

**DCP 261 Draft Legal Text**

**Use of the Theft Assessment Calculator**

**Add a new Clause 32.5 to Section 2A, as follows:**

32.5 Each Party undertakes to only use the Theft Assessment Calculator to assess unrecorded electricity units arising as a result of instances of Theft of Electricity and to only use the Theft Assessment Calculator for Non-commercial Use. It is acknowledged that DCUSA Ltd has procured the Theft Assessment Calculator on the basis that it will only be used in accordance with this Clause 32.5. Each Party shall indemnify DCUSA Ltd against any costs incurred by DCUSA Ltd as a result of that Party breaching this Clause 32.5. This Clause 32.5 shall apply to every Party that uses the Theft Assessment Calculator (notwithstanding Clause 15). For the purposes of this Clause 32.5, "**Non-commercial Use**" means a use, even if this entails monetary reward, where a public good results from the use. Public good can be defined as an activity which widens access to information and has social or economic benefit (including more accurate electricity billing and/or electrical line loss calculations).

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**26 January 2016**