

DCP 080 Legal Drafting

1. DEFINITIONS AND INTERPRETATION

Theft In Conveyance

Means the abstraction of electricity while it is passing through Electric Lines or Electrical Plant provided, owned or operated by the Company. For the avoidance of doubt Theft In Conveyance is not considered to occur where there is a User Registered to the Metering Point and:

a) electricity is abstracted by means of a meter being damaged or interfered with, [such as under an offence committed under Schedule 6 paragraph 6, or Schedule 7 paragraph 11 of the Electricity Act 1989], or

b) electricity is abstracted from Electric lines, Electrical plant or Equipment owned by the Customer or for which the Customer is responsible.

9.5 The following current provisions of this Agreement shall conclusively be deemed to satisfy one or more of the criteria referred to at Clause 9.4 and each of them shall have the status of a Part 1 Matter:

9.5.1 Sections 1B (Governance) and 1C (Change Control);

9.5.2 Clauses 17.3 (Obligation to Include National Terms of Connection Wording in Contracts), 18.1 (Provision of Use of System), 19.1 and 19.2 (Charges), 24 (Security Cover), 25 (Energisation, De-Energisation and Re-Energisation), 26.1 (Compliance with the Distribution Code), 27.1 (Compliance with MOCOPA), 30.5 to 30.12 (inclusive) (Dangerous Incidents and Advance Notice of Interruptions and Damage or Interference), 31.1 (Demand Control), [32.3 \(Revenue Protection\)](#), 33.1 to 33.2 (inclusive) (Compensation Under Guaranteed Performance Standards), and 35A (Provision of Cost Information);

32. REVENUE PROTECTION

- 32.1 Where the Company provides a revenue protection service under this Agreement, it shall do so in accordance with the provisions of the Revenue Protection Code of Practice. Charges for the services so provided shall be calculated in accordance with those specified as applicable to such services in the Relevant Charging Statement and shall be paid in accordance with the provisions of this Section 2A.
- 32.2 The User shall comply with its obligations under the Revenue Protection Code of Practice.
- 32.3 Where Theft in Conveyance occurs there shall be a rebuttable presumption that the Company shall be entitled to recover from the responsible person, the value of the electricity so taken and all other abstraction of electricity shall be the responsibility of the User.