

IMPORTANT NOTICE: A Representative appointed under this form will be authorized to communicate on your behalf with Efficiency Manitoba and to act on your behalf under the Program in which you are applying for; the decisions of your Representative will be binding upon you. To apply for any Efficiency Manitoba Program, you do not need to appoint anyone to be your Representative (including your Contractor). DO NOT COMPLETE THIS FORM IF YOU DO NOT WANT A REPRESENTATIVE TO ACT ON YOUR BEHALF UNDER AN EFFICIENCY MANITOBA PROGRAM IN WHICH YOU ARE APPLYING FOR.

The “Applicant”

Full legal name of Applicant

 hereby authorizes and appoints

the “Representative”

Full legal name of Representative

 to act on its behalf.

This Appointment of Representative form is submitted to Efficiency Manitoba by the undersigned in connection with:

- a) a completed Efficiency Manitoba program application, including all the required attachments set out by each Program; and
- b) the completion documents, including all the required attachments set out by each Program.

Agreement

1. **The Applicant hereby acknowledges and confirms that the Applicant has reviewed all the foregoing Program(s) forms (including the Application, and Agreements including all terms and conditions and program eligibility requirements) and the Applicant understands that by signing and submitting this Appointment of Representative form that it is appointing the Representative listed above to communicate with Efficiency Manitoba on its behalf and to act as its authorized representative in connection with the Program(s). Any communications, commitments, decisions, actions and inactions taken by the Representative shall be conclusively deemed to be the communications, commitments, decisions, actions and inactions of the Applicant, and shall be legally binding upon the Applicant. The Applicant hereby accepts the full legal and practical effects and risks of appointing the Representative as its authorized representative under the Program(s).**
2. Notwithstanding anything to the contrary, the Applicant hereby authorizes: (i) Efficiency Manitoba and its officers, directors, employees, contractors, agents, and Program partners, to collect information concerning the Applicant from the Representative relevant to its participation in the Program(s); and (ii) to use Applicant information for the purposes of the Program(s). Efficiency Manitoba is authorized by Applicant to release to the Representative any and all information about the Applicant (whether information provided to Efficiency Manitoba or already in Efficiency Manitoba’s possession or control) that Efficiency Manitoba may deem necessary relating to the Applicant’s application to or participation in the Program(s), or the assessment or issuance of any Program incentive.
3. The Applicant understands and agrees that its appointment of the Representative does not relieve any of the Applicant’s obligations as the applicant and participant under the Program(s), including, without limitation, the Applicant’s obligation to comply with all requirements of Efficiency Manitoba at all times and all Program requirements. The Applicant, and not its Representative, must sign the Program application and completion form.
4. The Applicant shall, and shall also cause the Representative to, defend, indemnify, and save harmless, Efficiency Manitoba and its officers, directors, employees, contractors, agents, Program partners, successors, assigns, from and against any and all manners of action, causes of action, losses, costs, damages, expenses, suits, claims, liabilities, debts, and demands which any of the foregoing persons or entities may suffer or be put to, or which may be brought or made against any of the foregoing persons or entities, arising out of any action or inaction of the Applicant and/or the Representative, or any of their respective directors, officers, employees, affiliates, contractors, subcontractors (through every tier), representatives, or agents, or any breach of any Agreement, Program requirement, or the negligence or misconduct of the Applicant and/or the Representative or their respective directors, officers, employees, affiliates, contractors, subcontractors (through every tier), representatives, or agents.
5. This appointment shall remain in force until the time when: (i) the Applicant’s participation in the Program is completed to Efficiency Manitoba’s satisfaction; or (ii) when Efficiency Manitoba provides written acknowledgment to the Applicant confirming Efficiency Manitoba’s receipt and acceptance of written notice from the Applicant requesting revocation of the Applicant’s appointment of the Representative hereunder; whichever is earlier.
6. This Appointment shall be binding on and inure to the benefit of the Applicant’s successors, heirs, executors, administrators, and representatives.
7. In the case of an Applicant who is not an individual, the Applicant hereby confirms that the individual executing this Appointment of Representative form on its behalf has all necessary authority and due capacity to execute this Appointment of Representative and to bind the Applicant to this Appointment.

Declaration

In witness whereof the Applicant hereto has executed this Appointment of Representative as at the date below to ratify and confirm the powers of the Representative by virtue of this appointment. The Applicant understand this agreement is unique to each Program application.

Signed by (Applicant)	yyyy mm dd
Print name	
Print title	

Voluntary Incentive Assignment (OPTIONAL)

The Applicant assigns the Incentive to be received by it under the Efficiency Manitoba Program to the Representative, and by signing the voluntary assignment box and completing the payment information, the Applicant is hereby directing Efficiency Manitoba to pay its Incentive to Applicant’s Representative. This will constitute the Applicant’s irrevocable assignment of the incentive. No other assignment is permitted without EM’s written consent.

Signed by (Applicant)	yyyy mm dd
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Payee Name			
Mailing address	City/Town	Province	Postal Code