

Appendix 1. Terms and Conditions

A – Charter Eligibility

Any business or organisation may be accredited to the Carbon Charter, with the following exceptions:

- i. [Businesses](#) that are not Small or Medium Enterprises (c.f. [SME definition](#)) will be accepted at the discretion of the [Managing Authorities](#), based on an assessment as to whether the [Charter](#) is appropriate for that business.
- ii. Businesses outside Suffolk and Norfolk may be approved at the discretion of the [Managing Authorities](#), taking into account the feasibility of making appropriate checks.
- iii. Any business or organisation not meeting the minimum requirements for accreditation, or that is deemed to have acted in a way that clearly contravenes the managing authorities' idea of environmental responsibility (C.ii), will not receive the accreditation.
- iv. Any business or organisation that – subsequent to accreditation – is discovered to be in contravention of one or more of these Terms & Conditions in a manner that may harm the [Charter](#)'s reputation is liable to have their accreditation withdrawn, subsequent to a notification process.

B – Charter Application Process

- i. You agree to supply the [Managing Authorities](#) and Groundwork Suffolk with information which is reasonably required to process the charter application. Where you indicate when you supply this information that it is confidential, or where it would appear to a reasonable person to be confidential, the [Managing Authorities](#) and Groundwork Suffolk will treat the information as confidential. The exceptions to this are where:
 - The confidential information was already lawfully known, or became lawfully known to the [Managing Authorities](#) and/or Groundwork Suffolk independently;
 - The confidential information is in, or comes into, the public domain other than due to wrongful use or disclosure by the [Managing Authorities](#) or Groundwork Suffolk;
 - Disclosure is required by law (including but not limited to under the Freedom of Information Act 2000).
- ii. This service is financially supported by organisations including the [Managing Authorities](#) and EU through the European Regional Development Fund. Groundwork is required to report project performance information, for example CO₂ savings, number of businesses participating. We will not attribute to any specific source the data or information supplied to us when reporting to the funders.
- iii. The [Managing Authorities](#) and Groundwork wish to promote accredited companies. This will be based directly on information you provide. You agree to the use of this information on www.greensuffolk.org and for other reasonable promotional purposes, including [Twitter](#). Charter holders are promoted at the discretion of the [Managing Authorities](#) unless they specifically request otherwise or inform the [Managing Authorities](#) of limitations to that promotion.
- iv. In accepting this offer, you will ensure that employee(s) with the relevant experience and management responsibility will liaise with the advisor. In addition you commit to working with the advisor and to supplying the advisor with the relevant information required to undertake this service e.g. access to energy/carbon policies and action plans and energy billing data.
- v. State Aid – For organisations receiving Charter accreditation without paying the administration fee. Under the EC Regulation 69/2001 (“de minimis” aid regulation), the Carbon Charter is a de minimis aid valued at £450. There is a ceiling of 200,000 Euros (approx. £155,000 as of June 2016) for all de minimis aid provided to any one firm over a three-year period. Any de minimis aid awarded to you under this offer letter will be relevant if you wish to apply, or have applied, for any other de minimis aid. For the purposes of the de minimis regulation, you must retain this letter for three years from the date on this letter and produce it on any request by the UK public authorities or the European Commission. (You may need to keep this letter longer than three years for other purposes).
In applying for this Charter you are confirming that this grant will not take your company over the de minimis limit for State Aid in any three year period.

C – Use of the Charter

- i. Companies are awarded the Charter for the period of 2 years from the date of provision. Subsequent to the expiration of this period, they are no longer considered current [Charter](#) holders but may still reference the [Charter](#) award so long as they also make reference to the date of the approval (e.g. “awarded the Silver Charter in 2011”).
- ii. The [Charter](#) recognises companies that take their environmental responsibility seriously. The Managing Authorities reserve the right to withdraw the charter from accredited companies whose actions seem likely to discredit the charter as a product. This will only be done following consultation with the company concerned.

Once the [Charter](#) has been withdrawn, the company may no longer refer to themselves as [Charter](#) recipients or make use of the benefits of accreditation.

iii. The [Managing Authorities](#)' decision is final.

D - Definitions

For the purposes of this document, the following definitions are used

Business - The Carbon Charter has been designed with small businesses in mind, however it is also an appropriate fit for similar-sized non-business organisations, including charities, community interest organisations, etc.

Charter - The Suffolk Carbon Charter or Norfolk Carbon Charter

Managing Authorities - The Managing Authorities oversee the administration of the Charter on behalf of the Creating the Greenest County partnership in Suffolk, and Norfolk County Council in Norfolk.

SME - Enterprises qualify as micro, small and medium-sized enterprises (SMEs) if they are involved in any commercial activity and have **both** a headcount of less than 250 **and** *either* turnover of less than €50million *or* balance sheet of less than €43million.