

Following Monday 05 February 2024 Governance Workgroup, please find below Cadent's Lawyer's shared commentary to support the wording of TPD V 12.3.1 – 12.3.2 (presented at Governance Workgroup) remaining as currently drafted.

- Under the new TPD V 12.3.2, a proposal to change the BPIR can be considered by the UNCC or any sub-committee.
- It is clear that such a sub-committee would be a different sub-committee to the Contract Management Committee; the UNCC (or sub-committee) only need to consider the change to the BPIR once the change proposal has been approved by Change Management Committee.
- Under TPD V 12.4.1, a change to a UNC Related Document requires the approval of the UNCC and **not** a sub-committee.
- In GT B4.3.2, where there is a UNC requirement that a sub-committee do something, it is a reference to the sub-committee established for the purpose of carrying out the relevant requirement – in this case to consider the BPIR change proposal. Therefore, the reference to “...*(or any relevant sub-committee)*...” in V12.3.2 means, if there is one, the sub-committee established for this purpose.
- The reference to sub-committee in V12.3.2 is (by reason of GT B4.3.2) to a sub-committee established by the UNCC to consider BPIR change proposals, and if no such sub-committee exists, then the reference to “*(or any relevant sub-committee)*” can be disregarded.