcome of our investigation and any proposal we have for resolution; and
  - 20.4.6 Provide the complainant with the option of an internal review of their complaint if they are unsatisfied with the outcome of the investigation or the proposed resolution.
- 20.5 As per our Standard Complaints and Dispute Resolution Procedures, if you are not satisfied with our proposed resolution, you can escalate your complaint within the business. If you are unhappy with the outcome or at any other time, you can submit your complaint to the Energy and Water Ombudsman in your state. The ombudsman schemes offer a free complaint resolution service to customers and can be contacted in the following ways:
- Queensland  
Energy and Water Ombudsman Queensland (EWOQ)  
Telephone: 1800 662 837  
Website: [www.ewoq.com.au](http://www.ewoq.com.au)
  - New South Wales  
Energy & Water Ombudsman NSW (EWON)  
Telephone: 1800 246 545  
Website: [www.ewon.com.au](http://www.ewon.com.au)
  - Australian Capital Territory  
ACT Civil and Administrative Tribunal (ACAT)  
Telephone: 02 6207 1740  
Website: [www.acat.act.gov.au](http://www.acat.act.gov.au)
  - South Australia  
Energy & Water Ombudsman SA (EWOSA)  
Telephone: 1800 665 565  
Website: [www.ewosa.com.au](http://www.ewosa.com.au)
  - Tasmania  
Energy Ombudsman Tasmania  
Telephone: 1800 001 170  
Website: <https://www.energyombudsman.tas.gov.au/>

## 21. Training

- 21.1 Our staff (including any employees, independent contractors, sub-contractors, agents, and other third parties who work with us and deal with our customers) will receive regular face-to-face and online webinar training on:
- 21.1.1 answering customer queries about the customer hardship policy and hardship program, and
  - 21.1.2 identifying customers experiencing payment difficulties due to hardship, and
  - 21.1.3 assisting customers experiencing payment difficulties due to hardship





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hello@floenergy.com.au  
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- a. Our training programs will be reviewed and refreshed on a regular basis. Whenever the Hardship Policy or training materials are updated, staff will receive refresher training to ensure that their knowledge is up to date.
- b. Staff will attend meetings and training provided by financial counsellors and community organisations to assist in understanding the issues that may be faced by customers.
- c. A record of training will be kept for all staff.

## 22. Privacy

- 22.1 Flo Energy Australia Pty Ltd is committed to respecting the privacy and protecting the personal information of our customers in accordance with the Privacy Act 1988 (Cth) and Australian Privacy Principles. Please visit our Privacy Policy for more information.

## 23. Review of the policy

- 23.1 This policy will be reviewed at least annually.

## 24. Version Control

Version	Amendment	Author and date
Version 1	Initial draft	CJ 23/01/2020
Version 2	Amendments in accordance with Hardship Policy Guideline	AS 30/01/2020





# Standard Complaints and Dispute Resolution Procedure

Flo Energy Australia Pty Ltd

Last updated 23 March 2023







Flo Energy  
Australia Pty Ltd  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
NSW 2060

hello@floenergy.com.au  
floenergy.com.au

## 1 Introduction

Flo Energy Australia Pty Ltd is an energy retailer operating in VIC, NSW, QLD, and SA. This document sets out our procedures for accepting, recording, and resolving complaints.

We are committed to receiving and resolving complaints in an accessible and transparent way. Through this document, we make the commitment to continual quality improvement by taking into consideration the data provided by an effective complaints management system. We will review complaints on an ongoing basis to identify any potential non-compliance and areas for improvement.

## 2 Definition of Complaint

A complaint is an expression of dissatisfaction that can be received on the basis of products and/or services provided by us or our agents, contractors, and other representatives, or due to perceived inadequacies in the complaints handling process itself.

We will consider all complaints as opportunities to improve, and they will be freely received by telephone, in writing (for example, letter, email, facsimile) or in person.

Complaints may be raised in relation to (amongst other areas), any:

- Failure by us to observe our published or agreed practices or procedures;
- Failure in respect of a product or service offered or provided by us or our representatives;
- An instance where you involve or seek information about a third party, such as the jurisdictional energy ombudsman or a Member of the Parliament; and
- An occurrence where a complaint is directed to us your behalf by an energy ombudsman.

When a complaint relates to more than a single aspect of our services or products, a separate charge will be recorded for each aspect.

## 3 Complaints Management

The guiding principles for our complaints management program are contained in AS/NZS 10002:2022 (Guidelines for Complaint Management in Organisations).

## 4 Promoting our Complaints Management Program

We will publish this Standard Complaints and Dispute Resolution Procedure on our website, and it will be actively brought to the attention of customers.

We are committed to promoting and ensuring the visibility of our complaints management program. To achieve this, we will:

- Make this procedure available free of charge;
- Arrange for an interpreter to expound the procedures and facilitate the resolution of complaints;
- Make special arrangements for people with disabilities, ensuring that they and their advocates have access to this procedure and are aided in the resolution of their complaint. The process and other documentation will be available in large print Braille or audiotape on request; and
- Ensure that all relevant staff members are trained to resolve complaints and have access to resources for cross-cultural communication and communication with customers with special needs.

## 5 Responsiveness

Once a complaint has been received, one of our personnel will immediately acknowledge the complaint and prioritise it for resolution. Higher priority will be given to those complaints where there is perceived financial hardship, the disconnection of energy supply, and matters relating to health and safety. In such instances, we will respond as soon as possible.

