

### **Condition C14: Grid Code**

1. The licensee shall in consultation with authorised electricity operators liable to be materially affected thereby prepare and at all times have in force and shall implement and comply (subject to paragraph 12) with the Grid Code:

(a) covering all material technical aspects relating to connections to and the operation and use of the national electricity transmission system or (in so far as relevant to the operation and use of the national electricity transmission system) the operation of electric lines and electrical plant connected to the national electricity transmission system or any distribution system of any authorised distributor and (without prejudice to the foregoing) making express provision as to the matters referred to in paragraph 5 below; and

(b) which is designed so as to facilitate the achievement of the following objectives:

(i) to permit the development, maintenance and operation of an efficient, co-ordinated and economical system for the transmission of electricity;

(ii) to facilitate competition in the generation and supply of electricity (and without limiting the foregoing, to facilitate the national electricity transmission system being made available to persons authorised to supply or generate electricity on terms which neither prevent nor restrict competition in the supply or generation of electricity);

(iii) subject to sub-paragraphs (i) and (ii), to promote the security and efficiency of the electricity generation, transmission and distribution systems in the national electricity transmission system operator area taken as a whole; ~~and~~

(iv) to efficiently discharge the obligations imposed upon the licensee by this licence and to comply with the Electricity Regulation and any relevant legally binding decisions of the European Commission and/or the Agency; and

(v) to promote efficiency in the implementation and administration of the Grid Code arrangements.

1A. The Grid Code shall provide for:

(aa) the procedures established in pursuance of paragraphs 2A and 4A to 4J;

(a) a panel body, as specified in the Grid Code (the "panel") whose functions shall include the matters required by this condition and as set out in the Grid Code and any ancillary documents and whose composition shall include:

(i) a chairperson; and,

(ii) a consumer representative (appointed by Citizens Advice or Citizens Advice Scotland, or any successor body) who has a vote as specified in the Grid Code;

(b) a secretarial or administrative person or body, as specified in the Grid Code, to perform the role of code administrator (the "code administrator"). In addition to any powers, duties or functions set out in the Grid Code and any ancillary documents, the code administrator shall:

- (i) together with other code administrators, maintain, publish, review and (where appropriate) amend from time to time the Code of Practice approved by the Authority (any amendments to the Code of Practice are to be approved by the Authority);
- (ii) facilitate the procedures for making a modification to the Grid Code;
- (iii) have regard to, and in particular (to the extent relevant) be consistent with the principles contained in, the Code of Practice; and
- (iv) provide assistance, insofar as is reasonably practicable and on reasonable request, to Authorised Electricity Operators (including, in particular, small participants) and, to the extent relevant, consumer representatives that request the code administrator's assistance in relation to the Grid Code including, but not limited to, assistance with:
  - drafting a modification proposal;
  - understanding the operation of the Grid Code;
  - their involvement in, and representation during, the modification procedure processes (including but not limited to panel and/or workgroup meetings) as required by this condition, specified in the Grid Code, or described in the Code of Practice; and
  - accessing information relating to modification proposals and/or modifications

2. The Grid Code shall be the code which existed and which the licensee maintained pursuant to its licence immediately prior to the start of the transition period, modified from time to time in accordance with the transition modification provisions and the provisions of this condition.

2A. The licensee shall establish and operate procedures for the modification of the Grid Code (including procedures for modification of the modification procedures themselves), so as to better facilitate achievement of the applicable Grid Code objectives, which procedures shall provide:

- (a) subject to paragraphs 4A(b) and (c), for proposals for modification of the Grid Code to be made by the licensee, Grid Code users, Authorised Electricity Operators liable to be materially affected thereby, the Authority (in relation only to modifications within the scope of paragraph 4K), Citizens Advice, Citizens Advice Scotland, and such other persons and bodies as the Grid Code may provide; and
- (b) for proposals for modification of the Grid Code to be made by the licensee in accordance with a direction issued by the Authority pursuant to paragraphs 2A(f) and 4B (the "significant code review route");
- (c) for the implementation of modification proposals without the Authority's approval in accordance with paragraphs 4G (the "self-governance route") and 4I;
- (d) for the implementation of modification proposals without the Authority's approval in accordance with paragraph 4J (the "fast track self-governance route"); \_\_\_\_\_

