

SCHEDULE

Amendments to the Electricity Capacity Regulations 2014

PART 4

Non-material errors or omissions in applications for prequalification

Regulation 69 (requesting reconsideration by the Delivery Body)

4. In regulation 69—
 - (a) in paragraph (3), for “15” substitute “20”;
 - (b) in paragraph (5), after “Subject to”, insert “paragraph (5A) and,”;
 - (c) after paragraph (5), insert—

“(5A) In reconsidering a prequalification decision, the Delivery Body may take into account information or evidence if the Delivery Body determines that:

 - (a) the relevant application for prequalification contained a non-material error or omission; and
 - (b) the information or evidence is capable of rectifying such non-material error or omission.”; and
 - (d) after paragraph (6), insert—

“(7) In this regulation—

“non-material error or omission” means an error or omission in an application for prequalification which is—

 - (a) manifest, and either inadvertent or the result of an honest mistake;
 - (b) clerical, typographical or trivial in nature; or
 - (c) determined by the Delivery Body to be inconsequential to the affected person’s compliance with, or the enforcement of, any requirement in these Regulations or the Rules to which the error or omission relates.”.

Regulation 70 (appeals to the Authority)

5. In regulation 70(4)—
 - (a) in sub-paragraph (b)(i), omit “and”;
 - (b) at the end of sub-paragraph (b)(ii), insert “and”; and
 - (c) after sub-paragraph (b)(ii), insert—

“(iii) any information or evidence submitted in accordance with regulation 69(5A);”.