In all instances, we will:

- Freely accept complaints lodged on our website, in person, or by telephone, facsimile, email, or letter;





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- Acknowledge any complaint received as soon as possible;
- Begin an investigation into the reasons for a complaint within 24 hours of acknowledgment;
- Keep you updated about the investigation and any proposed resolution;
- Notify you as soon as possible of the outcome of our investigation and any proposed resolution; and
- Provide you with the option of an internal review of your complaint if you are unsatisfied with the outcome of the investigation or the proposed resolution.

## 6 Responsibilities

All of our staff must comply with this procedure as well as the Retail Law and Retail Rules, Energy Retail Code of Practice and any Guidelines or Procedures published by the Australian Energy Regulator (AER), Essential Services Commission (ESC) or the Australian Energy Market Operator (AEMO). Complaints can be made to any Flo Energy Australia Pty Ltd employee or contractor. That employee or contractor is then required to report any complaints received to the Customer Service Manager.

All employment contracts will stipulate that employees are obligated to report on any suspected compliance breaches. We will ensure that complaint management is not hindered by a lack of resources. We will also ensure that adequate programs are in place to train staff in complaint resolution and the implementation of this procedure.

Top-level management of Flo Energy Australia Pty Ltd is responsible for:

- Establishing the complaints management program;
- Establishing and implementing the process of complaints management;
- Allocating resources to ensure compliance with obligations under applicable laws and this procedure;
- Promoting and advocating a customer-centric approach to complaint resolution;
- Reporting to the board on the management of complaints, including the number and nature of complaints received;
- Continually reviewing the effectiveness of the complaints management program, including the program's processes; and
- Establishing an adequate training program to ensure all relevant staff, agents, contractors, and other representatives comply with this procedure.

## 7 Recording Complaints

Complaints are recorded in our customer management system as soon as they are received. Complaints and all relevant information will be recorded, and a unique identifier will be provided. Each recording will include:

- Your requested resolution
- The date of your complaint
- A description of your complaint
- The expected date for a response or resolution
- The established priority of your complaint

More than one complaint can be made per customer/call. For example, if a customer makes a billing complaint and then makes a marketing complaint during the same call, two complaints will be recorded. Each individual customer contact with a complaint will be recorded and categorised as one, irrespective of the number of times a caller has contacted us on an issue.

Complaints will be tracked from the time they are received to their resolution. When tracking the resolution of complaints, we will make sure to meet response deadlines. We will keep you informed and updated regularly throughout the process.

## 8 Monitoring and Improving

Complaints will be tracked at individual and group levels. Any systemic issues that are identified will be brought to the attention of the Compliance Committee and Board during their monthly meetings.

Flo Energy Australia Pty Ltd's board will direct top-level management to address systemic issues that are identified during a complaint process.





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Australia Pty Ltd  
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NSW 2060

hello@floenergy.com.au  
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## 9 A Customer's Right to Complain

As a customer, you have the right to lodge a complaint at any time. Once your complaint is received, it will be dealt with in accordance with this procedure.

## 10 Internal and External Escalation

At any time, you may request an internal escalation of your complaint, which will be granted. Complaints will also be escalated where they are complex, urgent, or sensitive. When your complaint is received, you will be informed that you have the right to escalate it if you are dissatisfied with the process. Individual staff who manage complaints will be required to review the complexity, urgency, and sensitivity of all complaints and seek assistance from a supervisor or specialist where required.

If you are not satisfied with our response to your complaint or you wish to seek independent advice about a complaint, we will notify you that you can contact the Energy Ombudsman in your State.

We will provide the contact details for the Energy Ombudsman schemes and will assist you in lodging a complaint with them.

## 11 Our Commitment to Customers

In all instances, we will:

- Treat you with respect;
- Take your complaint seriously;
- Respect your privacy;
- Manage your complaint with impartiality;
- Properly investigate and report on your complaint;
- Resolve your complaint with proper consideration to facts;
- Provide the option of internal escalation or a referral to an energy ombudsman scheme when requested or appropriate; and
- Ensure equal access to our complaints management program and fair resolutions.

You have rights under various laws, including the Competition and Consumer Act 2010 (Cth), and the Energy Law. We will ensure that those rights are respected.

## 12 Customer Read Estimates

If you are a "small customer" with an accumulation meter, you have the right to conduct your own meter reading if your bill is based on an estimate. This self-read is known as a "customer read estimate." You can find more information on customer read estimates at [\[insert link\]](#).

Where we have not accepted a customer read estimate, we will notify you of the reasons for the decision and allow the opportunity to rectify the self-read.

We will deal with complaints regarding customer read estimates in accordance with our standard complaints process, which is outlined in this procedure.

## 13 Contact Us to Lodge a Complaint

You may contact us at any time to lodge a complaint using the following contact details:

Our contact details:

[\[insert contact details\]](#)

Interpreter: 131 450 - For help using an interpreter, visit TIS.

NRS: 133 677 - For help using this service, visit NRS.





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## 14 Contact details for the Energy Ombudsman Schemes

If you are not satisfied with our response or investigation into a complaint, you may contact the Energy Ombudsman in your state. We will provide you with the contact details of your Energy Ombudsman if needed.

### **Energy and Water Ombudsman of NSW**

By Post: PO Box 1343, Haymarket NSW 1240.

Freepost: Reply Paid 86550, Sydney South NSW 1234.

Free call: 1800 246 545

Free fax: 1800 812 291

complaints@ewon.com.au

Interpreter: 131 450 - For help using an interpreter, visit TIS.

National Relay Service: 133 677 - For help using this service, visit NRS.

### **Energy and Water Ombudsman Queensland**

Freecall: 1800 662 837

Translation services: 131 450 - For help using an interpreter, visit TIS.

