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# SECMP0070 ‘Permission to give Alt HAN Forum vires for enduring management and maintenance of the Exempt Premises List (EPL)’

## Annex A

### Legal text – version 1.0

#### About this document

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

These changes have been drafted against SEC Version 6.5.

## Section Z ‘The Alt HAN Arrangements’

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**Amend Sections Z1.3 and Z1.4 as follows:**

### **Forum Objectives, Functions and Powers**

#### Forum Objectives

Z1.3 The Forum shall, in the performance of its functions and exercise of its powers, always act in a manner designed to achieve the objectives (the **Forum Objectives**) that:

- (a) by virtue of the operation of this Section Z, Relevant Supplier Parties are able to comply with their obligations under Standard Conditions 55.2 and 55.16 of the Electricity Supply Licence and Standard Conditions 49.2 and 49.16 of the Gas Supply Licence;
- (b) the Alt HAN Arrangements are given effect so as:
  - (i) to facilitate the economic and efficient carrying out of the Alt HAN Activities and provision of the Alt HAN Services;
  - (ii) to facilitate competition between persons engaged in, or in Commercial Activities connected with, the Supply of Energy;
  - (iii) to ensure that Energy Consumers' experience of the installation of Alt HAN Equipment at their premises is consistent with their reasonable expectations;
  - (iv) to ensure that all activities undertaken by or on behalf of Relevant Supplier Parties in relation to the installation, operation, maintenance, removal and replacement of Alt HAN Equipment are carried out in a fair, transparent, appropriate and professional manner;
  - (v) to ensure the protection of Data and the security of Data and Systems used for the purpose of the carrying out of the Alt HAN Activities and provision of the Alt HAN Services; and

- (vi) to ensure that the Alt HAN Arrangements are administered in an economic, efficient and transparent manner; and
- (c) the Forum conducts its affairs in an open and transparent manner.

Forum Functions

Z1.4 The Forum shall, in accordance with the provisions of this Section Z:

- (a) make all decisions required for the purpose of:
  - (i) carrying out the Alt HAN Activities and the making available and provision of the Alt HAN Services, except for any decisions which may from time to time be delegated by it to AltHANCo or any Forum Sub-Group;
  - (ii) managing, maintaining, reviewing and updating the Exempt Premises List and any separate database of Exempt Premises, including reviewing and proposing to the Secretary of State revisions to the Exempt Premises List as required by Standard Condition 55.16 of the Electricity Supply Licence and Standard Condition 49.16 of the Gas Supply Licence.
- (b) determine which (if any) decisions are to be delegated to AltHANCo or any Forum Sub-Group;
- (c) give such directions to AltHANCo or any Forum Sub-Group as the Forum may consider appropriate (which may include directions in relation to any decisions otherwise delegated by the Forum);
- (d) approve the annual budget of AltHANCo;
- (e) determine any appeals made to it from decisions made by AltHANCo or a Forum Sub-Group; and
- (f) make such other decisions as may from time to time be required in accordance with the provisions of this Section Z.

Z1.5 The Forum shall:

- (a) provide to the Panel such report or other information as the Panel may request for the purpose of fulfilling its duty at Section C2.3(h) (Panel Duties); and
- (b) (to the extent to which it reasonably considers that it is necessary to do so) liaise and exchange information with, provide advice to, and seek the advice of the Technical Architecture and Business Architecture Sub-Committee and the Security Sub-Committee on matters which fall within the scope of the activities of each of those Sub-Committees.

Forum Powers

Z1.6 Without prejudice to any other rights or powers granted to the Forum in this Section Z, the Forum shall, in accordance with the provisions of this Section Z, have the power to:

- (a) make written representations in relation to the purpose or effect of any Modification Proposal which:
  - (i) is likely to affect this Section Z;
  - (ii) is likely to affect the provisions relating to the Alt HAN Charges at Section K (Charging Methodology);
  - (iii) relates to other parts of the Code, but may have a material effect on the Alt HAN Arrangements;
- (b) appoint and remove professional advisers;
- (c) consider, approve and authorise the entering into by AltHANCo of contracts; and
- (d) do anything else necessary for, or reasonably incidental to, the fulfilment of its functions under this Section Z.

Add the following new definitions to Section Z6.1 in alphabetical order:

**Exempt Premises**

has the meaning given to that expression in Standard Condition 55.10 of the Electricity Supply Licence and Standard Condition 49.10 of the Gas Supply Licence.

**Exempt Premises List**

Has the meaning given to that expression in the Standard Condition 55.12 of the Electricity Supply Licence and Standard Condition 49.12 of the Gas and Supply Licence.