



Counterparty Operation Guidelines and Principles

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Content

1. Introduction	3
1.1 What can a Counterparty do?	3
1.1.1 Better Energy Homes Grants.....	3
1.1.2 Other roles/responsibilities.....	4
2. Principles and Rules of the Better Energy Homes Grant Scheme	5
2.1 Terms and conditions of the grant scheme	5
2.2 Some principle rules of the scheme	5
2.2.1 Home must be owned by the applicant and must have been built prior to 2006.....	5
2.2.2 Works and paperwork must be completed within 6 month timeframe.....	5
2.2.3 Works cannot be started before grant application is made	6
2.2.4 Works must be undertaken to SEAI standard	6
2.2.5 Only SEAI registered contractors may undertake the works	6
2.2.6 Only registered assessors may undertake the BER.....	7
2.3. Governance within the Better Energy Homes scheme.	7
2.3.1 Segregation of Duties	7
2.3.2 Managing Document Flow	7
2.3.3 Ensuring oversight.....	8
2.3.4 Auditing of Works.....	8
3. Reporting Energy Saving Credits.....	9
3.1 Introduction.....	9
3.2 Some principles	9
3.3 Reporting your credits	10
3.3.1 Domestic: Grant Aided	10
3.3.2 Domestic: Non-Grant aided.....	10
3.3.3 Non-Domestic: Grant Aided	10
3.3.4 Non-Domestic: Non- Grant Aided	11
Annex I	Summary of Energy Credit Claim
Annex II	Information required for Domestic Non-Grant Aided Works
Annex III	Application that must be completed for Non- Domestic Non-Grant Aided Works

1. Introduction

Better Energy - The National Upgrade Programme was launched by the Minister for Communications, Energy & Natural Resources in May 2011. This Programme is a multi-annual programme which will stimulate the upgrading of Ireland's building stock and facilities to high standards of energy efficiency, thereby reducing fossil fuel use, running costs and greenhouse gas emissions. It will build upon existing energy saving programmes in both the domestic and non-domestic sectors and will involve delivery through energy supply companies, as well as including energy services providers, construction workers, energy auditors and policymakers, all working together to deliver energy savings, cost reductions and ultimately smaller carbon footprints for energy customers throughout the country.

The Irish Government wishes to encourage home owners and businesses to improve the energy performance of their homes and buildings and have launched the Better Energy Homes and Better Energy Workplaces schemes to assist them in achieving this objective. The schemes provide assistance to homeowners and business owners to reduce their energy use, costs and greenhouse gas emissions.

The Irish Government has also placed an obligation on key energy utilities, fuel importers and named market players to meet specified energy saving targets as part of a multi annual programme. These are collectively known as **Participating Energy Suppliers** (PES).

SEAI will facilitate Participating Energy Suppliers and other major Industry players who want to incorporate Better Energy grants into their own service offerings. SEAI has assigned the term **Counterparty** to describe organisations wishing to assume the role and responsibilities of operating in this way. Counterparties may also assist PES' in achieving their energy savings via mechanisms other than Better Energy Grant schemes (e.g. via non grant works).

This document sets out clear operational rules and principles for counterparties who will be engaged as better energy partners and will be using the Better Energy systems. This document should be read in conjunction with the SEAI training manual on the Better Energy Homes scheme (in some sections direct reference will be made to the training manual).

1.1 What can a Counterparty do?

1.1.1 Better Energy Homes Grants

As a Counterparty you are authorised by SEAI to submit Better Energy Home grant applications and to receive grant monies on a Homeowner's behalf. You are also authorised to undertake additional administrative tasks related to the processing of Grant applications on behalf of SEAI. You have been given access to the SEAI Better Energy Homes grant processing system to enable you to execute full end-to-end transaction processing for all grant-aided measures. These transactions include:

- Applying on-line on behalf of the Homeowner
- Printing off the Declaration of Works (DOWs) forms
- Inputting the DOWs onto the Better Energy Homes system
- Reviewing Grants ready for payment
- Submitting Grant Payment Requests to SEAI
- Receiving Grant funds directly into your nominated bank account

1.1.2 Other roles/responsibilities

You may also be authorised by the PES and SEAI to undertake and manage other grant related works on their behalf (ie Better Energy Workplace grant, Pilot Programmes grants). SEAI will work with you and the PES in these instances to ensure that appropriate agreement structures are in place in these instances.