National Relay Service: 133 677 - For help using this service, visit NRS.

Fax: (07) 3006 2670

Online: <http://www.ewoq.com.au/submit-a-complaint>

Email: [complaints@ewoq.com.au](mailto:complaints@ewoq.com.au) or [info@ewoq.com.au](mailto:info@ewoq.com.au)

In person: Level 16/53 Albert Street, Brisbane City QLD 4000

### **Energy and Water Ombudsman South Australia**

Freecall: 1800 665 565

National relay service: 133 677

Translating and interpreting service (TIS):131 450

Post: GPO Box 2947 Adelaide SA 5001

Office address (strictly by appointment only): Level 11, 50 Pirie Street Adelaide SA 5000

Online: <https://ewosa.com.au/submit-a-complaint>

### **Energy and Water Ombudsman Victoria**

Freecall: 1800 500 509

Translating and interpreting service (TIS):131 450

Online: <https://www.ewov.com.au/start-a-complaint>

Email: [ewovinfo@ewov.com.au](mailto:ewovinfo@ewov.com.au)

Post: Reply Paid 469 Melbourne VIC 8060





# AU Retail Compliance Policy

Flo Energy Australia Pty Ltd

Last updated 23 March 2023





Flo Energy  
Australia Pty Ltd  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
NSW 2060

hello@floenergy.com.au  
floenergy.com.au

# AU Retail Compliance Policy

## 1 Introduction

1.1 To ensure long-term success, businesses must cultivate a culture of integrity and compliance. This requires a comprehensive approach to identifying, managing, and implementing regulatory obligations that is supported by strong leadership from the top. Establishing and maintaining a compliance management program is essential to achieving this goal, as it provides a framework for understanding and meeting the applicable regulatory requirements. Additionally, a compliance management program helps to ensure that the organization remains in compliance with applicable laws and regulations, and that any potential risks are identified and addressed in a timely manner.

1.2 This is the Compliance Policy of Flo Energy Australia Pty Ltd and it sets out the compliance management system ('**CMS**') that will be used by Flo Energy Australia Pty Ltd to ensure compliance with all applicable legislation, regulations, licence conditions, codes, guidelines, rules, and standards that impact (or have the potential to impact) Flo Energy Australia's operations ('**Regulatory Obligations**').

1.3 Flo Energy Australia Pty Ltd is committed to an effective compliance management system designed in accordance with Compliance Standard ISO 37301:2021. ISO 37301:2021 is an international standard that provides guidance on managing compliance obligations. It outlines the principles and processes for establishing, implementing, maintaining, reviewing and improving a CMS. The standard is intended to help organizations of all sizes and sectors to identify, assess, manage and monitor their compliance obligations in a systematic and effective manner.

1.4 Flo Energy Australia's CMS is modeled on the following schematic:

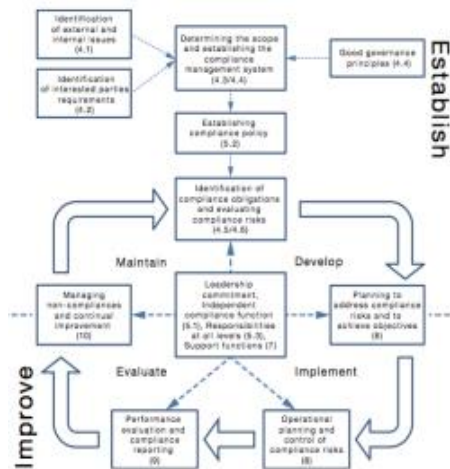


Figure 1 – Flowchart of a compliance management system

Figure 1: Flowchart of a Compliance Management System

## 2 Purpose of the Compliance Policy

2.1 The policy's primary purpose is to define the company's expectations in implementing a CMS.

2.2 Our CMS is designed to ensure compliance with Regulatory Obligations that impact, or have the potential to impact, Flo Energy Australia's operations.

2.3 Flo Energy Australia's obligations include those under the Energy Retail Code of Practice, the Electricity Industry Act, the Energy Law (such as the National Energy Retail Law, the National Energy Retail Regulations, and state derogations), the *Telecommunications Act 1997*, the *Do Not Call Register Act 2006*, the *Privacy Act 1988* and the Australian Consumer Law (as set out in Schedule 2 to the *Competition and Consumer Act 2010*)

2.4 The secondary purpose of the policy is to set out the procedures and strategies which will operate to ensure compliance standards and requirements are operating in accordance with the CMS.



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Australia Pty Ltd**  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
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NSW 2060

hello@floenergy.com.au  
floenergy.com.au

## 3 Nature of The Compliance policy

3.1 The policy represents Flo Energy Australia's compliance philosophy, which is embedded in the CMS through its practices, operational policies, programs and processes. In their entirety, they demonstrate Flo Energy Australia's commitment to regulatory compliance, robust risk management approach and this is central to its zero appetite for regulatory & compliance risk.

3.2 Flo Energy Australia's operational processes provide the mechanisms required to implement its compliance policies and practices.

## 4 Responsibilities

4.1 The Board has overall responsibility for the policy and the CMS which includes selecting and overseeing the corporate governance and compliance strategies that are carried out, on a day-to-day basis, by the Compliance Committee.

4.2 A Compliance Committee will be formed by the Board, which will be responsible for overseeing the implementation of the compliance program by reviewing existing controls, reviewing proposed and new regulation, and defining the scope of internal audit activities.

4.3 The Compliance Committee will include the Managing Director, Head of Compliance and Risk, CCO, Compliance Manager, and any representative from . The Compliance Committee must always include a member of the Board the Managing Director and Head of Compliance and Risk.