- (e) for modification proposals made following a direction by the Authority:
- (i) to be accepted into the Grid Code modification procedures by the panel;
  - (ii) where they are raised by the licensee, not to be withdrawn without the Authority's prior consent; and
  - (iii) to proceed in accordance with any timetable(s) directed by the Authority in accordance with paragraph 2A(f);
- (f) for compliance by the licensee and (where applicable) the panel with any direction(s) issued by the Authority under this paragraph setting and/or amending a timetable (in relation to a modification proposal which falls within the scope of paragraph 4K) for the:
- (i) licensee to raise a modification proposal; and/or
  - (ii) completion of each of the procedural steps outlined in paragraph 2A or 4E, to the extent that they are relevant; and/or
  - (iii) implementation of a modification.
- (g) except in the case of a modification falling within the scope of paragraph 4D or 4J, where a proposal is made in accordance with paragraph 2A(a),
- (i) for bringing the proposal to the attention of Grid Code parties and such other persons as may properly be considered to have an appropriate interest in it (including consumer representatives);
  - (ii) for proper consideration of any representations on the proposal (including representations made by small participants and consumer representatives);
  - (iii) for properly evaluating the suitability of the significant code review or self-governance route for a particular modification proposal;
  - (iv) for properly evaluating whether the proposed modification would better facilitate achieving the applicable Grid Code objectives, provided that so far as any such evaluation requires information which is not generally available concerning the licensee or the national electricity transmission system, such evaluation shall be made on the basis of the licensee's proper assessment (which the licensee shall make available for these purposes) of the effect of the proposed modification on the matters referred to in paragraphs 1(a) and (b);
  - (v) for the development and consideration of any alternative modification which may, as compared with the proposed modification, better facilitate achieving the applicable Grid Code objective(s) provided that:
    - the alternative proposal is made as described in the Code of Practice and as further specified in the Grid Code; and
    - unless an extension of time has been approved by the panel and not objected to by the Authority after receiving notice, any workgroup stage shall last for a maximum period (as specified in the Grid Code) from the date on which the original modification was proposed.

- (vi) for the evaluation required under sub-paragraph (iv) (and, if applicable, sub-paragraph (v)) in respect of the applicable Grid Code objective(s) to include, where that impact is likely to be material, an assessment of the quantifiable impact of the proposal on greenhouse gas emissions to be conducted in accordance with such guidance (on the treatment of carbon costs and evaluation of the greenhouse gas emissions) as may be issued by the Authority from time to time;
- (vii) for the preparation of a panel report:
- setting out the proposed modification and, separately, any alternatives;
  - evaluating the proposed modification and, separately, any alternatives;
  - assessing the extent to which the proposed modification or any alternative would better facilitate achieving the applicable Grid Code objectives and providing a detailed explanation of the panel's reasons for that assessment (such assessment to include, where applicable, an assessment of the quantifiable impact of the proposal on greenhouse gas emissions in accordance with sub-paragraph (vi));
  - assessing the impact of the modification and any alternative on the core industry documents and the changes expected to be required to such documents as a consequence of such modification;
  - setting out a timetable for implementation of the modification and any alternative, including the date with effect from which such modification and any alternative (if made) would take effect; and
- (viii) for the submission of the report to the Authority as soon after the proposal is made as is appropriate (taking into account the complexity, importance and urgency of the modification and in accordance with the time periods specified in the Grid Code, which shall not be extended unless approved by the panel and not objected to by the Authority after receiving notice) for the proper execution and completion of the steps in sub-paragraphs (i) to (vii); and
- (ix) for each of the procedural steps outlined in this paragraph 2A, to the extent that they are relevant, to be consistent with the principles contained in the Code of Practice; and
- (x) for the completion of each of the procedural steps outlined in this paragraph 2A, to the extent that they are relevant, to be in accordance with any timetable(s) directed by the Authority under paragraph 2A(f).

