
Wholesale Retail Code Change Proposal – Ref CPW113

Modification proposal	Wholesale Retail Code Change Proposal – CPW113 – Housekeeping changes to fix typographical errors and ensure standardisation
Decision	The Authority has decided to approve this Change Proposal with a modification
Publication date	22 March 2021
Implementation date	14 May 2021

Background

The Market Operator (MOSL) maintains a log which captures errors and inconsistencies discovered during code implementation and use. The final recommendation report indicates that the log is reviewed on a regular basis and Change Proposals are raised to address the issues as and when appropriate.

The issue

There are a number of typographical errors which have been identified within the Business Terms and the Operational Terms.

The Change Proposal¹

It is proposed that the following changes are made to address the issues that have been identified:

Business Terms:

- Sections 4.8.2(d)(ii) and 9.12.3(d) – correction of inaccurate references due to typographical errors;
- Section 7.5 – capitalisation of “act” in “Bribery Act” and addition of “2010”;

¹ The proposal and accompanying documentation is available on the MOSL website at <https://www.mosl.co.uk/market-codes/change#scroll-track-a-change>

- Sections 9.12.3(c), 9.12.3(d) and Schedule 7, paragraph 9 – amendment of “CSD 104” to “CSD 0104”; and
- Section 9.12.6(b) – amendment to incorrect cross reference (change “section 9.12.3(b) and (c)” to “section 9.12.5(b) and (c)”).

Operational Terms:

- Part H, the general introduction – change “Vacant Premises incentive payment” to “Vacancy Incentive Scheme Payment” to reflect the changes made by [CPW083: Vacancy Incentive Scheme](#);
- The process table in Part H – change “Application for payment of Vacant Premises incentive payment” to “Application for Vacancy Incentive Scheme Payment” which has also been proposed to reflect the changes made by [CPW083: Vacancy Incentive Scheme](#); and
- Process H7 - formatting alignment.

Industry consultation and assessment

The final recommendation report highlights that no industry consultation was completed for this Change Proposal because it is not expected to impact Trading Parties.

The Customer Representative provided a comment in support of the Change Proposal highlighting that it is vital that the codes are ‘completely transparent, and easy to understand’. Further, they said that ensuring that this remains the case reduces the risk of misinterpretation and errors occurring and that inaccuracies should be rectified as soon as possible.

Panel recommendation

The Panel considered this Change Proposal at its meeting on 26 January 2021. It recommended, by unanimous decision, that the Authority approve this proposal. This recommendation has been made on the basis of improving the principle of simplicity, cost-effectiveness and security. The recommended date of implementation is 14 May 2021, which the Panel noted was driven by scheduled code release dates.

Our decision and reasons for our decision

We have considered the issues raised by the Change Proposal and the supporting documentation provided in the Panel’s Final Report and have decided to approve the proposal with one modification. We have concluded that the implementation of CPW113 will better facilitate the principles and objectives of the Wholesale Retail Code detailed

in Schedule 1 Part 1 Objectives, Principles and Definitions and is consistent with our statutory duties. The implementation date will be 14 May 2021.

We consider that implementation of the proposed amendments will further the principle of **transparency** as removal of errors and ensuring consistency through implementation of amendments aids interpretation and effective market operation.

In addition, we agree with the Panel's assessment that the principle of **simplicity, cost-effectiveness and security** is furthered. The changes are simple and the final recommendation report indicates that there are no costs involved in implementing the amendments.

Implementation of CPW113 is approved subject to one minor modification to the proposed legal drafting of section 7.5 of the Business Terms shown in red below as this is not a defined term within the WRC and therefore does not need to be capitalised:

“Bribery Act 2010 **€**compliance”

Decision notice

In accordance with paragraph 6.3.7 of the Market Arrangements Code, the Authority approves this Change Proposal.

Georgina Mills
Director, Business Retail Market