

Proposed licence drafting**Standard condition: Cooperation with code modifications related to SDS**

- 1.1.1 Where reasonably requested by a Code Manager, in relation to a Designated Code with which the Licensee must become party to or comply under this licence, the Licensee must take reasonable steps to cooperate with the development and delivery of code modifications which the Code Manager reasonably considers are required to implement, facilitate or support delivery of the Strategic Direction Statement, by:
- (a) providing such information, except where disclosure would reveal commercially sensitive information, as the Code Manager reasonably requires to plan, assess or implement such code modifications; and
 - (b) notifying the Code Manager where the Licensee reasonably considers that a proposed code modification related to the Strategic Direction Statement may have a material impact on its systems, processes or operations.
- 1.1.2 The Licensee is not required to comply with paragraph (a) where it could not be compelled to produce or give the information in civil proceedings before a court.
- 1.1.3 Prior to issuing a request under this condition, the Code Manager must be satisfied, having regard to the reasonableness criteria specified in the relevant Designated Code, that the request is reasonable.

Interpretation

In this condition:

- 1.1.4 Code Manager means the holder of a licence granted pursuant to section 6(1)(g) of the Electricity Act 1989 and section 7AC of the Gas Act 1986.
- 1.1.5 Designated Code means a document designated by the Secretary of State under section 182 of the Energy Act 2023.
- 1.1.6 Commercially sensitive information is information that is not publicly available and whose disclosure would, or would be likely to, prejudice the commercial interests of the person to whom the information relates, or undermine their competitive position.
- 1.1.7 Strategic Direction Statement means a statement prepared and published by the Authority that sets out a strategic direction for energy industry codes and

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contains a strategic assessment of government policies and developments relating to the energy sector, that the GEMA considers will or may require the making of modifications to energy industry codes.

- 1.1.8 In this document, references to 'SDS' shall be taken to mean any Strategic Direction Statement prepared and published in accordance with section 190 of the Energy Act 2023, following a designation by the Secretary of State of a particular industry code pursuant to section 182 of the Energy Act 2023.

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