2B. [Not used]

2C. [Not used]

~~(in consultation with authorised electricity operators liable to be materially affected thereby) periodically review (including upon the request of the Authority) the Grid Code and its implementation.~~

~~2B. The review undertaken under paragraph 2A shall~~

- ~~(a) where the Authority reasonably considers it necessary to comply with or implement the Electricity Regulation and/or any relevant legally binding decisions of the European Commission and/or the Agency, proceed in accordance with any timetable(s) directed by the Authority under this paragraph in relation to the progress of the review and/or implementation of any modifications to the Grid Code; and~~
- ~~(b) involve an evaluation of whether any modification or modifications to the Grid Code would better facilitate the achievement of the Grid Code objectives and, where the impact is likely to be material, this shall include an assessment of the quantifiable impact of any such modification on greenhouse gas emissions, to be conducted in accordance with any guidance (on the treatment of carbon costs and evaluation of greenhouse gas emissions) as may be issued by the Authority from time to time.~~

~~2C. Following any such review, the licensee shall send to the Authority:~~

- ~~(a) a report on the outcome of such review conducted in accordance with paragraphs 2A and 2B; and~~
- ~~(b) any proposed modification to the Grid Code from time to time as the licensee (having regard to the outcome of such review) reasonably thinks fit for the achievement of the Grid Code objectives and a detailed explanation of the reasons for this assessment; and~~
- ~~(c) any written representations or objections from authorised electricity operators liable to be materially affected thereby (including any proposals by such operators for modifications to the Grid Code not accepted by the licensee in the course of the review) arising during the consultation process and subsequently maintained.~~

~~3. Modifications to the Grid Code proposed by the licensee and sent to the Authority pursuant to paragraph 2 shall require to be approved by the Authority. The licensee shall only modify the Grid Code:~~

- ~~(a) in order to comply with any direction of the Secretary of State pursuant to paragraph 6; or~~
- ~~(b) with the consent of the Authority; or~~
- ~~(c) in accordance with paragraphs 4G or 4J;~~

~~and it shall not have the power to modify the Grid Code in any other circumstance; and the licensee shall furnish the Authority with a copy of any modification made.~~

~~3A. Without prejudice to paragraph 4D, only the licensee shall have the power to modify the Grid Code.~~

~~4. Having regard to any written representations or objections referred to in subparagraph (c) of paragraph 2C, and following such further consultation (if any) as the Authority may consider appropriate Without prejudice to paragraph 4G, if a report has been submitted to the Authority pursuant to the procedures described in paragraph 2A(g)(viii) or 4E(b), and the Authority is of the opinion that a modification set out in such report would, as compared with the then existing provisions of the Grid Code and any alternative modifications set out in such~~

report, better facilitate achieving the applicable Grid Code objectives, the Authority may issue directions requiring the licensee to modify the Grid Code in such manner as may be specified in the directions, and the licensee shall forthwith comply with any such directions.

4A. The procedures for modifying the Grid Code shall provide:

(a) for the revision and resubmission of the report provided for under paragraph 2A(g)(viii) ~~C(a)~~ or 4E(b) upon, and in accordance with, a direction issued to the licensee by the Authority where the Authority determines that it cannot properly form an opinion on the approval of the modification proposal in accordance with paragraph 4;

without prejudice to paragraph 4D, that proposals for the modification of the Grid Code falling within the scope of a significant code review may not be made during the significant code review phase, except:

- (i) where the Authority determines that the modification proposal may be made, having taken into account (among other things) the urgency of the subject matter of the proposal; or
- (ii) at the direction of the Authority; or
- (iii) where the modification proposal is made by the Authority in accordance with paragraph 2A(a).

