

14. IMPLEMENTATION

- 14.1 The purpose of this Clause 14 is to provide that, where a Change Proposal has been accepted in accordance with Clause 13, the Panel shall make arrangements by which this Agreement will be varied in accordance with the variation so accepted (**Implementation**).

Implementation Date

- 14.2 In respect of Change Proposals which provide for a variation to Schedule 16, 17, 18, 20 and/or 29, where:

14.2.1 the implementation date for such Change Proposal accepted in accordance with Clause 13 is 1 April in any year; and

14.2.2 the date on which such Change Proposal was accepted in accordance with Clause 13 occurred less than 3 months prior to the date on which notice would need to be given in accordance with Clause 19.1A in order for amended Use of System Charges to have effect from that 1 April,

then the implementation date for such Change Proposal shall be deemed to be the following 1 April, unless the Authority has made a direction under Clause 19.1B, in which case the implementation date for such Change Proposal shall be the date directed by the Authority.

- 14.3 Where, in respect of any Change Proposal, the proposed variation to this Agreement is accepted in accordance with Clause 13 but the proposed implementation date is rejected:

14.3.1 the Change Proposal will be re-submitted to the Assessment Process and Voting Procedure but so that only the newly proposed implementation date (and not the proposed variation to the Agreement) is assessed and voted upon; and

14.3.2 the provisions of this Clause 14 shall not apply to the Change Proposal until the proposed implementation date is also accepted in accordance with Clause 13.

- 14.4 Where, in respect of any Change Proposal, the proposed variation to this Agreement is rejected in accordance with Clause 13 but the proposed implementation date is accepted, the Change Proposal as a whole shall be deemed to have been rejected in accordance with Clause 13.

Implementation

- 14.5 In respect of a Change Proposal which provides for a variation to Schedule 16, 17, 18, 20 and/or 29:
- 14.5.1 the relevant Schedules will be revised and issued to Parties clearly stating the implementation date (as set in accordance with Clause 14.2 where applicable);
 - 14.5.2 in respect of each such Schedule to have effect from 1 April in any year, a finalised set of the Schedule must be issued (at the latest) within 5 Working Days after the date 3 months prior to the date on which notice would need to be given in accordance with Clause 19.1A in order for amended Use of System Charges to have effect from that 1 April (or, where the Authority has made a direction under Clause 19.1B in relation to the Schedule, within 5 Working Days after the date of such direction); and
 - 14.5.3 following the issue to Parties of the finalised set of Schedules in accordance with Clause 14.5.2, the Panel shall, within 30 Working Days, arrange for the models referenced in the Schedules to be issued to Parties identifying the Schedules to which such models relate.
- 14.6 In respect of a Change Proposal not subject to Clause 14.5, the Panel shall, at the next Panel meeting after a Change Proposal has been accepted:
- 14.6.1 determine what actions are required in order to ensure that the accepted variation may be made by the accepted implementation date; and
 - 14.6.2 set a timetable for the completion of each of those actions which is required to ensure that the accepted variation may be made by the accepted implementation date.

14.7 It shall be the duty of the Panel to ensure that actions which are required to secure that an accepted variation may be made by the accepted implementation date are taken so as to secure that the variation is made by that date.

14.8 It shall be the duty of each Party to co-operate with the Panel to the extent required to ensure that such variation may be made by such date.

Subsequent Amendment to Implementation Date

14.9 Where, having regard to representations received from the Secretariat or from any Party, the Panel considers that it is not reasonably practicable to vary this Agreement by the relevant implementation date:

14.9.1 the Panel may request the Authority to direct that a new later implementation date be substituted for the first such date; and

14.9.2 where the Authority makes such a direction following a request by the Panel, the implementation date directed by the Authority shall have effect in substitution for the first such date, and the duties of the Panel and of each Party under this Clause 14 shall be defined by relation to that later date.

14.10 Where, having received representations from any Party as to the appropriateness of the relevant implementation date, the Authority (having first consulted with the Panel) considers that the implementation date should be amended so as to be either a later or an earlier date:

14.10.1 the Authority may direct that a new implementation date be substituted for the first such date; and

14.10.2 where the Authority makes such a direction following representations from any Party, the implementation date directed by the Authority shall have effect in substitution for the first such date, and the duties of the Panel and of each Party under this Clause 14 shall be defined by relation to the date so directed.

14.11 Without prejudice to Clause 14.10, in respect of an Authority Change Proposal:

(a) the Authority may direct that a new implementation date be substituted for the first such date; and

- (b) where the Authority makes such a direction, the implementation date directed by the Authority shall have effect in substitution for the first such date, and the duties of the Panel and of each Party under this Clause 14 shall be defined by relation to the date so directed.