



# GREATER MEKONG SYSTEM REGIONAL GRID CODE

## *Governance Code (draft)*


2 of 7 Code Documents

Version 0.4

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## Version control

		
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**Note:** A section titled "ANNEX: Code – History of Comments" is attached to each Code. It provides a log of every comment and subsequent consideration taken on the Code.

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## 1. Introduction

- (1) The *Governance Code* describes the provisions necessary for the overall administration and review of the various aspects of the *Regional Grid Code*. This *Governance Code* shall be read in conjunction with the other parts of the *Regional Grid Code* (including the definitions set out in the Preamble), Inter Government Agreement, Inter-Governmental Memorandum of Understanding for the Establishment of the Regional Power Coordination Centre in the Greater Mekong Subregion, *Market Rules* and other requirements applicable to the *Regional Grid Code Parties*.
- (2) The accountabilities of various entities in the governance of the *Regional Grid Code* are set out in Table 1 below.

**Table 1: *Regional Grid Code* Accountabilities**

Body	Function
<b>RPCC</b>	<ul style="list-style-type: none"> <li>• <i>Regional Grid Code</i> Development and Approval</li> <li>• <i>Regional Grid Code</i> Governance and Compliance</li> <li>• <i>Regional Grid Code</i> dispute mediation and arbitration</li> </ul>
<b>Grid Code Review Panel</b>	<ul style="list-style-type: none"> <li>• Review of the operation and revision of the <i>Regional Grid Code</i>, resolve disputes between <i>Parties</i> or <i>Parties</i> and <i>Users</i></li> </ul>
<b>Experts</b>	<ul style="list-style-type: none"> <li>• <i>Expert</i> opinions and drafting in respect of <i>Regional Grid Code</i></li> </ul>
<b>Grid Code Secretariat</b>	<ul style="list-style-type: none"> <li>• Administration of the <i>Regional Grid Code</i></li> </ul>
<b>Grid Code Parties</b>	<ul style="list-style-type: none"> <li>• Implementation of and compliance with the <i>Regional Grid Code</i></li> </ul>

## 2. Regional Grid Code Overview

- (3) The *Regional Grid Code* covers a range of technical, operational, commercial and governance issues. In order to address these comprehensively in a structured way, the *Regional Grid Code* is broken down into a number of “sub-codes” . These are:
- (a) The *Preamble*;
  - (b) The *Governance Code* (this document)
  - (c) The *Connection Code*;
  - (d) The *Planning Code*
  - (e) The *System Operations Code*;
  - (f) The *Metering Code*;
  - (g) The *Information Exchange Code*; and
  - (h) The *System Operator Training Code*
- (4) This document accordingly deals with the *Regional Grid Code* governance arrangements. It describes the process that will be followed to update the *Regional Grid Code* to improve safety, reliability and operational standards. It sets out how *Regional Grid Code Parties* can influence the updating process and defines who has the authority to recommend and ultimately approve and enforce changes. In addition the document also explains oversight and compliance requirements that need to be observed by all *Regional Grid Code Parties*. Lastly, it addresses disputes and dispute resolution mechanisms and the role of the *Grid Code Review Panel* in the process.
- (5) The *Preamble* document provides the policy and industry structuring context for the *Regional Grid Code*. It also sets out the legal and regulatory authority from which the *Grid Code* derives its authority. Furthermore, the *Preamble* also contains a comprehensive list of definitions and acronyms for the various terms and abbreviations used in the suite of *Regional Grid Code* documents, including the *Governance Code*.

### 3. Administrative Authority

- (1) The *RPCC Board* is responsible for the implementation and enforcement of the *Regional Grid Code*.
- (2) For the above purposes, the *RPCC Board* may, in certain cases, need access across boundaries, to services and facilities of *Users* or *TSOs*, or to issue instructions to *Users* or *TSOs* to implement and enforce the *Regional Grid Code*. Accordingly, all *Users* and *TSOs* are required not only to abide by the letter and spirit of the *Regional Grid Code*, but also to provide the *RPCC Board* with such rights of access, services and facilities and to comply with any instructions of the *RPCC Board*.
- (1) Each *Party* shall, at all times, in its dealings with other *Parties* to the *Regional Grid Code* act in good faith and in accordance with *Prudent Utility Practice*.

### 4. Regional Grid Code Parties

- (1) The *Regional Grid Code* shall apply to the *RPCC*, *TSOs* and *Users* of the *GMS Interconnected Transmission System*.