(b) that, where a modification proposal is made during a significant code review phase, the licensee-panel shall:

- (i) unless exempted by the Authority, notify the Authority as soon as practicable of:
  - 1. any representations received in relation to the relevance of the significant code review; and
  - 2. the licensee's-panel's assessment of whether the proposal falls within the scope of the significant code review and its reasons for that assessment; and
- (ii) if the Authority so directs, not proceed with the modification proposal until the significant code review phase has ended.

4B. If, within twenty eight (28) days after the Authority has published its significant code review conclusions, ~~the Authority issues to the licensee:~~

(a) the Authority issues directions to the licensee, the licensee shall comply with those directions and shall treat the significant code review phase as ended;

(b) the Authority issues to the licensee a statement that no directions under sub-paragraph (a) will be issued in relation to the Grid Code, the licensee shall treat the significant code review phase as ended;

(ba) the Authority raises a modification proposal in accordance with paragraph 2A(a), the licensee shall treat the significant code review phase as ended;

(bb) the Authority issues a statement that it will continue work on the significant code review, the licensee shall treat the significant code review

phase as continuing until it is brought to an end in accordance with paragraph 4C;

- (c) neither directions under sub-paragraph (a) nor a statement under sub-paragraphs (b) or (bb) has been issued, nor a modification proposal under sub-paragraph (ba) has been made, the significant code review phase will be deemed to have ended.

The Authority's published conclusions and directions to the licensee will not fetter any voting rights of the members of the panel or the procedures informing the report described at sub-paragraph ~~2C2A(g)(vii)(a)~~ of this condition.

4C. The procedures for the modification of the Grid Code shall provide that, if the Authority issues a statement under paragraph 4B(bb) and/or a direction in accordance with paragraph 4F, the significant code review phase will be deemed to have ended when either:

- (a) the Authority issues a statement that the significant code review phase has ended;
- (b) one of the circumstances in sub-paragraphs 4B(a) or (ba) occurs (irrespective of whether such circumstance occurs within twenty-eight (28) days after the Authority has published its significant code review conclusions); or
- (c) the Authority makes a decision consenting, or otherwise, to the modification of the Grid Code following the panel's submission of its report under paragraph 4E(b).

4D. The procedures for the modification of the Grid Code shall provide that, where the Authority has issued a statement in accordance with paragraph 4B(bb) and/or a direction in accordance with paragraph 4F, the Authority may submit a modification proposal for a modification falling within the scope of paragraph 4K(b) to the panel.

4E. The procedures for the modification of the Grid Code shall provide, where the Authority submits a significant code review modification proposal to the panel in accordance with paragraph 4D:

- (a) for the preparation of a panel report:
  - (i) evaluating the proposed modification;
  - (ii) assessing the extent to which the proposed modification would better facilitate achieving the applicable Grid Code objective(s) and providing a detailed explanation of the panel's reasons for that assessment (such assessment to include, where that impact is likely to be material, an assessment of the quantifiable impact of the proposal on greenhouse gas emissions, to be conducted in accordance with such guidance (on the treatment of carbon costs and evaluation of the greenhouse gas emissions) as may be issued by the Authority from time to time); and
  - (iii) setting out a timetable for implementation of the modification, including the date with effect from which such modification (if made) would take effect;

- (b) for the submission of the report to the Authority as soon after the significant code review modification proposal is submitted for evaluation as is appropriate (taking into account the complexity, importance and urgency of the modification, and in accordance with the time periods specified in the Grid Code, which shall not be extended unless approved by the panel and not objected to by the Authority after receiving notice) for the proper execution and completion of the steps in sub-paragraph (a);
- (c) for the completion of each of the procedural steps outlined in this paragraph 4E, to the extent that they are relevant, to be in accordance with any timetable(s) directed by the Authority under paragraph 2A(f).

The Authority's published conclusions and significant code review modification proposal shall not fetter the voting rights of the members of the panel or the recommendation procedures informing the report described at paragraph 4E(a).