You may equally be tasked to carry out and report on non-grant related works in order to achieve energy credits. If this agreement is in place SEAI will need to be informed of the non-grant related works planned in advance. SEAI will require that all works are done to the required standard in order to be eligible for credits. Guidance on how information should be provided to SEAI on these non-grant aided works are set out in Chapter 3 of this document.

2. Principles and Rules of the Better Energy Homes Grant Scheme

Counterparties and relevant staff from the PES must at all times be aware of and familiar with the terms and conditions of the Better Energy Homes grant scheme. They must also understand and adhere to the rules associated with administering the grant, which have been developed to ensure consistent and transparent management of public monies. In this document SEAI have separated out the rules for applicants (terms and conditions) from those that are more relevant to the appropriate management of the grant monies.

2.1 Terms and conditions of the grant scheme

The detailed terms and conditions associated with the scheme can be found on our website www.seai.ie/betterenergyhomes. Counterparties should ensure that these are thoroughly understood by all staff members, or agents acting on their behalf who are involved directly or indirectly in delivering the Better Energy Homes scheme to customers. This includes, but is not limited to staff involved in call centres, sales, installation, administration and finance. Counterparties should also ensure that the terms and conditions are reviewed with the Homeowner before an application is made.

These terms and conditions may change from time to time and SEAI will endeavour to keep you informed of any changes, however it is ultimately the Counterparties responsibility to ensure that the most up to date Terms and Conditions are supplied to staff and the Homeowner at all times.

2.2 Some principle rules of the scheme

While all terms and conditions of the scheme carry equal weight, there are a number which have resulted in grants being declined in the past for counterparties. As a result they are highlighted here.

2.2.1 Home must be owned by the applicant and must have been built prior to 2006

The counterparties must ensure that the homeowner that they are applying on behalf of owns the property in question. Note it should be the homeowner who signs the consent form and the Declaration of works (DoWs). The counterparty must also ensure that the property was built prior to 2006. Properties built after 2006 should have been constructed to the 2003 Building Regulations and so should not require significant insulations or heating system upgrades.

2.2.2 Works and paperwork must be completed within 6 month timeframe

The grant offer is valid for 6 months and cannot be extended. In order to ensure payment of the grant, each counterparty MUST ensure that the following is done within the 6 months:

- Works are completed
- The BER assessment is completed and published
- Complete and correct paperwork is entered into the system and filed appropriately
- All appropriate files are at ready for payment
- Payment has been requested from SEAI

If this is not the case the grant will expire and SEAI will not honour the grant. SEAI will monitor counterparties files to ensure that applications are progressing to appropriate timescales.

In addition to the grant paperwork, counterparties are expected to have a signed consent form in place from the Homeowner. This form should be signed and dated before the application is made and should be scanned and attached to the system before Grant payment is requested by the Counterparty.

2.2.3 Works cannot be started before grant application is made

A fundamental requirement of the grant scheme is that works should not commence until the grant is approved. This is to ensure that retrofitting is prompted as distinct from rewarded. Counterparties who are found to apply for grants where works have already been completed/started will be removed from the system with immediate effect.

2.2.4 Works must be undertaken to SEAI standard

All works undertaken for the scheme must be done to SEAI required standard. SEAI have set out all requirements in the Contractors Code of Practice and Standards and Specifications Guideline which can be downloaded from the SEAI website at:

www.seai.ie/Grants/Better_energy_homes/Code_of_Practice_and_Technical_Specification.pdf

2.2.5 Only SEAI registered contractors may undertake the works

Only contractors registered with the Better Energy Homes scheme are permitted to do works. This is to ensure that only contractors who are qualified, insured and tax compliant undertake works. From time to time a contractor may be removed from the SEAI lists. Therefore counterparties should monitor their lists to ensure that their selected contractors:

a) Remain active on SEAI lists

All contractors registered on the Better Energy Homes system must provide up to date Tax Clearance Certificate and Declaration of Insurance. All contractors are informed via email 2 months prior to and on the date of deactivation. If this information expires, the contractor is automatically removed from the registered list and becomes deactive. Once the contractor becomes deactive they can no longer be seen or chosen from the list. While deactive a contractor may not be insured to carry out works. Therefore it is vitally important that **each counterparty ensures that the contractor is active at the time of works.** The counterparty can view the SEAI website at www.seai.ie to ensure this. If a deactive contractor is used for works, the grant may be deemed ineligible for payment. In these situations SEAI will expect that each counterparty addresses the matter of a foregone grant with the Homeowner.