4.4 The Board member is responsible for reporting Compliance Committee decisions and minutes of meetings directly to the Board.

4.5 The Compliance Committee is responsible for:

4.5.1 Developing and implementing the CMS through the creation and operationalisation of policies, procedures and training programs;

4.5.2 Identifying new regulatory obligations and changes to existing regulatory obligations, along with ensuring that Flo Energy Australia Pty Ltd, through its employees and contractors, complies with these obligations;

4.5.3 Gathering information to investigate and resolve potential compliance breaches;

4.5.4 Reporting potential compliance breaches to the compliance committee, Board and the Australian Energy Regulator ('AER') and the Essential Services Commission ('ESC'), in accordance with Flo Energy Australia's CMS;

4.5.5 Reviewing, overseeing, and enforcing the CMS via auditing, monitoring, and training;

4.5.6 Directing the Head of Compliance and Risk to conduct compliance risk assessments as required, including audits, reviews, and remediation.

4.6 The Board owns this Compliance Policy and the CMS developed and implemented by the Compliance Committee.

4.7 The Head of Compliance and Risk assists the Compliance Committee in identifying compliance risks and implementing appropriate controls.

4.8 Each Business Unit Manager ('BM') is accountable for compliance within their business units. Each BM has responsibility for ensuring that the unit staff understand the importance and relevance of the compliance program and are properly trained in procedures.

## 5 Commitment to Compliance

5.1 Flo Energy Australia's staff are required to follow all industry regulations as a condition of employment.

5.2 To ensure staff compliance, training programs will be instituted on induction and in an ongoing manner to ensure that staff are aware of their obligations and are notified of any changes to these requirements.

5.3 External contracts with strategic partners and contractors also require compliance with applicable laws and regulations.



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hello@floenergy.com.au  
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5.4 Flo Energy Australia Pty Ltd also recognises the importance of ensuring compliance when dealing with stakeholders, which include customers, regulators, government bodies, non-profit and community organizations and the wider community.

5.5 Flo Energy Australia Pty Ltd has a sharp focus on compliance and risk-assessment. This, together with its commitment to excellence, is what distinguishes Flo Energy Australia Pty Ltd in the industry.

5.6 Flo Energy Australia Pty Ltd is committed to ensuring that all staff, top to bottom, operate within a compliance culture at all times.

## 6 Resources

6.1 To ensure compliance with all Applicable Law, Flo Energy Australia Pty Ltd will provide adequate resources which will be allocated as the need arises.

6.2 Resources currently used by Flo Energy Australia Pty Ltd include those described below.

## 7 Compliance Personnel

7.1 Compliance personnel are the staff responsible for overseeing the day-to-day implementation and maintenance of the policy and the CMS. Their activities include the following:

7.1.1 Interaction with regulators and other bodies to ensure they understand the Applicable Law together with pending changes to the Applicable Law and the impact of such changes on the Flo Energy Australia Pty Ltd business;

7.1.2 Training;

7.1.3 Creating and updating policies, standards, procedures and processes to ensure continued compliance with Applicable Law and best practice;

7.1.4 Engaging external consultants for advice or review where necessary;

7.1.5 Reviewing marketing material, contracts and other documentation; and

7.1.6 Planning compliance presentations to be included at Management meetings of Board meetings, as appropriate.

## 8 External Consultants

8.1 As part of its CMS, Flo Energy Australia Pty Ltd regularly obtains advice on compliance and legal issues from various external consultants including law firms, financial advisors and compliance professionals.

8.2 In addition, Flo Energy Australia Pty Ltd will procure at three-yearly intervals a third party audit of its compliance policy and CMS and conduct annual reviews of its legislative compliance. Outcomes are to be incorporated into Flo Energy Australia's compliance policy, CMS, and compliance training program.

## 9 Software

9.1 Flo Energy Australia's software systems have been developed with regulatory compliance and organizational effect as core requirements.

9.2 Flo Energy Australia's billing system will issue invoices and apply payments in accordance with relevant regulations.

9.3 Flo Energy Australia Pty Ltd utilises compliance software developed to manage compliance. This includes the following software developed by Compliance Quarter:

9.3.1 Compliance HUB (online [here](#))

9.3.2 Risk Assessment Tool (online [here](#))

9.3.3 Regulatory Reporting Tool (online [here](#))

## 10 Documentation

10.1 Flo Energy Australia Pty Ltd has developed documents, procedures and policies related to operational processes in order to ensure statutory compliance. These documents are provided to







Flo Energy  
Australia Pty Ltd  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
NSW 2060

hello@floenergy.com.au  
floenergy.com.au

employees to ensure implementation of practices that are in accordance with the prescribed regulations.

10.2 Flo Energy Australia's on boarding system includes the provision to new staff of all current policies, procedures and training which form part of the policy and the CMS.

10.3 Whenever a document has been changed or updated, Flo Energy Australia Pty Ltd will circulate the new document to all staff together with training where necessary.

10.4 Compliance Risks are documented in a regulatory risk assessment report, which is generated manually, or via the Risk Assessment Tool.

## 11 Obligations Register

11.1 The Obligations Register employed by Flo Energy Australia Pty Ltd is the Obligations Register Application (**ORA**) developed by Compliance Quarter. The ORA is an online tool that allows the business to quickly identify applicable regulatory obligations. The ORA is available here.

11.2 Flo Energy Australia Pty Ltd operates in a highly regulated environment. The Head of Compliance and Risk is responsible for identifying all relevant compliance obligations and publishing them in the Obligations Register.