4F. The procedures for the modification of the Grid Code shall provide that, where a proposal has been raised in accordance with paragraph 4B(a) or 2A(f)(i), or by the Authority under paragraph 4B(ba) and it falls within the scope of paragraph 4K(b), the Authority may issue a direction (a "backstop direction"), which requires such proposal(s) and any alternatives to be withdrawn and which causes the significant code review phase to re-commence.

4G. The procedures for the modification of the Grid Code shall provide that modification proposals shall only be implemented without the Authority's approval pursuant to this paragraph where:

- (a)
  - (i) in the view of the panel, the modification proposal meets all of the self-governance criteria and the panel has submitted to the Authority in respect of the modification proposal and not withdrawn a self-governance statement; or
  - (ii) if a self-governance statement has not been made, or has been withdrawn, the Authority has determined that the self-governance criteria are satisfied and the modification proposal is suitable for the self-governance route; and
- (b) unless otherwise exempted by the Authority, the panel has sent copies of all consultation responses to the Authority at least seven (7) days before the panel intends to make its determination under sub-paragraph (d); and
- (c) the Authority has not directed that the Authority's decision is required prior to the panel's determination under sub-paragraph (d); and
- (d) the panel has, no earlier than seven (7) days after sending the consultation responses referred to at sub-paragraph (b), determined that the modification proposal or any alternative should be implemented on the basis that it would, as compared with the then existing provisions of the Grid Code and any other modifications proposed in accordance with paragraph 2A(g)(v), better facilitate the achievement of the applicable Grid Code objective(s); and
- (e)



- (i) no appeal has been raised up to and including 15 working days after the panel's determination under sub-paragraph (d) in respect of such modification proposal and any alternative in accordance with paragraph 4H; or
- (ii) an appeal has been raised in respect of such a modification proposal and any alternative in accordance with paragraph 4H and the Authority has not quashed the panel's determination referred to at sub-paragraph (d) and either remitted the relevant modification proposal and any alternative back to the panel for reconsideration or taken the decision on the relevant modification proposal and any alternative itself following the appeal.

4H. The procedures for the modification of the Grid Code shall provide that those persons set out at sub-paragraph 2A(a) may appeal to the Authority the approval or rejection by the panel of a modification proposal and any alternative falling under the self-governance route, provided the appeal has been made up to and including 15 days after the approval or rejection and in accordance with the procedures specified in the Grid Code and, in the opinion of the Authority:

- (a)
  - (i) the appealing party is, or is likely to be, unfairly prejudiced by the implementation or non-implementation of that modification or alternative proposal; or
  - (ii) the appeal is on the grounds that:
    - (1) in the case of implementation, the modification or alternative proposal may not better facilitate the achievement of at least one of the applicable Grid Code objectives; or
    - (2) in the case of non-implementation, the modification or alternative proposal may better facilitate the achievement of at least one of the applicable Grid Code objectives; and
- (b) it is not brought for reasons that are trivial, vexatious or have no reasonable prospect of success.

4I. The procedures for the modification of the Grid Code shall provide that:

- (a) where an appeal has been raised in respect of a modification proposal and any alternative in accordance with paragraph 4H that modification proposal and any alternative shall be treated in accordance with any decision and/or direction of the Authority following that appeal;
- (b) if the Authority quashes the panel's determination referred to at paragraph 4G(d) of this condition and takes the decision on the relevant modification proposal and any alternative itself following an appeal in accordance with paragraph 4H, the panel's determination of that modification proposal and any alternative referred to in paragraph 4G(d) of this condition shall be treated as a report submitted to the Authority in accordance with the procedures specified in paragraph 2A(g)(viii) of this condition and the panel's determination shall be treated as its recommendation.

