

UNC 0839:

Revision of the Modification Panel Membership Cessation Provisions



Proposer: National Gas Transmission

Panel Date: 16th March 2023

Why change?



- Modification Rules sets out the membership of the Modification Panel
- Majority of Members (17/18) need to be Representative of an entity or a constituency of entities
- Rules do not explicitly state consequence of a change in circumstances whereby a Member is no longer employed or engaged by the same specified entity as at the time of nomination
- Arguably they can no longer effectively represent the relevant entity or constituency of entities

Options



- Rely on implicit interpretation of 'representation' requirement in Modification Rules
- Rely on person / entity responsible for appointment to remove relevant Member
- Rely on Member to relinquish role
- Include explicit rules to deal with scenario

Solution



- **Modify the Modification Rules:**
 - to require a Member who is no longer employed or engaged by the same entity as at the time of nomination to inform the Panel Secretary as soon as practicable; and
 - as a consequence of the above, the Member will cease to be a Member of the Modification Panel to take effect from the latter of:
 - the date from which the Member will no longer be employed or engaged by the relevant entity; or
 - the day following the date the Panel Secretary is informed of such

Recommended Steps



- The Proposer recommends that this modification should be:
 - Subject to Self-Governance
 - Workgroup assessment to develop the modification for 1 month