b) Are registered at all times

All contractors registered on the Better Energy Homes system must adhere to the terms and conditions of the scheme. SEAI can deregister a contractor from the scheme if they fail to meet their obligations in accordance with the T&Cs. Contractors are informed in writing if/when they are deregistered from the scheme. It is vital that all counterparties ensure that all contractors associated with them are fully registered when carrying out works. Using a deregistered contractor to undertake work would be taken very seriously by SEAI and could result in removal of the counterparty from the Better Energy Homes scheme.

c) Only use nominated personnel to sign works

Each contractor may have nominated personnel associated with them who are qualified to sign DoWs. These are all listed on the grant system. Counterparties must ensure that only relevant personnel are signing off on works. Failure to do so will lead to delays in grant payment and may lead to SEAI revoking

the grant. Please note that the lead contact in a company is not always be a nominated person to undertake works.

2.2.6 Only registered assessors may undertake the BER

As the Issuing Authority responsible for the BER scheme, SEAI has put in place a quality assurance system (QAS) for BER assessors, and a related disciplinary procedure. Via the QAS, assessors may be removed from the registered assessors list from time to time. Counterparties must ensure that the BER assessor they chose is fully registered and eligible to conduct assessments at the time. Lists may be checked on the SEAI website: www.seai.ie/ber .

2.3. Governance within the Better Energy Homes scheme.

As with any grant scheme, good management and governance are paramount. SEAI expects counterparties to adhere to guidelines, processes and rules as set out in this and other supporting documentation to ensure appropriate use of the system and management of grant related paperwork. Failure to adhere to these rules may result in grant requests being declined and/or a counterparty's access to the system being rescinded.

2.3.1 Segregation of Duties

One of the principle ways of ensuring governance on the system is by segregating the duties assigned to personnel using the system. This is to ensure good governance as no one individual can complete the application and payment process from end to end. In practice this means that each counterparty will be provided with a number of different login profiles. Each of these logins will have specific access rights to enable the user to carry-out their own specific tasks. SEAI expects that each counterparty will ensure that; their users will have access to only one profile type and that segregation of duties is maintained by their team at all times. The training documentation details all activities that can be undertaken by a counterparty, however no one profile will be able to perform all of the functions.

2.3.2 Managing Document Flow

SEAI require that counterparties will put in place adequate processes and rules to ensure that document flow is appropriately controlled. This includes insuring that:

- Consent forms are sent to the Counterparty administrator to scan and upload to the system. Hard copies should be filed.
- All grant documents are generated and printed within 2 days of the application by the counterparty administrator
- Homeowners are not sent/given the grant documents, instead grant documents must be kept with counterparty until works commence
- Selected contractors are sent the documents relevant to their measures before works commence
- BER Assessors are provided with completed documents (i.e. grant documents signed by the contractor and homeowner) after all works are completed
- All completed and correct documents are returned to the DoW inputter for processing.
- All processed documents are scanned and uploaded to the system once the DoW information has been checked and entered.
- All hard copies are filed appropriately. Filing should be done by application number and within application by DoW number. Please note that all documents must be held in original format in a secure managed environment for 7 years and be available for inspection by SEAI on receipt of 48 hours notice.

2.3.3 Ensuring oversight

While SEAI accepts that each counterparty will have their own management structures in place for this project, it is expected that within the counterparty, there will be one individual who will play an oversight role for the whole operation. SEAI will liaise with this individual regarding day to day operations.

2.3.4 Auditing of Works

All counterparties and their subcontractors will be subject to the Better Energy Homes Quality Assurance and Disciplinary Procedure (QADP) for grant related work. Measures will be selected for inspection at prepayment and post payment stages. If works are found to be below the requirements of the scheme, reworks will be expected as per normal requirements of the QADP. Where reworks are not completed or are significantly non-compliant, grant monies will be declined/retracted and Energy Credits may not be eligible. Instances of grant declines/retractions may be subject to further investigations by SEAI.

