

## **P159 LEGAL TEXT**

### **SECTION A (version 2, including all Approved Modifications awaiting implementation)**

*Amend paragraph 3.1 as follows:*

#### **3. PARTY DETAILS AND PROVISION OF INFORMATION TO BSCCo**

##### **3.1 Party Details**

3.1.1 For the purposes of the Code, the "**Party Details**" of a Party (which shall include for the purposes of paragraph 2 a Party Applicant) are the following details and documentation of the Party:

- (a) its full name and contact details;
- (b) the name, postal address, and facsimile number and electronic mail (e-mail) address of the person for whose attention notices or communications issued in accordance with Section H9.2 should be marked;
- (c) details for service of process, where the Party is required to provide such details pursuant to Section H9.9.3;
- (d) whether the Party is (or intends to be) the holder of a Licence and/or benefits (or intends to benefit) from an Exemption, and (if so) details of such Licence or Exemption (including whether the Party is required by a condition in the Exemption to be Party or to comply with the Code) and the circumstances requiring the Party to hold or benefit from the same;
- (e) the participation capacities (if any) which the Party has or (at the time at which such details are notified to BSCCo) intends or expects to have, and the date from which it has or intends or expects to have each such capacity;
- (f) such supporting documentation as BSCCo may reasonably require in order to validate that the Party has or will have such participation capacities; and
- (g) whether the Party was a party to the Pooling and Settlement Agreement at the date of or at any time after the date of execution of the Framework Agreement and, if so, in what capacity(ies);
- (h) the identity of any other Party which is an Affiliate of the Party;
- (i) whether the Party is registered for VAT purposes and if so the Party's VAT registration number.

*Insert new paragraph 3.2.3 as follows:*

3.2.3 Without prejudice to paragraph 3.1.1(b), any additional e-mail address(es) submitted by a Party for the purpose of receiving notices or communications in relation to matters contemplated by the Code or Code Subsidiary Documents in accordance with Section H9.2 shall form part of the Party Details of that Party.

**SECTION H** (*version 6, including all Approved Modifications awaiting implementation*)

*Amend paragraphs 9.2.1 and 9.2.2 as follows:*

**9.2 Notices**

- 9.2.1 Save as otherwise expressly provided in the Code or relevant BSC Procedure(s), any notice or other communication to be given by one Party to another under or in connection with the matters contemplated by the Code or the Framework Agreement shall be addressed to the recipient and sent to the postal address, or facsimile number or e-mail address(es) of such other Party provided previously notified in accordance with its Party Details under Section A.
- 9.2.2 Such notice or other communication, shall be in writing and shall be given by letter delivered by hand or sent by first class prepaid post (airmail if overseas) or facsimile or by e-mail, and shall be deemed to have been received:
- (a) in the case of delivery by hand, when delivered; or
  - (b) in the case of first class prepaid post, on the second day following the day of posting or (if sent airmail overseas or from overseas) on the fifth day following the day of posting; or
  - (c) in the case of facsimile, on acknowledgement of the addressee's facsimile receiving equipment (where such acknowledgement occurs before 1700 hours on the day of acknowledgement) and in any other case on the day following the day of acknowledgement; or:
  - (d) subject to paragraph 9.2.4, in the case of e-mail one hour after being sent, in the absence of any undeliverable return receipt received by the sender during that period.

*Delete paragraphs 9.2.4 and 9.2.5 as follows:*

- ~~9.2.4 Notices and communications to be given to all Parties or a class of Parties by BSCCo or any person or body referred to in paragraph 9.2.3(a) may be sent by e-mail in accordance with the relevant BSC Procedure(s).~~
- ~~9.2.5 Any notice or communication which may be sent by e-mail shall be deemed to have been received one hour after being sent.~~

*Re-number paragraph 9.2.6 as 9.2.4 as follows:*

- ~~9.2.6~~9.2.4 Other than in relation to a notice or communication sent by e-mail in respect of an \_\_\_\_\_ Urgent Modification Proposal, if the time at which a notice or communication sent \_\_\_\_\_ by e-mail is deemed to have been received falls after 1700 hours on a day, the \_\_\_\_\_ notice or communication shall be deemed to have been received at 0900 hours on \_\_\_\_\_ the following day.

*Insert new paragraphs 9.2.5 and 9.2.6 as follows:*

- 9.2.5 For the purposes of:
- (i) Section A paragraphs 2.2.3(b), 2.3.2(a), 2.6.1(a), 5.1.1, 5.2.4; and
  - (ii) Section B paragraphs 2.5.1, 2.5.2, 2.6.1, 2.6.2, 2.8.2, 2.8.3, 2.8.4, 2.9.3, 2.10.1, Annex B-2 1.2.1, Annex B-2 3.1, Annex B-2 3.2; and

(iii) Section D paragraphs 1.4.5(a), 6.1.1, 6.1.2, 6.5.6, 6.6.1; and

(iv) Section F paragraphs 1.1.2, 1.1.4, 1.7.2, 2.1.6, 2.4.6(b); and

(v) Section H paragraphs 3.1.1(a)(ii), 3.1.1(b)(ii), 3.1.1(d)(iii), 3.1.1(d)(iv)(2), 3.1.1(e)(iii), 3.1.1(f)(ii), 3.1.3(a), 7.1.5; and

(vi) Section W paragraphs 3.5.1, 3.6.1,

the preceding provisions of this paragraph 9.2 relating to e-mail shall not apply.

For the purposes of this paragraph, the references to Section F paragraphs 1.1.2, 1.1.4 and 1.7.2 shall only be applicable in so far as those provisions refer to notices sent by the Transmission Company to the Modification Secretary.

9.2.6 Each Party acknowledges and agrees that the recipient of any notice or communication sent by e-mail in accordance with this paragraph 9.2 shall (on deemed receipt) be entitled to rely on the contents of such notice or communication, including for the avoidance of doubt, the identity of the sender.