### 5. Grid Code Secretariat

- (1) The *RPCC Board* shall appoint a *Grid Code Secretariat* and *Grid Code Secretariat* is accountable to the *RPCC Board* for its activities.
- (2) The *Grid Code Secretariat* shall be a function of the *RPCC Administration* as set out in the Inter-Governmental Memorandum of Understanding for the Establishment of the Regional Power Coordination Centre in the Greater Mekong Subregion dated 9<sup>th</sup> December 2013.
- (3) The *Grid Code Secretariat* shall oversee the *Regional Grid Code* and shall be responsible for at least the following functions:
  - (a) Ensure procedures are developed and published for the review of proposed amendments and *Exemptions* by the *Grid Code Review Panel*,
  - (b) Provide standard submission forms to *Regional Grid Code Parties*,

- (c) Assist, when requested, in the preparation of submissions to the *Grid Code Review Panel*,
  - (d) Prepare amendment and *Exemption* recommendations for submission to the *RPCC Board* following review by the *Grid Code Review Panel*,
  - (e) Manage the Dispute Management Procedure;
  - (f) Manage *Regional Grid Code* documentation,
  - (g) Disseminate relevant information,
  - (h) Inform *Parties* of the progress with applications for amendment or *Exemption*,
  - (i) Inform *Parties* involved of progress in disputes,
  - (j) Co-ordinate the activities of the *Grid Code Review Panel*,
  - (k) Keep and circulate minutes of meetings and documentation of proceedings of the *Grid Code Review Panel*,
  - (l) Function as a formal communication channel for the *Grid Code Review Panel*
- (4) The *Grid Code Secretariat* shall make the latest version of the *Regional Grid Code* available electronically and notify all *Parties* of approved amendments or *Exemptions* within one week of receipt of its approval.
- (5) The *Grid Code Secretariat* shall make hard copies of the latest version of the *Regional Grid Code* available to requesting entities, for which a nominal fee may be charged to recover reproduction costs.

## **6. The *Regional Grid Code Review Panel***

### **6.1 *Constitution of the Grid Code Review Panel***

- (1) The *RPCC Board* shall establish and maintain, as a standing body, the *Regional Grid Code Review Panel* (the "*Grid Code Review Panel*").
- (2) The *Grid Code Review Panel* shall not be a decision-making body and the *RPCC Board* shall not be bound by its deliberations or recommendations.

- (3) The *Grid Code Review Panel* shall consist of the following Members:
- (a) A Chairman appointed by the *RPCC Board*;
  - (b) One person representing each *TSO*;
  - (c) One person representing the each of the regions Regulatory Boards;
  - (d) One person representing each of the Technical Groups of the *RPCC*, and
  - (e) One person representing each of the *External Systems* and *Users*.
- (4) The term of office of a Member shall be three years from the date of his appointment. A Member may resign, be reappointed, replaced or removed in accordance with the clauses below.
- (5) The Chairman
- (a) The Chairman is a Member of the *Grid Code Review Panel* and references to a “Member” shall, unless the context otherwise requires, include the Chairman. Consequently, the Chairman shall be entitled to cast one vote.
  - (b) *RPCC Board* may at any time remove the Chairman from office. Upon retirement or removal by *RPCC Board* of the first and each successive Chairman, *RPCC Board* shall appoint a person to act as Chairman.
  - (c) The Chairman shall preside at every meeting of the *Grid Code Review Panel* at which he is present. If the Chairman is unable to be present at a meeting but has appointed an alternate, such alternate shall act as Chairman. If neither the Chairman nor his alternate is present within half an hour after the time appointed for holding the meeting, the Members present appointed by *RPCC Board* may appoint one of their number to act as chairman of the meeting; such appointee shall not, however, be treated as the Chairman’s alternate and shall not be entitled to cast the Chairman’s vote, or the Chairman’s casting vote.
- (6) If at any time any person or group of persons entitled to appoint a Member or Members shall not have made an appointment(s) and/or shall be in disagreement as to whom to appoint and as a result no Member represents that person or group of persons, the Chairman shall notify the *RPCC Board*. The *RPCC Board* shall have the right, until the relevant person or group of



persons has decided upon an appointment and the Chairman has notified the *RPCC Board* accordingly, to appoint a Member or Members on behalf of that person or group of persons, and to remove any person so appointed by him, provided that the *RPCC Board* shall have no obligation to exercise that right. In the event that the *RPCC Board* does not exercise his right the *Grid Code Review Panel* shall be regarded as complete in the absence of that Member or those Members.