4J. The procedures for the modification of the Grid Code shall provide that modifications shall only be implemented without the Authority's approval pursuant to this paragraph (the "fast track self-governance route") where:

- (a) in the unanimous view of the panel, the proposed modification meets all of the fast track self-governance criteria;
- (b) the panel unanimously determines that the modification should be made;
- (c) Grid Code parties and the Authority have been notified of the proposed modification;
- (d) none of the persons named in sub-paragraph (c) has objected to the proposed modification being made via the fast track self-governance route in the fifteen (15) working days immediately following the day on which notification was sent; and
- (e) notification under sub-paragraph (c) contains details of the modification proposed, that it is proposed to be made via the fast track self-governance route, how to object to the modification being made via the fast track self-governance route, the proposed legal drafting and the proposed implementation date.

4K. Modification proposals fall within the scope of this paragraph where:

- (a) the Authority reasonably considers the modifications are necessary to comply with or implement the Electricity Regulation and/or any relevant legally binding decisions of the European Commission and/or the Agency; and/or
- (b) the modification proposal is in respect of a significant code review.

5. The Grid Code shall include codes relating to the technical operation of the national electricity transmission system, including:

- (a) connection conditions specifying the technical, design and operational criteria to be complied with by the licensee and by any person connected or seeking connection with the national electricity transmission system or by any person authorised to generate who is connected with or seeks connection with the national electricity transmission system or any distribution system of any third party which is located in the national electricity transmission system operator area;
- (b) an operating code specifying the conditions under which the licensee shall operate the national electricity transmission system and under which persons shall operate their plant and/or distribution systems in relation to the national electricity transmission system, in so far as necessary to protect the security and quality of supply and safe operation of the national electricity transmission system under both normal and abnormal operating conditions;
- (c) a planning code specifying the technical and design criteria and procedures to be applied in the planning and development of the national electricity transmission system and to be taken into account by persons connected or seeking connection with the national electricity transmission system in the planning and development of their own plant and systems; and
- (d) procedures relating to the outage of generation sets and a balancing code specifying, among other matters, information to be submitted by authorised

electricity operators to the licensee for the purposes of, and the making of offers and bids in, the balancing mechanism, and the issuing by the licensee of instructions by reference to such offers and bids.

6. The licensee shall, upon receipt of a direction from the Secretary of State to do so, modify the Grid Code so as to incorporate any changes directed by the Secretary of State pursuant to section 90 of the Energy Act 2004 during or before the offshore transmission implementation period.
7. [Not used].
8. The licensee shall give or send a copy of the Grid Code (as from time to time modified) to the Authority.
9. The licensee shall (subject to paragraph 10) give or send a copy of the Grid Code (as from time to time modified) to any person requesting the same.
10. The licensee may make a charge for any copy of the Grid Code (as from time to time modified) given or sent pursuant to paragraph 8 of an amount which will not exceed any amount specified for the time being for the purposes of this condition in directions issued by the Authority.
11. In preparing, implementing and complying with the Grid Code (including in respect of the scheduling of maintenance of the national electricity transmission system), the licensee shall not unduly discriminate in favour of or against, or unduly prefer, any person or class (or classes) of person.
12. The Authority may (following consultation with the licensee) issue directions relieving the licensee of its obligations to implement or comply with the Grid Code in respect of such parts of the national electricity transmission system and/or to such extent as may be specified in the directions.
- 12A. Without prejudice to any rights of approval, veto or direction the Authority may have, the licensee shall use its best endeavours to ensure that procedures are in place that facilitate its compliance with the requirements of this condition including, but not limited to, modifying the Grid Code and any ancillary documents where necessary no later than ~~31 December 2013~~ 31 March 2017.
13. In this condition, authorised electricity operator includes any person transferring electricity to or from the national electricity transmission system operator area across an interconnector; and

"applicable Grid Code objectives" means the objectives referred to in paragraph 1(b) of this condition; and

"transition modification provisions" means the provisions of this condition which apply or applied during the transition period and which enable or enabled the Authority (whether with or without the consent of the Secretary of State) to direct the licensee to modify the Grid Code in certain circumstances.

