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MP186 ‘Section D Review (2020): further enhancements’

Annex C

Legal text – version 1.1

About this document

This document contains the redlined changes to the SEC that would be required to deliver this Modification Proposal.

Section A ‘Definitions and Interpretation’

These changes have been redlined against Section A version 25.0.

Amend and add the following definitions to Section A1 in alphabetical order:

Alternative Solution	<u>means, for a Modification Proposal, an alternative variation to this Code to achieve the purpose of the Modification Proposal, as described</u> has the meaning given to that expression in Section <u>D5.21</u> D6.16 (Alternative Solutions).
Authority-Determined Modification	<u>means a Modification Proposal that satisfies one or more of the criteria set out</u> has the meaning given to that expression in Section D2.6 (Authority-Determined Modifications).
Authority-Initiated Modification	<u>means a Draft Proposal submitted pursuant to Section D1.5(d) (Persons Entitled to Submit Draft Proposals), by either the Authority or the DCC at the direction of the Authority</u> has the meaning given to that expression in Section D2.4 (Authority-initiated Modifications).
Authority-Led Modification Report	<u>means a report on each Authority-Led Variation as required by</u> has the meaning given to that expression in Section D <u>11.8</u> 9A.5 (Authority-Led Modification Report).
Authority-Led Variations	means variations to this Code proposed by the Authority pursuant to a direction under Section D <u>11.9A</u> (<u>Significant Code Reviews and</u> Authority-Led Variations).
Change Board	<u>means the Sub-Committee established by the Panel pursuant to</u> has the meaning given to that expression in Section D <u>8.7</u> .1 (Establishment of the Change Board).
Change Board Member	<u>means each of the individuals who serve on the Change Board, as described</u> in has the meaning given to that expression in Section D <u>7.8</u> .4 (Membership of the Change Board).
Change Sub-Committee	means the Sub-Committee established, <u>or to whom by</u> the Panel has allocated the function of being such a Sub-Committee, pursuant to Section D <u>3.2A</u> (The Change Sub-Committee).
Code Performance Measure	means a performance measure set out in Section D <u>14.7</u> 14.3 (Code Performance Measures), Section H13.1 (Code Performance Measures) or Section L8.6 (Code Performance Measures).

Consultation Summary	has the meaning given to that expression in Section D6.14 (Working Group Consultation).
DCC <u>Impact</u> Assessment	means a DCC Preliminary <u>Impact</u> Assessment or a DCC <u>Full</u> Impact Assessment.
DCC <u>Full</u> Impact Assessment	means, in respect of analysis pursuant to Section D 5.86.9 (Analysis by the DCC), a full and formal assessment by the DCC of the determined area for analysis.
DCC Preliminary <u>Impact</u> Assessment	means, in respect of analysis pursuant to Section D 5.86.9 (Analysis by the DCC): (a) a preliminary assessment by the DCC of the determined area for analysis; and (b) the costs and expenses that the DCC will incur in undertaking a DCC <u>Full</u> Impact Assessment in respect of the determined area for analysis.
<u>Development Stage</u>	<u>means the stage during which Draft Proposals are assessed pursuant to Section 4 (Development Stage).</u>
Draft Proposal	is the term applied to a proposal raised to identify and assess an issue with this Code pursuant to Section D1 (Raising Draft Proposals). <u>has the meaning given to that expression in Section D1.2 (Modifications).</u>
Fast-Track Modifications	<u>means a Modification Proposal to correct typographical errors or other minor factual inaccuracies or inconsistencies in this Code that do not constitute material changes</u> has the meaning given to that expression in Section D2.8 (Fast Track Modifications).
Minimum Service Level	means, in respect of each Performance Measure, the number or percentage intended to represent the minimum level of performance for the activity which is the subject of the Performance Measure, as set out in: (a) Section D 14.711.3 (Code Performance Measures); (b) Section H13.1 (Code Performance Measures); (c) the Reported List of Service Provider Performance Measures; or (d) Section L8.6 (Code Performance Measures).
Modification Proposal	is the term applied to a Draft Proposal once the Panel has agreed it should be progressed further in accordance with Section D 4.73.11 (Initial Consideration by the Panel).
Modification Register	has the meaning given to that expression <u>means a register of all current and past Draft Proposals and Modification Proposals as required by in</u> Section D 14.21.8 (Modification Register).

