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CCS002 LEGAL TEXT V1.0

About this document

This document contains the redlined changes to the CCS Code that would be required to deliver this Modification Proposal.

These changes have been drafted against Version 1.2 of this Code.

This document contains the changes required to deliver the Proposed Solution.

VERSION	DATE	AUTHOR	CHANGES
1.0	14/01/2026	Ben Giblin	Version agreed for implementation at Modification Panel.
0.4	18/12/2025	Ben Giblin	Section B: The Proposer suggested alternative wording for the amendment to the 'Resource Plan'. This was discussed and agreed at the Working Group on 15/11/2025. Section B: DESNZ suggested amendments to the wording for 'Budget Forecast'. This was discussed and agreed at the Working Group on 15/11/2025. Section B: Where Panel Chairperson is referenced, the Deputy Panel Chairperson has also been referenced. Section B: 7.14, 7.15 and 7.20 – The text has been amended to allow 'Secretary Expenses' to remain intact. In the previous version this definition had been split as "Secretary and Panel Chairperson Expenses". The Secretary has added detail including 'Secretary Expenses' but also referencing the costs and expenditure of the Panel and Deputy Panel Chairperson.



Section B ‘Governance’

These changes have been redlined against Section 7 Version 1.2.

Amend Section 7 ‘Secretary’ as follows:

- 7.1 Subject to paragraph 7.3, the T&SCos must jointly appoint an individual representative to act as the Secretary within two (2) months from the Code Implementation Date. The Secretary must:
- (a) attend meetings of the Modification Panel;
 - (b) carry out the various tasks and duties assigned to it in this Section B (Governance) in an efficient, effective and economic manner; and
 - (c) at all times act and take decisions in an impartial, objective and balanced manner and so as to act on behalf of all Parties.
- 7.2 The Secretary shall be appointed for a two (2) year period commencing on 1 April and ending with effect from the second anniversary of such date, provided that the first appointment period shall commence on the date which the Secretary is appointed under paragraph 7.1 and end on the following 31 March.
- 7.3 Where, at the time of appointment under paragraph 7.1 there is only one (1) T&SCo, that T&SCo must solely appoint the Secretary for the first appointment period.
- 7.4 Any appointment of the Secretary under paragraph 7.1 must expressly include provisions which:
- (a) require the Secretary to carry out the duties of the Secretary as set out in this Section B (Governance);
 - (b) make clear that any duties of care that the Secretary owes to Users will be owed to Users whether or not they are a party to any agreement governing such appointment;
 - (c) make clear that any duties of care that the Secretary owes to the T&SCos will be owed to the T&SCos whether or not they are a party to any agreement governing such appointment; and
 - (d) require the Secretary to enable future T&SCos to accede to any agreement governing such appointment.
- 7.5 The T&SCos may at any time jointly revoke the appointment of an individual as the Secretary and appoint a new individual to the role.



- 7.6 The Secretary must notify the Regulator of any changes in the composition of the Modification Panel.
- 7.7 The Secretary must:
- (a) develop a CCS Network Code Website within three (3) months of appointment under paragraph 7.1 for the purposes of publishing various Code related documents;
 - (b) notify each User, each T&SCo, each Third Party Participant, the Regulator and the Secretary of State in writing of the domain name of the CCS Network Code Website upon the CCS Network Code Website going live;
 - (c) maintain a list on the CCS Network Code Website of:
 - (i) all Parties to the Code and the dates upon which such Parties acceded to the Code; and
 - (ii) all Third Party Participants and Designated Non-Code Parties and the dates of designation of them as such;
 - (d) upon written notice by a T&SCo under paragraph 4.5 of Section A (Introduction, Structure and Interpretation), update the list of Parties to the Code under paragraph 7.7(c) to include any New Code Party; and
 - (e) otherwise maintain and update the CCS Network Code Website.

7.8 The Secretary shall be responsible for entering into a contract with the Panel Chairperson and Deputy Panel Chairperson to permit the recovery of reasonable costs and expenditure, with the terms to be agreed by Modification Panel vote.

7.87.9 Each T&SCo shall be responsible for funding an equal proportion of the costs and expenditure incurred by the Secretary in the carrying out of the various tasks and duties assigned to it in this Section B (Governance), including the Panel Chairperson and Deputy Panel Chairperson's costs and expenditure as a pass-through charge, provided that where paragraph 7.3 applies, the costs of the Secretary shall solely be borne for the first appointment period by the appointing T&SCo.

7.97.10 By:

- (a) the date that is one (1) month after the date upon which the Secretary is first appointed under paragraph 7.1 in relation to the first Charging Year; and
- (b) 30th October each Charging Year thereafter,

the Secretary must prepare and submit to the Modification Panel and the Regulator for the Modification Panel's approval:

- (c) a Resource Plan; and

(d) Budget Forecast,

(the "**Resource Plan and Budget Forecast**") in accordance with the requirements of paragraphs ~~7.107.11~~ and ~~7.127.11~~.