In addition to SEAI's Quality and Assurance Scheme, Counterparties will be expected to have in place their own inspection regime for works and administration of paperwork. SEAI expects that the counterparty will ensure independent verification of the quality of work for at least 10% of the properties completed by them. SEAI may require access to the results of these inspections. Access will be given following a written request from SEAI. Timeline for access will be reasonable and will be mutually agreed.

SEAI may also request access for verification and audit purposes to grant documentation and additional payment documentation such as orders and invoices. This access may be required for SEAI staff or for auditors. Request for access will be as above.

3. Guidance to Participating Energy Suppliers and Counterparties on Reporting Energy Saving Credits

3.1 Introduction

There are a number of ways a Participating Energy Supplier may report Energy Saving Credits to SEAI. These are dependent largely on the way in which these energy savings have been achieved (e.g. if it is a domestic project it should be reported in a way different to non-domestic etc.).

3.2 Some principles

When reporting targets it is important to note the following:

- Credits against the 2011 target can be calculated for all relevant work undertaken since 2008 up to and including 2011.
- Baseline data for savings achieved must be end of 2008 data.
- Credits in excess of your targets can, within certain parameters, be carried over from one period to the next e.g.
 - Credits for work completed in 2009-2010 can be included against 2011 targets.
 - Credits for work completed in 2011 in excess of that year's target can be carried over into 2012.
 - Credits achieved in 2012 in excess of that year's target can be carried over into 2013.
 - Overall credits from projects carried out in the period 2011-2013 can be taken together against the overall three year target for 2011-2013.
- Notification can also be provided in relation to future projects proposed, in order to provide information in relation to pipelines/work in progress. SEAI will however, not assign final credits for planned projects until they have been completed, reviewed and agreed with SEAI.
- In all cases works will need to be completed to SEAI standards. Non-grant related works will also require auditing and verification by the Participating Energy Supplier or Counterparty. SEAI may request that inspection reports are provided to them for auditing purposes and may also request access to sites for inspection purposes. The homeowner/business owner will need to be informed of the same, and the Participating Energy Supplier or Counterparty will need to facilitate this site visit. Where site access is refused, credits will not be awarded for such a project.
- A summary of your projects with Energy Saving Credits should be sent to SEAI with detailed backup sheets supporting the data (see examples in Annex 1-3 of this document). This summary should indicate the projects for which you are claiming credits. It can include projects completed or proposed, but this should be clearly stated and only completed projects will be awarded credits.
- Credits will only be assigned for work which achieves energy savings through the promotion of efficiency.

3.3 Reporting your credits

Depending on Project type credits should be reported to /calculated for SEAI as per guidance below

3.3.1 Domestic: Grant Aided

For all grant related works, SEAI already has this data, so these projects do not form part of your reporting requirement.

Credits for works associated with any of the SEAI related domestic grants will be based on works completed and paid within the grant period.

For works associated with the Better Energy Homes Scheme grant, SEAI will calculate this information automatically every quarter and report it to the Participating Energy Supplier or Counterparty. Only credits for work directly associated with the Counterparty, in accordance with their engagement agreement with SEAI, can be claimed for the Better Energy Homes scheme.

Credits associated with the Area Based pilot project or the Community scheme will similarly be based on works completed and grants paid within the given period of these schemes. Again these can only be claimed if the Participating Energy Supplier or Counterparty were involved in the project from application stage.

3.3.2 Domestic: Non-Grant aided

Credits associated with non-grant related works will be based on information submitted into the SEAI Energy Savings Credits dataloader, which is currently being rolled out. Access to this dataloader will be via a web portal and all users will be given login details. The dataloader will allow information to be submitted at an individual project level or via spreadsheet upload. An example of the spreadsheet template is attached in Annex 2.

In the meantime, information may be submitted to SEAI for review via Excel spreadsheets. An example of the spreadsheet template required is attached in Annex 2. This information should be submitted by the Participating Energy Supplier or Counterparty on a regular basis and at least quarterly.

