

Market Arrangements Code Change Proposal – Ref CPM024

Modification proposal	Market Arrangements Code Change Proposal – CPM024 – Urgent: Housekeeping alignment of CPM020 with CPM023
Decision	The Authority has decided to approve this Change Proposal
Publication date	1 April 2020
Implementation date	1 April 2020

Background

On 20 March 2020, in response to the coronavirus outbreak, we raised urgent Change Proposals [CPM023 & CPW090 ‘Suspension of Performance Standard Charges’](#). These Change Proposals suspended Performance Standard Charges in March 2020, April 2020 and May 2020. The proposals were approved and implemented on 23 March 2020.

CPM023 made changes to Sections 10.4.2(c), 10.4.2(d) and 10.4.3(c) of the Market Arrangements Code (MAC) to suspend the invoicing for Performance Standard Charges in the months of March, April and May 2020 for both Wholesalers and Retailers.

We had previously approved a different Change Proposal ([CPW078 & CPM020 ‘Priority Performance Regime Changes for April 2020’](#)) which made amendments to the same Sections of the MAC as CPM023 (10.4.2(c), 10.4.2(d) and 10.4.3(c)). It altered the timeframes for submission of a suite of MPS data resulting in a change to invoicing dates for Performance Changes. The implementation date for CPW078 & CPM020 was 1 April 2020.

Changes to the drafting of Sections 10.4.2(c), 10.4.2(d) and 10.4.3(c) resulting from implementation of CPM020 alter the wording that has been recently introduced by CPM023.

Additionally, they would amend those Sections’ wording concerning the timing of invoices by referring directly to the months of March and April 2020, both of which were excluded from the scope of the relevant Sections by CPM023.

Consequently, the new wording would undermine the intention behind CPM023, namely to suspend the Wholesalers' and Retailers' Performance Standard Charges in the months of March, April and June 2020.

This Change Proposal (CPM024) has been submitted to avoid this effect. It is intended that amendments to the MAC as a result of this Change Proposal will be implemented at the same time as CPM020. As a result, the intention of both CPM023 and CPM020 will be preserved.

The background and associated documents, which set out the consecutive changes in the relevant drafting, can be found on [the MOSL website](#).

Panel recommendation

The Panel considered this Change Proposal at its meeting on 31 March 2020. It recommended, by a unanimous decision, that the Authority approves this proposal. The recommended date of implementation is 1 April 2020 to coincide with the implementation of CPM020.

Our decision

We have considered the issues raised by the Change Proposal and the supporting documentation provided in the Panel's Final Recommendation Report. We have decided to approve this Change Proposal. We have concluded that the implementation of CPM024 will better facilitate the principles of the Market Arrangements Code (MAC) detailed in Schedule 1 of the MAC, Principles and Definitions, and is consistent with our statutory duties.

Reasons for our decision

This Change Proposal is necessary to ensure that the amendments made by the implementation of CPM023 remain in place. It also ensures that amendments intended by CPM020 can be introduced.

We consider that this Change Proposal furthers the principle of Transparency as it will secure a clear drafting of the MAC. It also furthers the principle of Efficiency by preserving the intentions behind both CPM023 and CPM020.

Decision notice

In accordance with paragraph 7.2.8 of the Market Arrangements Code, the Authority approves this Change Proposal.

Georgina Mills

Director, Business Retail Market