

DRAFT LEGAL TEXT CHANGES FOR IGT138 (v4.0)

Further information on this Modification can be found on the [IGT138 webpage](#).

DRAFTING KEY

Black: Existing IGT UNC provisions

Red: Baselined IGT138 legal text based on expected variant (as of 22nd April 2022)

Please note that a version of this document, which highlights the differences between IGT138 and the expected variant, can be found [here](#).

PART O – PERFORMANCE ASSURANCE

1 GENERAL

1.1 Introduction

1.1.1 This Section O sets out:

- (a) provisions relating to the Performance Assurance Objective;
- (b) provisions relating to the PAC;
- (c) requirements contained in the Performance Assurance Framework Document; and
- (d) provisions in relation to Appeals.

1.2 Interpretation

1.2.1 For the purposes of the Code:

- (a) A "**Performance Assurance Party**" is as defined in TPD Section V16.1.1(a) of the UNC and shall also include Pipeline Operators and Pipeline Users;
- (b) the "**Performance Assurance Objective**" is as defined in TPD Section V16.1.1(b) of the UNC;
- (c) the "**Performance Assurance Framework**" or "**PAF**" is as defined in TPD Section V16.1.1(b) of the UNC;
- (d) the "**Performance Assurance Committee**" or "**PAC**" is the UNC sub-committee established and described in TPD Sections V16.2 and V16.3 of the UNC;
- (e) the "**Performance Assurance Framework Document**" or "**PAF Document**" is the document established, maintained and published by the PAC and specified in TPD Sections V16.7.1, V16.7.2 and V16.7.3 of the UNC;
- (f) the "**Performance Assurance Framework Administrator**" or "**PAFA**" is the person appointed and whose role and terms of engagement are specified under TPD Sections V16.9 and V16.10 of the UNC.

2 Performance Objective

2.1 For the purposes of this clause 2.1 and in respect of the Performance Assurance Objective the provisions of TPD Section V16.1.2 to 16.1.5 of the UNC shall apply.

3 Performance Assurance Committee

3.1 For the purposes of this clause 3.1 and in respect of the functions, voting arrangements and proceedings of the Performance Assurance Committee TPD Section V16.4, V16.5 and V16.6 of the UNC shall apply.

4 Performance Assurance Framework

4.1 For the purposes of this clause 4.1 and in respect of the Performance Assurance Framework Document the provisions of TPD Section V16.7.4 and V16.7.5 of the UNC shall apply.

5 Appeals

5.1 For the purposes of this clause 5.1 the provisions of TPD Section V16.8 of the UNC shall apply.

6 Appointment of PA Representative

- 6.1 For the purposes of this clause 6.1 the provisions of TPD Section V16.11 of the UNC shall apply.

7 Disclosures for the purposes of Performance Assurance

- 7.1 For the purposes of this clause 7.1 the provisions of TPD Section V16.14 of the UNC shall apply.

8 Decisions of the PAC

- 8.1 For the purposes of this clause 8.1 the PAC can make decisions on Performance Assurance Parties pursuant to TPD Section V16 of the UNC and Performance Assurance Parties shall comply.
- 8.2 No decision of the Performance Assurance Committee may be made or (if made) shall be effective if the decision would cause any Party or the CDSP to be in breach of the IGT UNC.
- 8.3 For the purposes of this clause 8.3 protections for PAC and Parties shall apply pursuant to TPD Section V16.12 of the UNC.

9 Performance Assurance Reports

- 9.1 For the purposes of this clause 9.1 protections for PAC and Parties shall apply pursuant to TPD Section V16.13 of the UNC.

PART L – MODIFICATION RULES

Modification Proposals

10.1 Relevant Persons

10.1.1 A Modification Proposal in respect of the IGT UNC may be initiated by;

(a) Any Pipeline User or by an IGT UNC Operator and by a Third Party Participant. A Third Party Participant may only make a Third Party Modification Proposal.

~~(b) the Performance Assurance Committee in respect only of a Modification Proposal which proposes:~~

~~(i) a Modification to the performance assurance requirements in Part O – Performance Assurance; or~~

~~(ii) a modification to performance levels or obligations under the IGT UNC which the Performance Assurance Committee reasonably believes would (if implemented) better facilitate the achievement of the Performance Assurance Objective.~~

10.2 Content of Modification Proposals

10.2.1 Each Modification Proposal made pursuant to Clause 10.1.1, Clause 10.1.2 or Clause 10.1.3 shall set out the information and be in the form specified on the IGT UNC Website and

(a)

(k) may state the Proposer's opinion of the likely impact of the implementation of the Modification Proposal upon Pipeline User's computer systems and/or manual processes and procedures; and

(l) may include the Proposer's Suggested Text. This Suggested Text will be considered by the IGT UNC Operators when preparing the text of the Modification pursuant to Clause 21; and

(m) may state, in relation to a Modification Proposal which relates to the performance assurance requirements TPD Section V16 of the UNC, whether or not the Modification Proposal is supported by the Performance Assurance Committee.

PART M – DEFINITIONS

"Performance Assurance Party" shall have the meaning in Part O1.2.1(a);

"Performance Assurance Objective" shall have the meaning in Part O1.2.1(b);

"Performance Assurance Framework" or **"PAF"** shall have the meaning in Part O1.2.1(c);

"Performance Assurance Committee" or **"PAC"** shall have the meaning in Part O1.2.1(d);

"Performance Assurance Framework Document" or **"PAF Document"** shall have the meaning in Part O1.2.1(e);

"Performance Assurance Framework Administrator" or **"PAFA"** shall have the meaning in Part O1.2.1(f);

PART K - GENERAL

- 23.9 ~~The Pipeline Operators are authorised to disclose such data as is required for the reports as are specified in the Performance Assurance Report Registers Schedules 1A, 1B, 2A and 2B in accordance with paragraph 16.5 of Section V of the UNC~~ CLAUSE NOT USED.

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