

DCP 196 Legal Text

Panel ability to refer a Change Proposal to the DCUSA Standing Issues Group for pre-assessment

Amend Clause 10.12.2

10.12 The Panel shall consider the Change Proposal and the accompanying documents referred to in Clause 10.11.2:

10.12.1 in respect of Change Proposals specified as urgent in accordance with Clause 10.4.8, within five Working Days of the proposal's submission;

10.12.2 in respect of all other Change Proposals, within 25 Working Days of the proposal's submission,

and, where necessary, the Panel Secretary shall convene a Panel meeting for such purpose. The Panel shall consider whether to accept or refuse the Change Proposal or to direct that the Change Proposal should be referred to the DCUSA Standing Issues Group in accordance with Clause 10.12A, and whether or not the Change Proposal should, in light of the criteria set out in Clause 10.7, properly be treated as urgent. Only Change Proposals that the Panel considers should be treated as urgent shall be treated as **Urgent Change Proposals**.

After Clause 10.12 insert new Clauses 10.12A, 10.12B and 10.12C

10.12A Subject to Clause 10.12C, when considering a Change Proposal pursuant to Clause 10.12, the Panel may (having taken into consideration the opinion of the Proposer (if any) expressed on submission of the Change Proposal) determine that the Change Proposal would benefit from pre-assessment by the DCUSA Standing Issues Group, in which case the Panel may direct that the Proposer should refer the Change Proposal to the DCUSA Standing Issues Group. The Panel may not make such a direction in the case of a Change Proposal submitted pursuant to Clause 10.2.5 or a Change Proposal that is an Urgent Change Proposal. The Panel shall record the reasons for any such direction.

10.12B Where the Panel has directed that a Proposer should refer a Change Proposal to the DCUSA Standing Issues Group pursuant to Clause 10.12A, the Proposer may then choose to:

10.12B.1 proceed with the recommended referral to the DCUSA Standing Issues Group; or

10.12B.2 re-submit the Change Proposal in accordance with this Clause 10 (with or without amendment) requesting that the Panel accept the Change Proposal without pre-assessment by the DCUSA Standing Issues Group.

10.12C In the case of Change Proposals re-submitted by a Proposer pursuant to Clause 10.12B.2, the Panel may not direct that the Proposer should refer the Change Proposal to the DCUSA Standing Issues Group.

Amend Clause 10.17 as follows:

10.17 Where a Change Proposal is referred to the Panel and where the Panel has not refused to accept the referral of that proposal and has not directed that it should be referred to the DCUSA Standing Issues Group, the Panel shall ensure that the proposal is placed into the Assessment Process in accordance with Clause 11.

**Wragge Lawrence Graham & Co LLP
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