

Disclaimer – Financial Model Template



Last update: 19 May 2023

Orkestra has made every reasonable effort to ensure that its battery modelling software (the "Software") and funding financial model template ("Template") are of a high standard of quality and reliability. While we have sought input and guidance from the Australian Renewable Energy Agency ("ARENA"), ARENA has not explicitly approved of the use of this template. It is up to applicants to ensure this template meets the needs of their project and application. If proponents have concerns on whether this template meets their requirements, ARENA recommends that proponents email their questions to their FAQ service - batteryround@arena.gov.au.

Notwithstanding this, the Software and Template are provided by Orkestra on an "as is" and "as available" basis for use by customers for a variety of purposes, including but not limited to preparing funding applications for the ARENA Community Battery Program.

Any decision by ARENA (or any other organisation) to approve or reject an investment or funding application depends on a variety of factors. Many of these factors are outside the control of Orkestra and are unrelated to the information or services provided by Orkestra via the Software or the Template. These can include, but are not limited to, the financial standing of the applicant, the viability of the project, prevailing market conditions, regulatory requirements, and the policies and discretion of ARENA at the time of evaluation. By using the Software and the Template, users acknowledge and agree that such external factors may impact the success of their funding applications, and Orkestra holds no liability or responsibility for such external factors.

Orkestra does not represent, warrant or guarantee that the use of the Software or Template will lead to any specific results or outcomes, or that the submission of an application prepared with the aid of the Software or Template will result in the approval of funding from ARENA or any other entity.

While Orkestra endeavours to ensure that the Software and Template are accurate and up-to-date, it makes no representations or warranties of any kind, express or implied, as to the operation of the Software or the Template, the information, content, materials or products included, or the suitability of the Software or the Template for any specific purpose.

Orkestra disclaims all warranties, express or implied, including but not limited to, implied warranties of merchantability and fitness for a particular purpose. To the maximum extent permitted by law, Orkestra will not be liable for any damages of any kind arising from the use of the Software or the Template (or any information, statements or opinions contained therein), including but not limited to direct, indirect, incidental, punitive, and consequential damages.

Anyone proposing to use the information in the Software or the Template should independently verify and check its accuracy, completeness and suitability for purpose, and obtain independent and specific advice from appropriate experts.

By using the Software and/or the Template, the customer agrees to this disclaimer and acknowledges that the responsibility for the results obtained rests solely with them, and that Orkestra is not responsible for any decisions made or actions taken based on the use of the Software or the Template or the results obtained from such use.

Nothing in this disclaimer shall limit or exclude Orkestra's liability for death or personal injury resulting from negligence, fraud or fraudulent misrepresentation, or any other liability that cannot be excluded or limited by the Australian Consumer Law or any other applicable Australian law.

In this disclaimer, "Orkestra" refers to Orkestra Technologies Pty Ltd (ACN 649 960 805) as well as its employees, officers, consultants, agents and representatives.

Please seek legal advice if you have any questions about this disclaimer.

By continuing to use the Software or the Template, you acknowledge that you have read, understood, and agreed to this disclaimer.