

**Outstanding Action: 701: LDZ to LDZ recitals Template: SR National Grid to consider wording of paragraph E on the Supplemental Agreement Template**

The paragraph in question states:

*“On [DATE] the Parties entered into a Supplemental Agreement [(“Original Supplemental Agreement”)] in relation to the Offtake. The Parties are entering into this Agreement for the purposes of recording [updating/revising] details relating to the Offtake as required by the Offtake Arrangements Document and for the purpose of terminating the [Original Supplemental Agreement].”*

Having spoken to our legal team they advised the following:

- The precedent document that is in OAD is for implementing a brand new Supplemental Agreement. The inclusion of this clause goes against that principal to look to capture amending and terminating concepts so would advise that it is not necessary for OAD.
- In respect of the process for actually changing a Supplemental Agreement then there are two potential options:
  1. To use a clause similar to above to terminate the existing agreement and replace it with the new version which is what this looks to do
  2. An Amendment Restatement Agreement could be used in conjunction with the existing Supplemental Agreement to capture the change
- Operators can decide between themselves the methodology and that the process does not need to be considered in OAD

Thanks  
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