

Uniform Network Code – Modification Rules

Amend paragraph 1.1(b) as follows:

- (b) the making of proposals for the modification of the Uniform Network Code either by a Transporter, a User ~~or~~, a Third Party Participant [or the Authority](#);

Amend paragraph 1.1(c) as follows:

- (c) the making of proposals for the modification of each Individual Network Code by a Relevant Transporter, a Relevant Shipper ~~or~~, a Third Party Participant [or the Authority](#);

Amend paragraph 1.1(d) as follows:

- (d) [subject to paragraph 6.4.5\(b\)](#) where a proposal is made for the modification of the Uniform Network Code the making of an alternative proposal for the modification of the Uniform Network Code by any Transporter, User, ~~or~~ a Third Party Participant [or the Authority \(but in the case of the Authority only insofar as such alternative proposal is one which the Authority reasonably considers is necessary to comply with or implement the Regulation and/or any relevant legally binding decisions of the European Commission and/or the Agency for the Cooperation of Energy Regulators\)](#), other than the person who raised the original modification proposal;
- (e) [subject to paragraph 6.4.5\(b\)](#) where a proposal is made for the modification of an Individual Network Code the making of an alternative proposal for the modification of that Individual Network Code by a Relevant Transporter, a Relevant Shipper ~~or~~, a Third Party Participant [or the Authority \(but in the case of the Authority only insofar as such alternative proposal is one which the Authority reasonably considers is necessary to comply with or implement the Regulation and/or any relevant legally binding decisions of the European Commission and/or the Agency for the Cooperation of Energy Regulators\)](#), other than the person who raised the original modification proposal;

Add new defined terms in alphabetic order under paragraph 2.1 as follows:

"Regulation" [means Regulation 2009/715/EC of the European Parliament and of the Council of 13 July 2009 \(as amended from time to time\) concerning conditions for access to the national gas transmission networks;](#)

Amend paragraph 6.1.1 as follows:

- 6.1.1 Without prejudice to paragraph 6.4 or paragraph 12.4 and subject to paragraph 6.1.4, a Modification Proposal in respect of the Uniform Network Code may be made from time to time by:
- (a) a Transporter;
 - (b) a User;
 - (c) [a Third Party Participant](#), only insofar as such Modification Proposal relates to a proposal to modify Annex V-1 (“Table of Operational and Market Data”) in the Uniform Network Code, ~~a Third Party Participant~~;
 - (d) a Materially Affected Party (but only in respect of a Modification Proposal which proposes a modification to a NTS Charging Methodology or a DN Charging Methodology);
 - (e) [the Authority \(but only insofar as such Modification Proposal is one which the Authority reasonably considers is necessary to comply with or implement the Regulation and/or any relevant legally binding decisions of the European Commission and/or the Agency for the Cooperation of Energy Regulators\).](#)

Amend paragraph 6.1.2(b) as follows:

- (b) any Relevant Shipper; ~~and/or~~

Amend paragraph 6.1.2(c) as follows:

- (c) a Materially Affected Party (but only in respect of a Modification Proposal which proposes a modification to a NTS Charging Methodology or a DN Charging Methodology); ~~and/or~~

Add a new paragraph 6.1.2(d):

- (d) [the Authority \(but only insofar as such Modification Proposal is one which the Authority reasonably considers is necessary to comply with or implement the Regulation and/or any relevant legally binding decisions of the European Commission and/or the Agency for the Cooperation of Energy Regulators\).](#)

Amend paragraph 6.2.1(e) as follows:

- (e) in the case of a Modification which proposes a timescale for the implementation of the Modification (for the purposes of enabling the Authority and any persons, including but not limited to Users, Transporters, Third Party

Participants and Non Code Parties to be aware of the potential benefits or constraints associated with such timing), except in the case where the Authority has directed a timetable in accordance with paragraph 12.5.2 and/or 12.5.3, where only one Fixed Implementation Date may be included, shall include:

- (i) two or more Fixed Implementation Dates;
- (ii) a Proposed Authority Decision Date in respect of each Fixed Implementation Date, for the purposes of enabling the Modification to be implemented by the Fixed Implementation Date;
- (iii) a Backstop Lead Time;
- (iv) the reasons why it is proposing each date under paragraph (i), (ii) and (iii).