Modification Report	<u>means the written report prepared by the Code Administrator for each Modification Proposal, including the content required by</u> has the meaning given to that expression in Section D <u>67.31</u> (Modification Report).
Modification Report Consultation	<u>means the consultation arranged by the Code Administrator seeking the views of Parties on the Modification Report pursuant to</u> has the meaning given to that expression in Section D <u>67.8</u> (Modification Report Consultation).
Performance Measurement Period	means, in respect of each Performance Measure, the applicable period over which the Service Level for that Performance Measure is to be measured, as set out in: (a) Section D<u>14.711.3</u> (Code Performance Measures); (b) Section H13.1 (Code Performance Measures); (c) the Reported List of Service Provider Performance Measures; or (d) Section L8.6 (Code Performance Measures).
Proposed Solution	means, <u>for each Modification Proposal</u> , the variation under a Modification Proposal that is proposed and <u>controlled</u> can be subsequently changed by the Proposer, <u>as described in</u> in accordance with Section D <u>56.195</u> (<u>Proposed Alternative</u> Solutions).
Refinement Stage Process	<u>means the stage during which Modification Proposals are assessed pursuant to</u> has the meaning given to that expression in Section D <u>56</u> (Refinement Stage Process).
Report Stage Phase	<u>means the stage during which Modification Proposals are considered and decided upon pursuant to</u> has the meaning given to that expression in Section D <u>67.1</u> (<u>Report Stage</u> Modification Report).
SEC Release Implementation Document	means a document <u>developed and published by the Code Administrator for each SEC Release pursuant to</u> established under Section D1 <u>30.12</u> (SEC Release Implementation Document) and which contains the information listed in Section D1 <u>30.13</u> .
SEC Release Management Policy	means the <u>policy established by the Panel setting out the approach determined by the Panel for the implementation of each SEC Release pursuant to</u> document established under Section D1 <u>30.7</u> (SEC Release Management Policy) and which contains the information listed in Section D1 <u>30.8</u> .
SEC Release Testing Approach Document	means a document established under Section D1 <u>30.18</u> (SEC Release Testing Approach Document) and which contains the information listed in Section D1 <u>30.19</u> in relation to the testing to be undertaken by the DCC with regards to a SEC Release.

Self-Governance Modification	<u>means a Modification Proposal that is not an Authority-Initiated Modification, an Authority-Determined Modification or a Fast Track Modification has the meaning given to that expression in Section D2.7 (Self-Governance Modifications).</u>
Service Level Requirements	means: (a) in respect of each Code Performance Measure, the Target Response Time, Target Resolution Time or Target Availability Time (applicable in accordance with the table at Section D14.741.3 (Code Performance Measures), at Section H13.1 (Code Performance Measures) or at Section L8.6 (Code Performance Measures)); or (b) in respect of each Service Provider Performance Measure, the standard to which the relevant DCC Service Provider is obliged by its DCC Service Provider Contract to perform the activity that is the subject of the Service Provider Performance Measure.
Significant Code Review Phase	means, in respect of each Significant Code Review, the period from the date on which the Authority issues the notice stating that the matter is to constitute a Significant Code Review (including where the Authority issues a direction under Section D11.155.7 (Significant Code Review: Backstop Direction) or proposes an Authority-Led Variation by issuing a direction under Section D11.19A.2 (Authority Power to Develop a Proposed Variation)), and ending on the earlier of: (a) the date on which the Authority, or <u>the</u> DCC at the direction of the Authority, submits a Draft Proposal in respect of any variations arising out of a Significant Code Review; (b) where the Authority has proposed an Authority-Led Variation, the date on which the Authority makes a decision in accordance with Section D9A.11.14 (Authority Decision); (c) the date on which the Authority issues a conclusion that no modification is required to this Code as a result of the Significant Code Review; or (d) the date 28 days after the date on which the Authority issues its conclusion document in respect of the Significant Code Review.
Target Service Level	means, in respect of each Performance Measure, the number or percentage intended to represent a reasonable level of performance for the activity which is the subject of the Performance Measure, as set out in: (a) Section D14.741.1 (Code Performance Measures); (b) Section H13.1 (Code Performance Measures); (c) the Reported List of Service Provider Performance Measures; or (d) Section L8.6 (Code Performance Measures).
Urgent Proposal	<u>means a Draft Proposal or Modification Proposal which the Authority has directed is to be treated as an Urgent Proposal, as referred to has the meaning given to that expression</u> in Section D4. 106 (Urgent Proposals).

