

## APPROVED LEGAL TEXT FOR P313

### SECTION V: REPORTING

*Add new paragraph 6 to read as follows:*

#### **5. EMR SETTLEMENT DATA REQUIREMENTS**

##### **5.1 Provision of data and information to the EMR Settlement Services Providers**

- 5.1.1 For the purposes of the Code, CFD Settlement Data and CM Settlement Data shall collectively be referred to as "**EMR Settlement Data**".

##### **5.2 Provision of data and information to a CFD Settlement Services Provider**

- 5.2.1 Subject to paragraph 5.2.4, BSCCo must provide, or procure that a BSC Agent provides, such data, information and reports to any CFD Settlement Services Provider and any CfD Counterparty as any CFD Settlement Services Provider and/or any CfD Counterparty reasonably require in order to discharge their EMR Settlement Functions (the "**CFD Settlement Data**").

- 5.2.2 In respect of the CFD Settlement Data, BSCCo shall provide to the Panel:

- (a) a schedule of the CFD Settlement Data reasonably required by a CFD Settlement Services Provider and/or a CfD Counterparty;
- (b) an explanation of why a CFD Settlement Data is reasonably required to enable any CFD Settlement Services Provider and/or any CfD Counterparty to discharge their EMR Settlement Functions; and
- (c) a copy of the agreement required by paragraph 5.4.1.

- 5.2.3 In respect of any CFD Settlement Data that is:

- (a) publicly available;
- (b) available to any person on request; or
- (c) expressly contemplated under any EMR Legal Requirement,

then each Party and the Panel shall not (whether by action, omission or withholding of consent) prevent or restrict BSCCo from providing that CFD Settlement Data to any CFD Settlement Services Provider and any CfD Counterparty.

- 5.2.4 Subject always to paragraph 5.2.3, if the Panel considers that any CFD Settlement Data is not reasonably required to enable a CFD Settlement Services Provider to discharge its EMR Settlement Functions the Panel shall instruct BSCCo to refer the matter to a CfD Counterparty.

- 5.2.5 Following such referral, a CfD Counterparty may, in its absolute discretion, determine whether that CFD Settlement Data is reasonably required to enable any CFD Settlement Services Provider to discharge its functions and a CfD Counterparty's determination shall be final and binding for the purposes of the Code.

5.2.6 If at any time a CFD Settlement Services Provider or a CfD Counterparty requests further CFD Settlement Data from BSCCo then the provisions of paragraphs 5.2.1, 5.2.2(b), 5.2.3, 5.2.4 and 5.2.5 shall apply in respect of that CFD Settlement Data.

5.2.7 BSCCo shall arrange for a schedule of CFD Settlement Data to be published on the BSC Website from time to time and revised as soon as reasonably practicable after any change is made to the schedule of CFD Settlement Data in accordance with paragraph 5.2.5.

### **5.3 Provision of data and information to the CM Administrative Parties**

5.3.1 BSCCo must provide, or procure that a BSC Agent provides, such data, information and reports to the relevant CM Administrative Parties as it is required to provide under any EMR Legal Requirement (the "**CM Settlement Data**") in accordance with the requirements contained therein.

5.3.2 BSCCo shall provide to the Panel:

(a) a schedule of the CM Settlement Data to be provided to CM Administrative Parties; and

(b) a copy of the agreement required by paragraph 5.4.1,

and BSCCo shall arrange for the schedule of CM Settlement Data to be published on the BSC Website from time to time.

### **5.4 General**

5.4.1 Where EMR Settlement Data is provided to an EMR Settlement Services Provider pursuant to this paragraph 5, BSCCo shall enter into and remain a party to an agreement with any CFD Settlement Services Provider and any CM Settlement Services Provider (as applicable) in accordance with Section C11 relating to the provision of data provided that any failure to enter into such an agreement must not prevent BSCCo from complying with any EMR Legal Requirement.

## **6. SUBMISSION OF TRANSPARENCY REGULATION DATA BY THE BMRA**

### **6.1 Submission of Transparency Regulation Data to the ENTSO-E**

6.1.1 As soon as reasonably possible following receipt by the BMRA of the data submitted by the Transmission Company under Section Q6.1B.1, the BMRA shall submit that data to the ENTSO-E.

6.1.2 The BMRA shall submit any Transparency Regulation Data that is already held by the BMRA to ENTSO-E in accordance with any requirements specified in the Transparency Regulation and any procedures specified by the ENTSO-E (including timeframes for submission of data and the format of data). For the purpose of this paragraph 6.1.2, any timeframes for submission of data to ENTSO-E are target times, which the BMRA is expected to meet unless exceptional circumstances prevent it from doing so.