11.3 The Obligations Register will be updated on the basis of changes to laws and other compliance obligations. This will be achieved by:

- 11.3.1 being on the mailing list of relevant regulators;
- 11.3.2 maintaining membership of industry bodies;
- 11.3.3 subscribing to relevant information services;
- 11.3.4 attending industry forums and seminars;
- 11.3.5 monitoring the website of regulators; and
- 11.3.6 monitoring proposed regulation and decisions of courts and tribunals.

## 12 Compliance Risk Assessment

12.1 Risk assessments are conducted in accordance with the relevant standard ISO 37301:2021 and in particular 4.6 *Identification, analysis and evaluation of compliance risks*.

12.2 Compliance risks will be reassessed whenever there are:

- 12.2.1 New or changed activities, products or services;
- 12.2.2 Material changes to the structure or strategy of Flo Energy Australia Pty Ltd;
- 12.2.3 Significant external changes, such as to financial-economic circumstances, market conditions, liabilities, and client relationships;
- 12.2.4 Changes to compliance obligations; and
- 12.2.5 Non-compliance.

12.3 An overview of the risk assessment process is shown in Figure 2 below.

12.4 As the context is further defined, risks are identified, monitored, and controlled. Risk assessment is intended to be a process of continual improvement.

**Figure 2:** Risk Assessment Process





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Suite 2, Level 25,  
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hello@floenergy.com.au  
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**Source:** Chartered Secretaries of Australia

12.5 As a function of the Head of Compliance and Risk's risk management role, regular updates are provided to the compliance committee and Board via Management.

12.6 A number of compliance risks cannot be controlled, including human error. Therefore, Flo Energy Australia Pty Ltd actively seeks to identify and reduce the likelihood of residual risks and monitor remaining risks.

12.7 Residual risks that are identified in the compliance risk assessment must be reported to Management and the Board, as appropriate.

## 13 Training and Assessment

13.1 The aim of compliance training and assessment is to reinforce in all staff the understanding that regulatory compliance is core to Flo Energy Australia's operations.

13.2 Business Unit Managers provide training opportunities to their staff to address initial, continual and unique requirements.

13.3 Such training is to be developed by the Head of Compliance and Risk, following the identification of a need for such training from the Compliance Risk Assessment report; the implementation of new laws, codes, or guidelines; and upon request from the Compliance Committee.

13.4 External training providers will be utilised where appropriate.

13.5 All training records will be kept for the purposes of organisation and accountability.

13.6 Compliance retraining will be undertaken whenever there is:

13.6.1 Material change of position or responsibilities – affected staff only;

13.6.2 Material changes in internal policies, procedures or processes – all staff;

13.6.3 Material changes in organisational structure, where this change results in new policies or reporting lines – affected staff only;

13.6.4 Changes in the compliance obligations – all staff;

13.6.5 Changes in activities, products, or services – affected staff only; and

13.6.6 Whenever a breach is identified – relevant team or teams.

## 14 Employing Qualified Staff

14.1 Flo Energy Australia Pty Ltd will ensure that all staff have the qualifications and experience necessary to be competent in their roles and the commitment to function in compliance with all applicable laws. For example, employees working in legal or compliance areas must have, as a minimum, a Bachelor degree in law and two years of relevant experience.

14.2 Performance reviews are mandatory for all levels of staff and include analyses of positions to determine the currency of position descriptions governing work roles. Staff promotions and retention are dependent on commitment to regulatory compliance.

14.3 In performance reviews, training and development requirements of staff will be identified including those relating to statutory obligations, compliance and the minimisation of risk.

## 15 Monitoring Performance

15.1 Flo Energy Australia Pty Ltd will develop performance and compliance criteria based on the requirements and definitions provided by the regulators.

15.2 Flo Energy Australia Pty Ltd will develop performance and compliance criteria based on the requirements and definitions provided by applicable regulators.

15.3 In the avoidance of doubt, any potential breaches are reported upon, irrespective of risk rating.

15.4 Flo Energy Australia Pty Ltd will implement reporting procedures (and, where authorised by applicable law, anonymous reporting) for actual or suspected breaches of applicable law.



**Flo Energy  
Australia Pty Ltd**  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
NSW 2060

hello@floenergy.com.au  
floenergy.com.au

15.5 All staff must use the Regulatory Reporting Tool (online [here](#)) (see Schedule A for introductory email), and must provide a complete description of the breach, including suspected potential breaches, and any corrective action to date. Submissions using the Regulatory Reporting Tool must be actioned by the Head of Compliance and Risk.

15.6 Flo Energy Australia Pty Ltd will implement appropriate procedures for investigating any such report and providing related reports to Management or the Board, as appropriate.

15.7 Specifically, all staff are required to report actual or suspected compliance breaches to the Compliance Manager, who will, upon investigation, escalate confirmed breaches to Management.

15.8 Management, in consultation with the Head of Compliance and Risk, will then conduct a review of the breach that has been brought to its attention and determine if:

15.8.1 It needs to be reported to a regulatory body;

15.8.2 It needs to be reported to the Board; and

15.8.3 Further remediation action is required.

15.9 In addition to compliance reporting, complaints management and review are an essential part of compliance monitoring and quality improvement. Complaints provide insight into the various issues faced by customers and the areas that need to be addressed.

15.10 On a quarterly basis, Flo Energy Australia Pty Ltd has an obligation to report on the number and categories of complaints received to the relevant jurisdictional regulators as set out in the AER's Compliance Procedures and Guidelines and the Essential Service Commissions' (**ESC**) Compliance and Performance Reporting Guideline.