~~7.107.11~~ The "**Resource Plan**" must include provision for the level of resources that the Secretary ~~and Panel Chairperson and Deputy Panel Chairperson~~ considers necessary to undertake ~~its~~ their functions respectively, which for the Secretary alone, may also include~~including any~~:

- (a) suitable facilities for business purposes;
- (b) office equipment, including telephones and other communication devices or computer workstations;
- (c) office furniture; and
- (d) any applications developed for internal or external business purposes, including the CCS Network Code Website to be established and maintained under paragraph 7.7.

~~7.117.12~~ The "**Budget Forecast**" must set out on a quarterly basis:

- (a) the itemised budget forecast expenditure for each line item of resource to be provided;
- (b) the estimated aggregate funds required to implement the Resource Plan; ~~and~~
- ~~(c)~~ such other costs and expenses, which the Modification Panel considers reasonable, to be incurred or likely to be incurred by the Secretary; and
- ~~(e)(d)~~ such other costs and expenditure, which the Modification Panel considers reasonable, to be incurred or likely to be incurred by the Panel Chairperson and Deputy Panel Chairperson, in the carrying out of the various tasks and duties assigned to them in this Section B (Governance).

~~7.127.13~~ The Modification Panel must, as quickly as practicable and in any event within ten (10) Business Days of receipt of the Resource Plan and Budget Forecast, determine whether or not to approve the proposed Resource Plan and Budget Forecast and must within such ten (10) Business Day period either notify the Secretary of its approval or, in the event that the Modification Panel considers changes or variations are required and reasonably withholds its approval, notify the Secretary of any changes or variations to the proposed Resource Plan and Budget Forecast recommended by the Modification Panel. If the Secretary does not accept such changes or variations submitted by the Modification Panel, any such dispute or difference must be referred to the Regulator to be determined by the Regulator.

~~7.137.14~~ Within one (1) month of the end of each Quarter within a Charging Year, the Secretary must prepare and submit to the Modification Panel and the Regulator an expenses

claim setting out the details of any Secretary Expenditure (net of VAT) and Panel Chairperson and Deputy Panel Chairperson's costs and expenditure, during that Quarter, together with reasonable supporting evidence in relation to such expenses ("**Secretary's Expenses Claim**").

~~7.147.15~~ On receipt of the Secretary's Expenses Claim, the Modification Panel must, within ten (10) Business Days prepare and circulate to the Parties a statement setting out for the relevant Quarter within the Charging Year its determination of:

- (a) the budgeted expenditure under the Resource Plan;
- (b) taxes or duties chargeable, if any;
- (c) the proportion of the Secretary Expenditure and Panel Chairperson and Deputy Panel Chairperson's costs and expenditure payable by each T&SCo in accordance with the principle of equal apportionment set out in paragraph 7.8; and
- (d) any other information the Modification Panel, in its reasonable discretion, considers relevant,

(the "**Draft Statement of Expenses**").

~~7.157.16~~ If a Party disputes the Draft Statement of Expenses (or any part of it), it must, within five (5) Business Days of the date of the Draft Statement of Expenses, notify the Modification Panel and the Secretary with details of the dispute (an "**Expenses Dispute Notification**") and, within a further five (5) Business Days, provide such supporting evidence as the Modification Panel may reasonably require.

~~7.167.17~~ Within five (5) Business Days of the notice period for disputes under paragraph ~~7.16~~ ~~7.15~~ expiring, the Modification Panel must:

- (a) where no Expenses Dispute Notification has been made, notify the Parties and the Secretary that the Draft Statement of Expenses is final; or
- (b) where one (1) or more Expenses Dispute Notifications have been made, circulate to the Parties and the Secretary a revised statement of expenses which must reflect the undisputed part of the Secretary's Expenses Claim only,

(the "**Final Statement of Expenses**").

~~7.177.18~~ The Modification Panel must consider all disputes under paragraph ~~7.167.15~~ and must make a determination, which must be notified to the Parties and the Secretary within fifteen (15) Business Days of the notice period for disputes under paragraph 7.15 expiring.

~~7.187.19~~ Determinations under paragraph ~~7.187.17~~ must be reflected in the next following Draft Statement of Expenses to be issued under paragraph ~~7.157.14~~, and any Party that made an Expenses Dispute Notification may not make an Expenses Dispute Notification in respect of that part or parts of the Draft Statement of Expenses that was subject to



the earlier dispute. For any determinations or votes of the Modification Panel under paragraphs 7.8, 7.13, 7.15, 7.17, 7.18 and 7.19, the Panel Chairperson shall have the right of the Casting Vote, granted under paragraph 12.2(d), revoked.

~~7.19~~7.20 Following receipt by the Modification Panel of the Final Statement of Expenses, the Secretary may invoice each of the T&SCos for its proportion of the Secretary Expenditure and Panel Chairperson and Deputy Panel Chairperson's costs and expenditure, together with VAT, for each Quarter within the Charging Year, as set out in the Final Statement of Expenses.

~~7.20~~7.21 Each T&SCo must pay any amount due under paragraph ~~7.20~~7.19 to the Secretary within thirty (30) Days of the amount being invoiced to it.