



Draft Legal Text

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SECMP0049:

Section D Review: Amendments to the Modification Process

Summary

This modification proposes to amend the end-to-end SEC Modifications Process to introduce a formal 'pre-modification process' and enhance the role of the Change Board in developing and assessing modifications.

About this document

This document contains the draft SEC Section A and C legal text that will deliver the intent of SECMP00049.

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Legal Text

23 May 2018

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1. Draft Legal Text

This section sets out the draft Legal Text Changes for SECMP0049. These changes have been drafted against the Smart Energy Code (SEC) version 5.14¹.

Section A ‘Definitions and Interpretations’

Add the following definitions to Section A1.1:

<u>Change Sub-Committee</u>	<u>has the meaning given to that expression in Section D2A.1 (Establishment of the Change Sub-Committee).</u>
<u>Draft Proposal</u>	<u>has the meaning given to that expression in Section D1.2 (Modifications)</u>
<u>Proposed Solution</u>	<u>has the meaning given to that expression in Section D6.15 (Alternative Solutions).</u>

Amend the following definitions in Section A1.1 as follows:

Modification Proposal	has the meaning given to that expression in Section D1.23.11 (Modifications <u>Initial Consideration by the Panel</u>).
Alternative Proposal<u>Solution</u>	has the meaning given to that expression in Section D6.15 6 (Alternative Proposals <u>Solutions</u>).
Path 1<u>Authority-initiated</u> Modification	has the meaning given to that expression in Section D2.4 (Path 1 Modification: <u>Authority-ledinitiated Modifications</u>).

¹Note that if a new version of the SEC is designated before the submission of the Final Modification Report to the Change Board or Authority, the drafting will be checked to make sure there are no consequential impacts. Our current understanding is that the specifications that SECMP0006 is amending are not expected to change as part of any forthcoming designations.

<u>Path 2 Authority Determined Modification</u>	has the meaning given to that expression in Section D2.6 (Path 2 Modification: Authority Determin ation <u>Modifications</u>).
<u>Path 3 Self-Governance Modification</u>	has the meaning given to that expression in Section D2.7 (Path 3 Modification: Self-Governance <u>Modifications</u>).

Section C ‘Governance’

Amend Sections C2.3(d) as follows:

C2.3 Without prejudice to any other tasks, duties or obligations imposed on the Panel in this Code, the Panel shall, subject to and in accordance with the other provisions of this Code:

....

- (d) oversee and co-ordinate the process for assessing Draft Proposals and Modification Proposals, and implement successful Modification Proposals, each as set out in Section D (Modification Process);

Amend Sections C7.2(f) as follows:

C7.2 The Code Administrator shall perform those tasks and functions expressly ascribed to it under this Code, and any other tasks and functions as the Panel may assign to the Code Administrator from time to time. In particular, the Code Administrator shall:

....

- (f) facilitate a process whereby Parties can submit a ~~potential Modification~~Draft Proposal to the Code Administrator to have that potential variation developed, refined and discussed prior to the Party deciding whether to formally submit a Modification Proposal (whether through the Change Board or another forum);

Amend Sections C7.2(i) as follows:

- (i) without prejudice to the generality of Section C7.2(i), provide support and assistance to the Proposer of a ~~Modification–Draft~~ Proposal, including

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assistance in understanding this Code so as to properly frame ~~the~~any
subsequent Modification Proposal;