15.11 Reports prepared pursuant to the AER's Compliance Procedures and Guidelines and the ESC's Compliance and Performance Reporting Guideline will be reviewed by the Head of Compliance and Risk. The Compliance Manager may develop recommendations to Management resulting from such review including, for example, to strengthen compliance controls in relation to a specific area identified within a complaint.

## 16 Remedial Action and Controls

16.1 Remedial actions taken in response to individual incidents, including compliance breaches, will be recorded and reported in the compliance reporting software. Remedial actions taken in response to systemic or serious breaches will be reported to the Board, as determined by Management, in consultation with the Head of Compliance and Risk.

16.2 In consultation with the compliance committee, the Head of Compliance and Risk will establish controls to reduce the likelihood of breaches, which include, for example, training and guidance materials; compliance controls will also be built into third-party contracts as necessary

16.3 Where risk cannot be minimised to a sufficient degree using a control, the risk may be transferred to a third party by a standard contract or contract of insurance. Despite the existence of external contracts, in cases where Flo Energy Australia Pty Ltd has the obligation for compliance, it assumes ultimate responsibility.

16.4 The Head of Compliance and Risk will review existing controls on an ongoing basis to ensure their continuing effectiveness and relevance.

## 17 Provision of Updates and Advice

17.1 The Head of Compliance and Risk is responsible for notifying relevant staff of new or updated compliance requirements and delivering appropriate training programs when major changes are introduced. The methods of delivery must be appropriate to the nature and complexity of the update.

17.2 Compliance obligations are reviewed on an ongoing basis. Flo Energy Australia Pty Ltd subscribes to a number of regulatory news feeds, including those offered by third parties. These third parties include law firms, SAI global, and the regulators themselves.

17.3 Flo Energy Australia's staff will play an active role in the development of new compliance obligations by attending and participating in industry events and consultations conducted by regulators and reviewing, at reasonable intervals, on-line information on regulations and their currency. The aim of this participation is to contribute to an improved regulatory environment for the company and beneficial outcomes for consumers and the community.





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NSW 2060

hello@floenergy.com.au  
floenergy.com.au

## 18 Review

18.1 The Board will review this policy at least every two (2) years.

## 19 Publication

19.1 This policy is not published and is available internally only.

## Version Control

Version 1	Initial draft	Compliance Quarter on 29 December 2022
Version 2	Review and update	CQ 30 Jan 2023
Version 3	Independent review - minor edits	CQ 23 March 2023

## Schedule A:

### Email to staff introducing the Regulatory Reporting Tool

Please find below a link to our online reporting tool. The purpose of the online reporting tool is to standardise the capture of reports of potential breaches of regulatory obligations.

As we have explained in prior updates, the regulatory enforcement powers of both the AER and ESC were increased over the past few years to include penalties of \$10 million, three times the benefit gained from a breach, or 10% of global annual turnover – whichever is greater.

It is imperative that energy retailers capture any potential regulatory non-compliances so that they may be reported in accordance with the ESC and AER Compliance Reporting Guidelines. As you will recall, certain breaches must be reported within two business days of identification. A failure to report on a breach is a breach in and of itself

Once a breach is reported using the tool, we will work with you to assess whether a report is required and to consider next steps.

All staff must report using the tool on any potential breaches. Submit a report [here](#)





# Flo Holding Group Structure Diagram

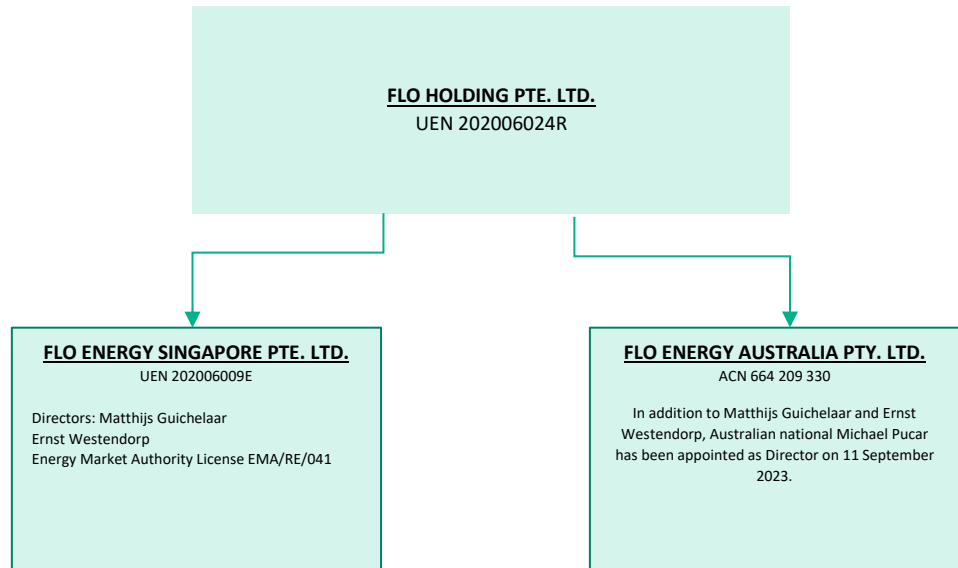
Last updated 26 September 2023, REDACTED





# Flo Holding Group Structure Diagram

**Flo Holding Pte. Ltd.**  
UEN/GST Reg No  
202006024R  
  
55B Amoy Street  
Singapore 069881



2023



# COMPLIANCE QUARTER: PROFILE



[WWW.COMPLIANCEQUARTER.COM.AU](http://WWW.COMPLIANCEQUARTER.COM.AU)

# WHY

Regulatory compliance services need to evolve at the same pace as the markets they serve. We make this possible.

