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MP088 ‘Power to raise modifications’

Annex A

Legal text – version 0.1

About this document

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 6.21.

Section D ‘Modification process’

Amend Section D1.3 as follows:

D1. RAISING DRAFT PROPOSALS

Modifications

D1.1 This Code may only be varied in accordance with the provisions of this Section D.

D1.2 Each variation of this Code must commence with a proposal made in accordance with the provisions of this Section D1 (a **Draft Proposal**) or a direction under Section D9A (Authority-Led Variations).

Persons Entitled to Submit Draft Proposals

D1.3 A Draft Proposal may be submitted by any of the following persons (the **Proposer**):

- (a) a Party;
- (b) Citizens Advice or Citizens Advice Scotland;
- (c) any person or body that may from time to time be designated in writing by the Authority for the purpose of this Section D1.3;
- (d) the Authority or the DCC acting at the direction of the Authority, but in each case only in respect of variations to this Code which:
 - (i) the Authority reasonably considers are necessary to comply with or implement the EU Regulations, any relevant legally binding decisions of the European Commission and/or the Agency for the Co-operation of Energy Regulators; and/or
 - (ii) are in respect of a Significant Code Review; ~~and~~
- (e) the Panel;
~~the Panel (where all Panel Members at the relevant meeting vote unanimously in favour of doing so), but only in respect of variations to this Code which are intended to give effect to:~~
 - ~~(i) recommendations contained in a report published by the Panel pursuant to Section C2.3(i) (Panel Duties);~~
 - ~~(ii) recommendations contained in a report published by the Code Administrator pursuant to Section C7.2(c) (Code Administrator);~~

~~(iii) Fast-Track Modifications (as described in Section D2.8 (Fast-Track Modifications)); and/or~~

~~(iv) consequential changes to this Code required as a result of changes proposed or already made to one or more other Energy Codes;~~

(f) the Code Administrator;

(g) Sub-Committees, where the Draft Proposal relates to the powers, duties and functions of that Sub-Committee as defined by the Panel in accordance with SEC Section C6.10; and

(h) the Alt HAN Forum, where the Draft Proposal has a material effect on the Alt HAN Arrangements.

Section G 'Security'

Amend Section G7.23 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 Not used.

~~Notwithstanding Section D1.3 (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.

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

Amend Section G1.19 as follows:

L1.18 The SMKI PMA shall establish a process whereby the Code Administrator monitors Draft Proposals and Modification Proposals with a view to identifying (and bringing to the SMKI PMA’s attention) those proposals that are likely to affect the SMKI SEC Documents. The Code Administrator shall comply with such process.

~~Modification of the SMKI SEC Documents by the SMKI PMA~~

~~L1.20~~L1.19 ~~Not used.~~

~~Notwithstanding Section D1.3 (Persons Entitled to Submit Draft Proposals):~~

~~(-) the SMKI PMA shall be entitled to submit Draft Proposals in respect of the SMKI SEC Documents where the SMKI PMA considers it appropriate to do so; and~~

~~(-) any SMKI PMA Member shall be entitled to submit Draft Proposals in respect of the SMKI SEC Documents where he or she considers it appropriate to do so (where the SMKI PMA has voted not to do so).~~

~~L5.12.~~ SMKI ASSURANCE

SMKI Compliance Policy

~~L5.18~~L2.18 The SMKI PMA shall exercise the functions allocated to it by the SMKI Compliance Policy.

~~L5.19~~L2.19 The DCC shall procure all such services as are required for the purposes of complying with its obligations under the SMKI Compliance Policy.