Smart Energy Code

Draft Legal Text

SECMP0050:

Section D Review: Moving the Working Group Terms of Reference to a Separate Document

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Summary

This modification seeks to remove the detail on how SEC Modification Working Groups are formed and operate from the SEC and replace it with a Panel-owned 'Working Group Terms of Reference' document.

About this document

This document contains the draft SEC legal text that will deliver the intent of SECMP00050.

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SECP 58_1307_14– Attachment A

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1. Draft Legal Text

This section sets out the draft Legal Text Changes for SECMP0050. These changes have been drafted against the Smart Energy Code (SEC) version 5.18[1].

Section A 'Definitions and Interpretations'

Add the following new definition into Section A1.1 in alphabetical order:

Working Group Terms of Reference	has the meaning given to that term in Section D6.2 (Establishment of a Working Group).

Section D 'Modification Process'

Amend Sections D6.2 to D6.6 as follows:

Establishment of a Working Group

D6.2 Where this Section D6 applies, the Panel shall establish a group of persons (a **Working Group**) for the purposes set out in Section D6.8. Such Working Groups shall be formed and operate in accordance with terms of reference as agreed by the Panel and published on the Website (the "Working Group Terms of Reference"). The Panel shall consult with Parties before it first establishes the Working Group Terms of Reference, and before it makes any changes to the Working Group Terms of Reference.

D6.3 Not used.

D6.4 Not used.

D6.5 Not used.

D6.6 Not used.

D6.7 Except to the extent inconsistent with this Section D6, the provisions of Section C6 (Sub-Committees) shall apply in respect of each Working Group as if that Working

Deleted: Each Working Group so established must comprise:

Deleted: <#>at least five individuals who:¶
<#>each have relevant experience and expertise in relation to the subject matter of the Modification Proposal (provided that there is no need to duplicate the experience and expertise available to the Working Group via the Technical Architecture and Business Architecture Sub-Committee); and¶
<#>whose backgrounds are broadly representative of the persons likely to be affected by the Modification Proposal if it is approved,¶
<#>(and the Panel, with the cooperation of the Parties, shall seek to establish a standing list of persons with potentially relevant experience who may be willing to serve on Working Groups);¶
<#>where the Proposer nominates such a person, one person nominated by the Proposer; and¶
<#>a Working Group chair in accordance with Section D6.4. ¶

Deleted: <#>The Code Administrator shall act as chair of a Working Group unless the Panel direct that there is a conflict of interest which prevents this in which case a chair shall be selected from among the members of the Working Group by such members. The Code Administrator shall attend meetings of the Working Groups established pursuant to this Section D6, and support the activities of such Working Groups. The Code Administrator shall provide feedback to any Party that requests it regarding the progress of the Refinement Process and the outcome of Working Group meetings.

Deleted: A person appointed to serve on a Working Group, when acting in that capacity, shall act in a manner designed to facilitate the performance by the Panel of its duties under this Code.

Deleted: Each person appointed to serve on a Working Group must, before that appointment takes effect, confirm in writing to SECCo (for the benefit of itself and each Party) that that person:

Deleted: <#>agrees to serve on that Working Group and to do so in accordance with this Code, including the requirements of Section D6.5; and¶
<#>will be available as reasonably required throughout the Refinement Process for the Modification Proposal, both to attend Working Group meetings and to undertake work outside those meetings as may reasonably be required. ¶

[1]Note 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.

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Group was a Sub-Committee.

Section G 'Security'

Amend Sections G7.21 as follows:

G7.21 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.

Deleted: Section D6.3 (Establishment of a Working Group),

Deleted: Sections D6.5 and D6.6

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