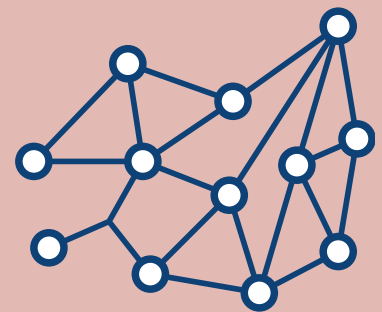
With energy expertise



With regulatory specialists



With ground-breaking systems



We make it easier for businesses under an immense regulatory burden, and we give those with the responsibility for this endless task a sense of ease and control.

The tools that we have developed and employ are explained in this document.

Compliance Quarter works with a large number of energy businesses with a focus on energy compliance. We provide a virtual compliance officer service where we ensure that our clients are aware of regulatory changes and that our clients are implementing a compliance management program.

Our passion is the evolving energy market. The integration of large-scale and embedded generation into the NEM gives rise to interesting regulatory challenges.

We enjoy complexity. We love applying existing regulatory frameworks to new and interesting business models and new services that benefit consumers, the environment, and society.

If you have a challenge for us, we would love to hear from you.



# HOW WE WORK

Each engagement is customised to ensure that we meet the needs of our clients. We are often engaged to complete the following types of work:

- Establishing a compliance and assurance framework;
- Conducting an assurance review;
- Breach report submission and drafting a response to any regulatory information request;
- Online and on-demand training tailored to the needs of the business unit;
- Creating new or updating policies procedures and processes;
- Providing a simple obligation checklist; and
- Preparing plain English documents for new obligations.

# WHO WE WORK WITH

01

Energy retailers, exempt sellers, providers of PPAs

02

Financial services business

03

External top-tier law firms including on joint projects and on a collaborative basis.

# HOW WE DELIVER

Compliance HUB moves businesses away from static document-based controls to 'self-serve,' responsive and dynamic controls leaving legal and compliance professionals to focus on higher value work.

The Compliance HUB is a centralised SaaS product where obligations are identified and managed.

01

Dynamic risk-based assessment of regulatory obligations including our Risk Reporting Tool (RRT) to automate risk assessments.

02

Obligations linked to controls so you can see what needs to change and when.

03

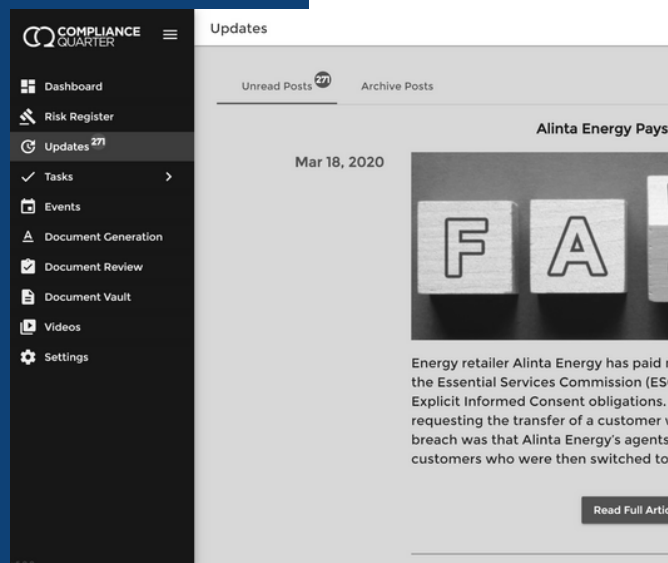
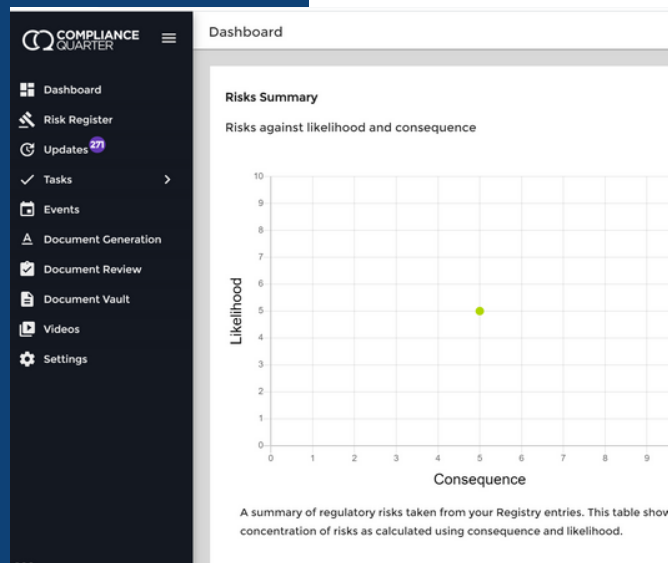
Automated document review using Titan, built in consultation with data scientists from Oxford, UK. Titan accepts uploaded contracts and identifies red flags, risks that need to be reviewed and missing clauses.

04

A policy and procedure 'Vault' with automatic version control.

05

Scenario based video training for front-line staff including on AFSL compliance, customer hardship, payment difficulties, EIC and more.



# CASE STUDIES



## **Case Study: Operationalising Obligations**

We were engaged by a large energy distributor to develop controls for an obligations register drafted by their external legal team. We worked with the client to develop a series of process documents, policies, procedures and guidelines that they then rolled out across the business.

## **Case Study: Retail Authorisations**

We worked with a solar PPA provider looking to expand and offer retail supply within Australia. We successfully obtained electricity authorisations and licences so that the client could retail electricity in all of the Eastern States of Australia.

