

DCUSA CHANGE REPORT	
<b>CHANGE PROPOSAL</b>	DCP 069 – Clarity on the Disclosure of Confidential information.
<b>DATE OF ISSUE</b>	23 August 2010
<b>ISSUED TO</b>	DCUSA Contract Managers
<b>PARTIES ENTITLED TO VOTE</b>	All Parties
<b>RETURN DEADLINE (Voting End Date)</b>	07 September 2010 – <a href="mailto:DCUSA@electralink.co.uk">DCUSA@electralink.co.uk</a>

## 1 PURPOSE

- 1.1 This document is issued in accordance with Clause 11.20 of the DCUSA. The Change Report details DCP 069 – Clarity on the Disclosure of Confidential information. The voting process for the proposed variation and the timetable of the progression of the Change Proposal (CP) through the DCUSA Change Control Process is set out in this document.
- 1.2 Parties are invited to consider the proposed amendment attached as Appendix A and submit votes using the form attached as Appendix B to [dcusa@electralink.co.uk](mailto:dcusa@electralink.co.uk) by 07 September 2010.

## 2 DCP 069 – CLARITY ON THE DISCLOSURE OF CONFIDENTIAL INFORMATION.

- 2.1 DCP 069 has been raised by Npower on behalf of the Panel to address two issues that were captured in the Housekeeping Log.
- 2.2 The change identifies that Sections 35 and Clause 51 of the DCUSA both entitled 'Confidentiality Restrictions on the User' deal with the obligations around confidential information. However, there are some clauses within the sections that do not directly reference the disclosure of such information. DCUSA Legal Counsel has proposed that additional drafting be added to these sections to ensure clarity.
- 2.3 Although the CP impacts Clauses which are categorised as Part 1 matters, the Authority has determined in accordance with Clause 11.21 that the CP is a housekeeping matter and does not require authority consent.

## 3 PROPOSED AMENDMENT AND LEGAL DRAFTING

- 3.1 The proposed legal drafting for DCP 069 has been reviewed by Wragge and Co and is attached as Appendix A.

## 4 ASSESSMENT AGAINST THE DCUSA OBJECTIVES

- 4.1 The DCP 069 better facilitates DCUSA objective 3.1.4<sup>1</sup> as the CP will ensure that the obligations placed on Parties by the DCUSA are clear and unambiguous allowing more effective administration of the Agreement.

## 5 PANEL RECOMMENDATION

- 5.1 The Panel approved the DCP 069 Change Report at its meeting on 18 August 2010.
- 5.2 In accordance with Clause 12.4 of the DCUSA the Panel has determined that DCP 069 should be issued to all Parties for voting for a period of 10 Working Days.
- 5.3 The timetable for the progression of the Change Proposal is set out below:

ACTIVITY	DATE
Change Report Agreed	18 August 2010
Party Voting	23 August – 07 September 2010

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<sup>1</sup> The promotion of efficiency in the implementation and administration of this Agreement and the arrangements under it

Change Declaration	10 September 2010
Implementation	05 November 2010

**Appendices:**

- A. DCP 069 – Legal Drafting
- B. DCP 069 – Voting Form