Information should be submitted for planned projects so that SEAI can track these and certify the credits once projects have been completed; Projects planned for 2013 onwards should ideally be notified to SEAI before they commence. However, for projects completed prior to and during 2012, retrospective credits may be claimed if sufficient supporting evidence and access for audit is available.

Finally, only non-grant aided works should be claimed through this mechanism. Homes where SEAI grants have been drawn down for works cannot be claimed unless works have been undertaken by your associated Counterparty while they were your counterparty, or works have been done in accordance with pre-agreed arrangements with SEAI.

3.3.3 Non-Domestic: Grant Aided

For all grant related works, SEAI already has this data, so these projects do not form part of your reporting requirement.

Calculation of Credits for works associated with the Better Energy Workplace grant will be based on works completed and paid within the given grant period and in line with any SEAI stipulated requirements.

We will capture relevant information from our database and assign relevant credits, once the project is completed and paid.

3.3.4 Non-Domestic: Non- Grant Aided

Credits for works associated with non-grant related non-domestic projects may also be assigned. The Participating Energy Supplier or Counterparty must complete a project application as per form attached in Annex 3 of this document. This will be reviewed by SEAI and credits will be agreed following assessment once the project is completed.

Annex I

Summary of Energy Credit Claim

Sample

Participation Energy Supplier:

Report Date:

Project Name	Project Type	Summary Details	Credits Estimated KWh	Project status	Completion date
Kilkenny Housing Assoc	Domestic Non-Grant	100 houses upgraded with Doors and Windows	165,000	Completed	31/12/2011
Boiler Servicing	Domestic Non-Grant	500 Boiler upgrades	10,000	In progress	31/12/2012
Cork Co-op	Non-Domestic Non-Grant	Up-grade of lighting in dairy plant	2,540,000	In progress	30/09/2012

Annex II

Information required for Domestic Non-Grant Aided Works

*PES Name	*CP Name	Contractor	Works Completed Date	Measure	Building Type	MPRN	Address Line 1	Town City	County
Gas Works	Gas Works	AA Windows and Doors	31/12/2011	Windows and Doors	House	10000000001	1 Kilkenny drive	Kilkenny	Kilkenny
Gas Works	Gas Works	AA Windows and Doors	31/12/2011	Attic	House	10000000002	2 Kilkenny drive	Kilkenny	Kilkenny
Gas Works	Gas Works	AA Windows and Doors	31/12/2011	Dry Lining	House	10000000003	3 Kilkenny drive	Kilkenny	Kilkenny

*PES=Participating Energy Supplier

*CP= Counterparty

Notes:

1. The information above should be submitted in an excel spread sheet.
2. The information requested above is mandatory. If any of the above information is missing, credits cannot be assigned.
3. If a Participating Energy Supplier does not have a Counterparty assigned or relevant works were not carried out/co-ordinated by the Counterparty, then the Participating Energy Supplier name can be added to this column.

Annex III

Application that must be completed for Non- Domestic Non-Grant Aided Works

Reference (for SEAI internal use only)	
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Table 1a is to be completed by the 'Obligated Party' (energy supply company) acting in fulfilment of its energy saving target as envisioned under S.I. No. 542 of 2009 - European Communities (Energy End-Use Efficiency and Energy Services) Regulations 2009.

1a. Obligated Party

Obligated Party		Date	
Contact Name		Signature	
Position			
Address			
	County		
Telephone		Fax	
Mobile		Email	

The Client Organisation (1b) is the party having energy saving measures installed, while the energy savings credits are awarded to the Obligated Party.

1b. Client Organisation

Client Organisation		Date	
Contact Name		Signature	
Position			
Address			
	County		
Telephone		Fax	
Mobile		Email	

Please indicate who the project coordinator is by ticking the appropriate box below.

Obligated Party	<input type="checkbox"/>
Client Organisation	<input type="checkbox"/>
External Project Coordinator	<input type="checkbox"/>

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If an external Project Co-ordinator nominated by the Obligated Party (1a) is involved, then Table 1c should be completed.