Working Group

~~means a group of persons established by the Panel pursuant to~~~~has the meaning given to that expression in~~ Section D56.32 (Establishment of a Working Group).

Working Group Terms of Reference

~~means the terms of reference agreed by the Panel which determine how Working Groups shall be formed and operate pursuant to~~~~has the meaning given to that term in~~ Section D56.32 (Establishment of a Working Group).

Section C ‘Governance’

These changes have been redlined against Section C version 8.0.

Amend Section C5.1 as follows:

Meetings of the Panel

- C5.1 The Panel shall hold meetings with such frequency as it may determine or the Panel Chair may direct, but in any event shall meet ~~when necessary to meet its responsibilities under Section D (Modification Process) and~~ at least once every two months.
- C5.2 The location and timing of each meeting shall be determined by the Panel. Panel Members shall endeavour to attend each meeting in person, but attendance by telephone conference or other technological means shall be permitted (provided that each of the Panel Members attending the meeting acknowledges that he or she can communicate with each other).
- C5.3 Subject to the other provisions of this Code, the Panel may regulate the conduct of its meetings as it sees fit.

Amend Section C6.5 as follows:

Working Groups

- C6.5 The Panel may not establish Sub-Committees to undertake the functions expressly reserved to Working Groups under Section D (Modification Process). Working Groups are to be subject to the requirements of Section D~~56~~ (Refinement ~~Stage~~~~Process~~), which may impose requirements by reference to this Section C6.

Section G ‘Security’

These changes have been redlined against Section G version 14.0.

Amend Sections G7.23 and G7.25 as follows:

Modifications

G7.22 The Security Sub-Committee shall establish a process under which the Code Administrator monitors Draft Proposals and Modification Proposals with a view to identifying (and bringing to the attention of the Security Sub-Committee) those proposals that:

- (a) are likely to affect the Security Obligations and Assurance Arrangements; or
- (b) are likely to relate to other parts of the Code but may have a material effect on the security of the End-to-End Smart Metering System,

and the Code Administrator shall comply with such process.

G7.23 ~~As set out in~~ ~~Notwithstanding~~ Section D1.35 (Persons Entitled to Submit Draft Proposals):

- (a) the Security Sub-Committee shall be entitled to submit Draft Proposals in respect of the Security Obligations and Assurance Arrangements where the Security Sub-Committee considers it appropriate to do so; and
- (b) any Security Sub-Committee Member shall be entitled to submit Draft Proposals in respect of the Security Obligations and Assurance Arrangements where he or she considers it appropriate to do so (where the Security Sub-Committee has voted not to do so).

G7.24 Notwithstanding and subject to the provisions of the Working Group Terms of Reference, the Security Sub-Committee shall be entitled to nominate a representative to be a member of any Working Group.

G7.25 For the purposes of Section D~~6~~7.1 (Modification Report):

- (a) written representations in relation to the purpose and effect of a Modification Proposal may be made by:
 - (i) the Security Sub-Committee; and/or
 - (ii) any Security Sub-Committee Member (either alone or in addition to any representations made by other Security Sub-Committee Members and/or the Security Sub-Committee collectively); and
- (b) ~~notwithstanding Section D7.3 (Content of the Modification Report),~~ the Code Administrator shall ensure that all such representations, and a summary of any evidence provided in support of them, are set out in the Modification Report prepared in respect of the relevant Modification Proposal.

Section L ‘Smart Metering Key Infrastructure and DCC Key Infrastructure’

These changes have been redlined against Section L version 14.0.

Amend Sections L1.19 as follows:

Modification of the SMKI SEC Documents and S1SPKM SEC Documents by the SMKI PMA

- L1.19 ~~As set out in~~ **Notwithstanding** Section D1.35 (Persons Entitled to Submit Draft Proposals):
- (a) the SMKI PMA shall be entitled to submit Draft Proposals in respect of any of the SMKI SEC Documents or S1SPKM SEC Documents where the SMKI PMA considers it appropriate to do so; and
 - (b) any SMKI PMA Member shall be entitled to submit Draft Proposals in respect of any of the SMKI SEC Documents or S1SPKM SEC Documents where he or she considers it appropriate to do so (where the SMKI PMA has voted not to do so).