

CMP225 Consequential changes following implementation of the Third Package and other miscellaneous changes.



CUSC Panel – 28 March 2014
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Background

- Statutory Instrument came into effect in November 2011
- As a result, a number of changes were made to the Licences.
- 2 main changes
 - Introduction of a new Relevant Objective
 - Allowing the Authority to raise modifications which it considers necessary to comply with or implement the Regulations or any relevant decisions of the Agency.

Proposed CUSC Modification

- Enable the Authority to raise modifications to comply with relevant European Regulation.
- Apply the caveats in the licence to modifications raised by the licensee following an Authority direction.
- Apply the caveats to modifications which are raised by the Authority in relation to European legislation.
- Changes will be required to Section 8 of the CUSC.
- Like-for-like proposals for STC (CM055) and BSC (P298) being progressed.

Workgroup Consultation

- 2 responses received
- Agreed (along with other Workgroup Members) with the approach to adopt the SCR legal text with respect to areas of the licence that are silent.
- Supportive of CMP225 and implementation approach.

Workgroup Vote

- 4 Workgroup Members voted
- All voted that CMP225 better facilitates the ACO's and should be implemented.
- No WACMs proposed.

Views against Applicable CUSC Objectives

- The changes will accurately reflect the provisions set out in the Licence covering the circumstances and process to be followed in relation to Authority raised/directed modifications. (ACO a).
- CMP225 is resulting from the Third Package legislation and complies with the changes resulting from the Statutory Instrument. (ACO c).
- Neutral against ACO b.

Workgroup Conclusions

- Terms of Reference have been met.
- Proposed legal text agreed
- Agreed for CMP225 to be implemented after 10 working days if approved.

Next Steps

- The Panel is invited to:
 - Accept the Workgroup Report
 - Agree for CMP225 to progress to Code Administrator Consultation.

Proposed Timetable

8 April 2014	Issue CA Consultation
9 May 2014	CA Consultation closes
12 May 2014	Issue draft FMR for comment
19 May 2014	Deadline for comment
21 May 2014	CUSC Panel Papers Day
30 May 2014	Panel vote
4 June 2014	Issue FMR for final comment
11 June 2014	Deadline for comments
12 June 2014	Final Report sent to Authority for decision
17 July 2014	Indicative 25 day KPI for decision
31 July 2014	CMP225 implemented (if approved)