Amend paragraph 6.4.5 as follows:

6.4.5 An alternative Modification Proposal may not be made:

- (a) in respect of a Modification Proposal after the Modification Panel pursuant to paragraph 7.2.3(a) has determined such Modification Proposal should proceed to Consultation; or
- (b) where the Authority directs a Transporter in writing that an alternative Modification Proposal shall not be made in respect of a Modification Proposal.

In case of paragraph (b), the Transporter shall notify the Secretary about the direction as soon as reasonably practicable after it has been received by the Transporter, and the Modification Panel shall ensure that a Modification Proposal will not be considered as an alternative Modification Proposal to the relevant Modification Proposal.

Amend paragraph 6.5.7 as follows:

6.5.7 For the purposes of this paragraph 6.5:

- (a) ~~The~~ Authority, upon request by a Proposer of a Significant Code Review Modification Proposal, may direct:
 - (a) that the Proposer may vary, withdraw or make a variation request in respect of the relevant Significant Code Review Modification Proposal in accordance with paragraph 6.5; or
 - (b) that the Proposer may not vary, withdraw or make a variation request in respect of the relevant Significant Code Review Modification Proposal and that such proposal shall proceed in accordance with the Modification Procedures; and

(b) where the Proposer of a Modification Proposal is a Transporter, and the Authority has issued a direction to the Transporter setting and/or amending a timetable (in relation to the Modification Proposal, which Modification Proposal the Authority reasonably considers is necessary to comply with or implement the Regulation and/or any relevant legally binding decisions of the European Commission and/or the Agency for the Cooperation of Energy Regulators) for the raising of such Modification Proposal by the Transporter, the completing of each of the procedural steps in these Rules (to the extent that they are relevant) and/or implementation of the Modification Proposal, then the Proposer may not withdraw the relevant Modification Proposal without the Authority's prior consent.

Amend paragraph 12.5 as follows:

12.5 Time periods

12.5.1 Notwithstanding any time periods specified in these Rules, in respect of any Modification Proposal or Request the Modification Panel may [subject to paragraph 12.5.2](#), from time to time, determine to shorten or lengthen the time period within which any (or all) of the Modification Procedures, Request Procedures or any other procedures is (or are) to be undertaken. If the Modification Panel shall so determine, the Code Administrator shall, so far as consistent with these Rules and the Transporter's Licence, do all acts and things which these Rules specify as acts and things to be done by the Code Administrator within such shorter or longer period of time so as to give effect to such determination.

12.5.2 Notwithstanding any time periods specified in these Rules, in respect of any Modification Proposal which the Authority reasonably considers is necessary to comply with or implement the Regulation and/or any relevant legally binding decisions of the European Commission and/or the Agency for the Cooperation of Energy Regulators, the Authority may, by direction in writing to a Transporter, specify and/or amend the timetable to apply to each stage of such Modification Proposal and/or the implementation date of such Modification Proposal.

12.5.3 Where the Authority makes a direction referred to in paragraph 12.5.2 and such direction specifies:

(a) a timetable in respect of all of the steps specified in these Rules as applying to such Modification Proposal, the Modification Proposal shall progress in accordance with the timetable specified in such direction (and not the timetable set out in these Rules);

- (b) a timetable in respect of some (but not all) of the steps specified in these Rules as applying to such Modification Proposal (and does not direct that the steps in respect of which no timetable is directed are not to apply to such Modification Proposal), then such Modification Proposal shall proceed on the basis of the timetable specified in the direction (in respect of the steps specified in the direction) and the timetable set out in these Rules (in respect of all other steps specified in these Rules as applying to such Modification Proposal);

- (c) an implementation date in respect of such Modification Proposal but specifies no timetable to apply to such Modification Proposal in relation to these Rules, then the Transporter to whom the direction is made by the Authority shall notify the Secretary of the timetable that the Transporter reasonably believes ought to apply to such Modification Proposal in order to achieve the directed implementation date, and such notified timetable shall apply for the purposes of these Rules in relation to such Modification Proposal.

12.5.4 Until such time as the Authority makes a direction referred to in paragraph 12.5.2, the Modification Proposal shall proceed in accordance with the Modification Procedures.