

P374 DRAFT PROPOSED LEGAL TEXT

SECTION F: MODIFICATION PROCEDURES (Version 28.0)

1. MODIFICATION OF THE CODE

1.1 Modification

Amend paragraph 1.1.3 to read as follows:

- 1.1.3 Subject to paragraph 2.11.8, a modification of the Code shall take effect from the time and date specified in the notice referred to in paragraphs 1.1.2 and 6.3.3 or, in the absence of any such time and date, from 00:00 hours on the day next following the date of service of such notice to the Modification Secretary (without prejudice to the Implementation Date, the Self-Governance Implementation Date or the Fast Track Self-Governance Implementation Date (as the case may be), if different), except with respect to all Modification Proposals and/or Change Proposals that relate to any Section of the Code listed in Section H10.1.4 and/or Section H10.1.5, in which case the Modification or Change shall not take effect until such time as:
- (a) the Transmission Company has requested an amendment (in accordance with Article 6 of the Guideline on Electricity Balancing) to the terms and conditions related to balancing, determined in accordance with Article 18 of the Guideline on Electricity Balancing, after issuing a public consultation (in accordance with Article 10 of the Guideline on Electricity Balancing); and
 - (b) the Authority has approved the amendment to the terms and conditions related to balancing (in accordance with Article 4 and Article 5 of the Guideline on Electricity Balancing) proposed by the Transmission Company.

Insert new paragraph 1.1.3A after 1.1.3 to read as follows

- 1.1.3A BSCCo shall coordinate with, and assist, the Transmission Company when the Transmission Company is discharging its duties under paragraph 1.1.3(a) and 1.1.3(b).

SECTION H: GENERAL (Version 23.0)

10. BSC SANDBOX

10.1 BSC Derogations

Amend paragraph 10.1.1 to read as follows:

- 10.1.1 The Authority may, in accordance with this paragraph 10, grant any person, other than a BSC Company, a derogation from one or more provisions of the Code, except those provisions of the Code listed in paragraph 10.1.4 and paragraph 10.1.5 from which no derogation may be granted, in which case paragraph 10.4 shall apply (a "BSC Derogation").

Insert new paragraph 10.1.2 after 10.1.1 to read as follows:

- 10.1.2 In accordance with Articles 18 and 62 of the Guideline on Electricity Balancing, it is not possible for any derogation to be granted in respect of any of the terms and conditions relating to balancing as notified to the Authority for approval by the Transmission Company (in accordance with Article 5(4)(c) of the Guideline on Electricity Balancing) in its letter of 18th June 2018 (as listed in Annex 1 to that letter, as amended from time to time in accordance with Article 6 of the Guideline on Electricity Balancing).
- 10.1.3 Pursuant to paragraph 10.1.2, no BSC Derogation will be granted to any person in respect of any of the provisions of the Code set out in the Sections of the Code listed in paragraph 10.1.4 or paragraph 10.1.5
- 10.1.4 No BSC Derogation may be granted in respect of any provision set out in the following Sections of the Code:
- (a) Section A;
 - (b) Section G, Part 3;
 - (c) Section H3;
 - (d) Section J;
 - (e) Section K;
 - (f) Section L;
 - (g) Section N;
 - (h) Section O;
 - (i) Section P;
 - (j) Section Q;

- (k) Section T;
- (l) Section U;
- (m) Section W; and
- (n) Section Z.

10.1.5 No BSC Derogation may be granted in respect of any provisions of the Code relating to "Project TERRE", first implemented into the Code by Modification Proposal P344, in the following Sections of the Code:

- (a) Section A;
- (b) Section D;
- (c) Section H;
- (d) Section J;
- (e) Section K;
- (f) Section M;
- (g) Section N;
- (h) BSC Section P;
- (i) Section Q
- (j) Section R;
- (k) Section S;
- (l) Section S; Annex S-2;
- (m) Section T;
- (n) Section V;
- (o) Section X Annex X-1;
- (p) Section X Annex X-2; and
- (q) Section Z.

SECTION X: DEFINITIONS AND INTERPRETATION

ANNEX X-1: GENERAL GLOSSARY (Version 84.0)

Insert the following new definitions in alphabetical order:

<u>"Guideline on Electricity Balancing":</u>	<u>means Commission Regulation (EU) 2017/2195;</u>
<u>"Project TERRE"</u>	<u>has the meaning given to that term in Section H10.1.5;</u>