## **Case Study: Compliance Manager**

We took over the function of Compliance Manager in an established electricity retailer- replacing the existing Compliance Manager who left for other employment. We were able to offer an outsourced solution to the client, providing ongoing support to the business, including via a dedicated Slack channel. We helped the client launch new retail products and further refined its compliance program.

We have provided the Compliance Manager service for several energy businesses operating within Australia.

**THE FUTURE OF REGULATORY  
COMPLIANCE CONSISTS OF  
ADVANCED SYSTEMS WORKING  
ALONGSIDE EXPERTS.**

24<sup>th</sup> March 2023

Our Ref: 1071-27

Ernst Westendorp  
Chief Operating Officer  
Flo Energy Australia Pty Ltd  
c/o Compliance Quarter  
Level 2, 19 Brisbane Water Drive,  
Koolewong NSW 22561

**Re: Flo Energy Australia Pty Ltd Compliance and Risk Audit Action  
Verification**

Further to Shared Safety and Risk's independent audit of Flo Energy Australia Pty Ltd's compliance and risk management systems in March 2023, I can confirm that we have reviewed Flo Energy Australia's audit response and verified completion of the recommended actions through document review.

As such we can confirm Flo Energy Australia's compliance and risk management arrangements meet the planned requirements.

If any further information is required or if you have any queries regarding this information please do not hesitate to contact me on [REDACTED]

[REDACTED]  
**Exemplar Global Lead Auditor #114812**  
**Director**



## Annexure D1 Criterion 5 Declaration (Financial)

08 March 2023

Flo Energy  
Australia Pty Ltd  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
NSW 2060

hello@floenergy.com.au  
floenergy.com.au

[REDACTED]  
[REDACTED] being Chief Financial Officer of Flo Energy Australia Pty Ltd, declare that Flo Energy Australia Pty Ltd is a going concern and I am unaware of any factor that would impede Flo Energy Australia Pty Ltd's ability to finance its energy retail activities under the authorisation for the next 12 months.

[REDACTED]  
[REDACTED]  
\_\_\_\_\_  
[REDACTED]  
[REDACTED]  
[REDACTED]



**Financial Resources - Criteria 6**

[REDACTED], being a Chartered Accountant at Fynaence [an independent accountant of Flo Energy Australia Pty Ltd], declare that:

- An insolvency official has not been appointed in respect of Flo Energy Australia Pty Ltd or any property of Flo Energy Australia Pty Ltd.
- No application or order has been made, resolution passed or steps taken to pass a resolution for the winding up or dissolution of Flo Energy Australia Pty Ltd.
- I am unaware of any other factor that would impede Flo Energy Australia Pty Ltd's ability to finance its energy retail activities under the authorisation.

Dated: 13 March 2023

Kind regards,

[REDACTED]

Daniel van der Heyden  
Chartered Accountant, 470426



## Annexure D3 Criterion 1 Declaration (Suitability)

08 March 2023

Flo Energy  
Australia Pty Ltd  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
NSW 2060

hello@floenergy.com.au  
floenergy.com.au

I, [REDACTED] being Chief Executive Officer of Flo Energy Australia Pty Ltd, declare that Flo Energy Australia Pty Ltd, Flo Energy Australia Pty Ltd’s associates, any other business where, Flo Energy Australia Pty Ltd’s officers have held an officer position and any other entity that exerts control over Flo Energy Australia Pty Ltd has not had:

- Any material failure to comply with regulatory requirements, laws or other obligations over the previous 10 years, including infringement notices or other enforcement action (including voluntary administrative undertakings) being taken by a regulatory body.
- Any previously revoked authorisations, authorities or licences held in any industry.
- Any failed authorisation, authority, or licence applications in any industry.
- Any past or present administrative or legal actions in relation to an authorisation, authority or licence in any industry.
- Any situation where Flo Energy Australia Pty Ltd or an associate of Flo Energy Australia Pty Ltd, has previously triggered the RoLR provisions of the Retail Law or equivalent state/territory/foreign legislation , or have transferred or surrendered an authorisation or licence in circumstances where if not done, triggering a RoLR event would have been likely.

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]







## Annexure D4 Criterion 2 Declaration (Suitability)

08 March 2023

Flo Energy  
Australia Pty Ltd  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
NSW 2060

hello@floenergy.com.au  
floenergy.com.au

I, [REDACTED] being Chief Executive Officer of Flo Energy Australia Pty Ltd, declare that Flo Energy Australia Pty Ltd's current director/s (or shadow / de facto director/s), and any other person that exerts control over Flo Energy Australia Pty Ltd's business activities, and all persons who are responsible for significant operating decisions for Flo Energy Australia Pty Ltd have not committed or been the subject of any offence or successful prosecution under any territory, state, Commonwealth or foreign legislation (including, but not limited to, the Australian Securities and Investments Commission Act 2001 (Cth), Competition and Consumer Act 2010 (Cth) and the Corporations Act 2001 (Cth), relevant to Flo Energy Australia Pty Ltd's capacity as an energy retailer.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]





## Annexure D5: Criterion 4 Declaration (Suitability)

08 March 2023

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Australia Pty Ltd  
ACN 664 209 330

Suite 2, Level 25,  
100 Miller Street  
North Sydney  
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hello@floenergy.com.au  
floenergy.com.au

I, [REDACTED], being Chief Executive Officer of Flo Energy Australia Pty Ltd, declare that:

- No member of Flo Energy Australia Pty Ltd's management team has been disqualified from the management of corporations;
- There is no record of bankruptcy, including in any overseas jurisdiction, of any member of Flo Energy Australia Pty Ltd's management team.

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

