

DRAFT

**STATEMENT OF INTENT
ON RENEWABLE ENERGY TECHNOLOGIES
BETWEEN**

**THE NATIONAL RENEWABLE ENERGY LABORATORY, U.S.A.
AND SANDIA NATIONAL LABORATORIES, U.S.A.
AND
THE CSIR, REPUBLIC OF SOUTH AFRICA**

WHEREAS, The National Renewable Energy Laboratory (NREL), U.S.A., and Sandia National Laboratories (SNL), U.S.A., and the CSIR, Republic of South Africa, thereafter referred to as the "Participants," have a mutual interest in exchanging experience and views on opportunities for the appropriate utilization of renewable energy technologies and in fostering collaboration between their two countries in this area;

WHEREAS, the Participants believe energy security and the quality of life can be enhanced through use of renewable energy (in rural communities and other sectors), and that mutual cooperation to support this use would also promote increased economic interaction, facilitate technology transfer, accelerate commercialization of renewable energy based systems and products, and expand opportunities for international trade; and

WHEREAS, a program of cooperation in the development and use of renewable energy technologies would be of mutual benefit to the Participants;

THE PARTICIPANTS declare their intention to cooperate in a manner which will facilitate joint activities related to renewable energy in an environmentally and economically sound way. These intended joint activities may include:

- (1) Training support to strengthen human resources and institutional infrastructure allowing utilization of renewable energy technologies on a sustainable basis.
- (2) Providing technical assistance to ensure the success of pilot projects necessary to demonstrate viability of the renewable energy option in rural communities and other sectors;
- (3) Fostering the establishment of sustainable financing vehicles that may enable end-users to purchase renewable energy systems and establish mechanisms to foster entrepreneurship and to assist private

entrepreneurs to build successful enterprises as part of national renewable energy programs;

(4) Providing information to foster business agreements, joint ventures and licensing agreements between U.S. companies and South African enterprises;

(5) Encouraging efforts to foster the role of women in renewable energy development;

(6) Preparing proposals for international development and funding agencies and other organizations, for joint projects between NREL/SNL and the CSIR in renewable energy;

(7) Arranging for short visits of personnel to one another, in areas and under terms as mutually agreed. Each participant shall be responsible for payment of the salary, subsistence, travel allowances, and other expenditures as appropriate for its personnel during such visits; and

(8) Identifying and exploring business and joint development opportunities in renewable energy. The terms and conditions on which such work is to be undertaken will be agreed to on a case by case basis.

The Participants understand that in carrying out activities contemplated by this Statement of Intent, they are acting as independent contractors and this Statement of Intent does not establish a joint venture or partnership between the Participants.

If the Participants agree to undertake joint projects, they intend to conclude a written project agreement for each joint project setting out each participants contribution and responsibilities and participation in the proceeds, including intellectual property rights, thereof.

Each Participant will designate a representative who shall act as Liason Officer for cooperative activities contemplated by this Statement of Intent. All correspondence shall be addressed as follows:

In the case of the CSIR: The Director
 CSIR:
 P.O. Box 395. Pretoria, 0001

In the case of NREL/SNL: The Director
 National Renewable Energy Laboratory
 1617 Cole Boulevard
 Golden, Colorado 80401

The Participants understand that any activities contemplated under this Statement of Intent would be conducted in accordance with applicable laws and regulations and subject to the availability of funds, personnel, and other resources.

The Participants understand that prior to any proposed disclosure of information by one participant to the other concerning any proposed cooperation, any one of the participants may require the other to execute a confidentiality agreement.

The Participants understand that activities which may involve sharing of proprietary information and transfer of rights and interest in intellectual property are excluded from the purview of this Statement of Intent.

The Participants understand that no warranty of any kind is made by either participant for any materials, equipment, or services that may be furnished under this Statement. This will, however, not affect the liability and warranty arrangements entered into by either Participant directly with third parties.

The Participants intend that all costs associated with this cooperation will be borne by the Participant that incurs them, unless otherwise determined by the Participants.

This Statement of Intent does not create legally binding obligations between the Participants. It serves only as a record of the Participants intention to identify areas of joint interest and possible cooperation between the Participants. The Participants intend to conclude separate agreements for those projects which they mutually decide to pursue.

Signed at _____, South Africa, this _____ day of _____, 1995.

FOR THE NATIONAL RENEWABLE ENERGY LABORATORY

By: Paul Kays
Title: Manager, Renewable Energy
Date: _____

FOR SANDIA NATIONAL LABORATORIES

By: Paul Kays
Title: Manager, Renewable Energy
Date: _____

FOR THE CSIR

By: Gil Wright
Title: Manager - Renewable Energy Technology
Date: _____