"Code of Practice" means the Code Administration Code of Practice approved by the Authority and:  
(a) developed and maintained by the code administrators in existence from time to time; and

- (b) amended subject to the Authority's approval from time to time; and
- (c) re-published from time to time.

"directions"

means, in the context of paragraph 4B(a), direction(s) issued following publication of significant code review conclusions which will contain:

- (a) instructions to the licensee to make (and not withdraw, without the Authority's prior consent) a modification proposal;
- (b) the timetable for the licensee to comply with the Authority's direction(s); and
- (c) the Authority's reasons for its direction(s).

"fast track self-governance criteria"

means that a proposal, if implemented,

- (a) would meet the self-governance criteria; and
- (b) is properly a housekeeping modification required as a result of some error or factual change, including but not limited to:
  - (i) updating names or addresses listed in the Grid Code;
  - (ii) correcting minor typographical errors;
  - (iii) correcting formatting and consistency errors, such as paragraph numbering; or
  - (iv) updating out of date references to other documents or paragraphs.

"materially affected party"

any person or class of persons designated by the Authority for this purpose.

"self-governance criteria"

means a proposal that, if implemented,

- (a) is unlikely to have a material effect on:
  - (i) existing or future electricity consumers; and
  - (ii) competition in the generation, distribution, or supply of electricity or any commercial activities connected with the generation, distribution, or supply of electricity; and
  - (iii) the operation of the national electricity transmission system; and

- (iv) matters relating to sustainable development, safety or security of supply, or the management of market or network emergencies; and
- (v) the Grid Code's governance procedures or the Grid Code's modification procedures, and

(b) is unlikely to discriminate between different classes of Grid Code parties.

"self-governance statement"

means the statement made by the panel and submitted to the Authority in accordance with paragraph 4G(a)(i):

- (a) confirming that, in its opinion, the self-governance criteria are met and the modification is suitable for the self-governance route; and
- (b) providing a detailed explanation of the panel's reasons for that opinion.

"significant code review"

means a review of one or more matters which the Authority considers likely to:

- (a) relate to the Grid Code (either on its own or in conjunction with any other industry code(s)); and
- (b) be of particular significance in relation to its principal objective and/or general duties (under section 3A of the Electricity Act), statutory functions and/or relevant obligations arising under EU law; and

concerning which the Authority has issued a notice to the licensee (among others, as appropriate) stating:

- (i) that the review will constitute a significant code review;
- (ii) the start date of the significant code review; and
- (iii) the matters that will fall within the scope of the review.

"significant code review phase"

means the period

- (a) commencing either:
  - (i) on the start date of a significant code review as stated by the Authority; or
  - (ii) on the date the Authority makes a direction under paragraph 4F (a "backstop direction");, and
- (b) ending either:
  - (i) (a) —on the date on which the Authority issues a statement that no

directions will be issued in relation to the Grid Code; or

- ~~(ii) (b)~~—if no statement is made under paragraph 4B(b) or (bb), on the date on which the licensee has made a modification proposal in accordance with directions issued by the Authority, or the Authority makes a modification proposal under paragraph 4B(ba); or
- ~~(iii) (c)~~—immediately under paragraph 4B(c), if neither a statement, a modification proposal nor directions are ~~issued~~ made by the Authority within (and including) twenty-eight (28) days from the Authority’s publication of its significant code review conclusions; or
- ~~(iv)~~ if a statement has been made under paragraph 4B(bb) or a direction has been made under paragraph 4F (a “backstop direction”), on the date specified in accordance with paragraph 4C.

“small participant”

means

- (a) a generator, supplier, distributor, or new entrant to the electricity market in Great Britain that can demonstrate to the code administrator that it is resource-constrained and, therefore, in particular need of assistance;
- (b) any other participant or class of participant that the code administrator considers to be in particular need of assistance; and
- (c) a participant or class of participant that the Authority has notified the code administrator as being in particular need of assistance.