1c. External Project Coordinator (where applicable)

Project Coordinating Company		Date	
Principal Business Activity		VAT no. (if applicable)	
Contact Name		Signature	
Position			
Address			
Telephone		Fax	
Mobile		Email	

Is the proposed project a cluster/group project in partnership with other Client Organisations?: (Yes/No)		If Yes, state the number of other Client Organisations and complete Appendix A	
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2a. Project Summary

Project Title	
Project Location <i>(If there is more than one location please provide details of all locations - name of building/ facility/ service, address)</i>	

Summary of Project Proposal (Include building / facility/ service description, its scale or dimensions, and key energy features and performance improvement projections for the project. Do not exceed one page)

2b. Project Reference Information (if applicable)

In the case of projects for upgrading a building or set of buildings, please specify the gross floor area of the building/s and of the part of the building/s to which the proposed works apply. If there is a pre-existing Building Energy Rating (BER) or Display Energy Certificate (DEC), please provide the certificate number/s.

Building projects: Gross floor area (m ²)		Use e.g. office, school, hospital	
BER Rating/s (Yes/No)		BER Certificate Number/s	
DEC Rating/s (public buildings only) (Yes/No)		DEC Certificate Number/s	

3. Estimated Annual Energy Savings from Proposed Project

Enter the current annual energy consumption at the project location/s (in kWh and in €) and estimate the annual energy savings benefits (in kWh, € and kg of CO₂) directly attributable to the project. Where there is more than one building, facility or service involved in the application, please enter the aggregate figures. Present the consumption and savings figures for the different energy forms shown below. Energy Savings Credits are calculated on the basis of Primary Energy Saving. To Convert:

- a) Thermal energy savings attributed to Natural Gas, LPG or Oil multiply the calculated saving by 1.1
- b) Electrical energy savings multiply the calculated saving by 2.7
- c) All other fuel types contact SEAI to determine the Primary Energy Saving

Energy Form	Current Annual Consumption at Project Address(es)		Projected Annual Energy Savings Directly Attributable to the Project			
	kWh	Euro (excl. VAT)	kWh	Euro (excl. VAT)	kg CO ₂	Primary Energy Saving

Counterparty Guidelines and Operational Principles
Better Energy Programme

Electricity		€		€		
Thermal		€		€		
Fleet (vehicles)		€		€		
Total		€		€		

3a. Savings Attributable by Technology

Enter the estimated energy savings benefits of each technology/ energy saving measure being utilised in the project (extend table where necessary)

Technology Type	kWh	Euro	kg Co ₂

4.

Project Details

4a. Technical Description

Describe in detail how the project will be implemented including current technology specification and proposed specifications. Outline the basis for any savings projection and supporting calculations. Please attach any relevant additional details in an Appendix.

4b. Performance gains relative to appropriate reference, regulatory standards or other relevant norms

Quantify the project energy savings and benefits, in absolute or percentage terms, for the overall project and for each significant element of the project. Express improvement relative to relevant norms – such as improvement in BER or DEC rating, energy consumption/unit of production or service activity, improvement in pump performance

4c. Outline the proposed approach to monitoring and verification (M&V) of the impact of the proposed project¹

Where applicable, include details of any current or proposed data logging capability (e.g. BMS) either on an individual building, facility or service basis or on the installed technology, of any proposed M&V methodology (e.g. International Performance Measurement & Verification Protocol - IPMVP) and of the plan to verify performance and communicate the results to SEAI.

Note: SEAI reserves the right to revoke all energy savings credits issued in the event of failure to cooperate with this element.

5. Project Timescale, Work Plan and Constraints

Project Timescale

Project Start Date	
Project Completion Date	
What Stage is the Project at? <i>Please be as descriptive as possible</i>	

6. Declaration of Obligated Party² and Project Coordinator (where applicable)

I/we hereby declare that the information provided in respect of this application is to the best of my/our knowledge correct. I/we agree to allow SEAI or its delegated agent(s) to verify any of the information contained herein. I am duly authorised to sign on behalf of the client and other organisation(s).

Obligated Party Signature	
Position	
Date	

Client Organisation Signature	
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¹ Monitoring should include a robust system and methodology and should be capable of providing verifiable measurement either at the whole building/ facility/service level or by individual technology.

² **Important:** This form must be signed by an authorised person. Electronic signature is acceptable.

Counterparty Guidelines and Operational Principles
Better Energy Programme

Position	
Date	

Where Applicable

External Project Coordinator	
Position	
Date	