(7) Retirement and re-appointment of Members:

- (a) Each Member shall retire automatically at the beginning of the meeting of the *Grid Code Review Panel* held on the first business day in the month of [March] each year (or if no meeting is held on such day, at the meeting which is held on the date falling closest after that day) but shall be eligible for re-appointment.
- (b) Each person or group of persons entitled to appoint a Member may, by notice in writing to the Chairman, indicate its wish to reappoint the retiring Member or to appoint a new Member in his place.
- (c) Such notifications for re-appointment or appointment must be delivered to the Chairman at least twenty one (21) days in advance of the meeting of the *Grid Code Review Panel* from the person or group of persons represented by each Member. A notification for re-appointment in respect of an existing Member shall be deemed to be given if no notification is delivered to the Chairman at least twenty-one (21) days in advance of the meeting of the *Grid Code Review Panel*.
- (d) Should the position of a Member become vacant, the party appointing him must appoint a replacement within twenty five (25) Calendar days.

(8) Alternate Member:

- (a) The Chairman and each Member shall have the power to appoint any individual to be his alternate and may at his discretion remove an alternate Member so appointed. Any appointment or removal of an alternate Member shall, unless the Chairman otherwise agrees, be effected by notice in writing executed by the appointor and delivered to the Secretary or tendered at a meeting of the *Grid Code Review Panel*. If his appointor so requests, an alternate Member shall be entitled to receive

notice of all meetings of the *Grid Code Review Panel* or of Technical Groups or working groups of which his appointor is a Member. He shall also be entitled to attend and vote as a Member at any such meeting at which the Member appointing him is not personally present and at the meeting to exercise and discharge all the functions, powers and duties of his appointor as a Member. For the purpose of the proceedings at such meetings, the provisions of this document shall apply as if the alternate appointed were a Member.

- (b) Every person acting as an alternate Member shall have one vote for each Member for whom he acts as alternate, in addition to his own vote if he is also a Member. Execution by an alternate Member of any resolution in writing of the *Grid Code Review Panel* shall, unless the notice of his appointment provides to the contrary, be as effective as execution by his appointor.
- (c) An alternate Member shall cease to be an alternate Member if his appointor ceases for any reason to be a Member.
- (d) References in this document to a Member shall, unless the context otherwise requires, include his duly appointed alternate.

#### (9) Representation and Voting

- (a) The Chairman and each other Member shall be entitled to attend and be heard at every meeting of the *Grid Code Review Panel*. One adviser (or such greater number as the Chairman shall permit) shall be entitled to attend any meeting of the *Grid Code Review Panel* with each Member and shall be entitled to speak at any meeting but shall not be entitled to vote on any issue.
- (b) The Chairman and each Member shall be entitled to cast one vote. In the event of an equality of votes, the Chairman shall have a second or casting vote.
- (c) Any person or persons entitled to appoint a Member, including the Chairman, may at any time remove that Member or the Chairman, as the case may be, from office and appoint another person in his place. A person or persons will only have the right to remove from office the person that it or they have appointed, and will have no right to remove from office the Chairman or any other Member, as the case may be, appointed by

another person. In the event of disagreement amongst persons entitled to appoint a Member, the relevant provisions of Retirement and re-appointment of Members above shall apply with any necessary changes. Whenever any individual Member or the Chairman changes, the person or group of persons entitled to appoint that Member or the Chairman shall notify the Secretary in writing within seven (7) days of the change taking effect.

## **6.2 Functioning of the Grid Code Review Panel**

### (1) Meetings

- (a) The Code Review Panel shall hold meetings on the first business day in the months of June, September, December and March or at such other regular scheduled times as it may decide. The normal venue for meetings shall be [ ].
- (b) The Chairman or any other Member may request the Secretary to requisition further meetings by giving twenty-one (21) days notice. The notice shall be in writing and contain a summary of the business that it is proposed will be conducted.
- (c) The notice of each meeting shall contain the time, date and venue of the meeting, an agenda and a summary of the business to be conducted and shall be given to all Members.
- (d) The accidental omission to give notice of a meeting to, or the non receipt of notice of a meeting by a person entitled to receive notice shall not invalidate the proceedings at that meeting.
- (e) Any Member can request additional matters to be considered at the meeting and provided such notice is given at least ten (10) days (exclusive of the day on which it is served and of the day for which it is given) before the date of the meeting, those matters will be included in a revised agenda for the meeting. The revised agenda shall be circulated to each Member as soon as practicable.

### (2) Attendance of meetings

- (a) A meeting of the Grid Code Review Panel may consist of a conference between Members who are not all in one place but who are able directly

or by telephonic communication to speak to each of the others and to be heard by each of the others simultaneously. The word “meeting” shall be construed accordingly and telephonically connected members are deemed to be attendees of the meeting.

- (b) Members shall be responsible for their own travel and subsistence expenditure.

### (3) Proceedings at Meetings

- (a) Quorum shall consist of 50% of members plus one member present in person or by their alternates.
- (b) If, within half an hour from the time appointed for holding any meeting of the Code Review Panel, a quorum is not present, the meeting shall be adjourned to either another suitable day or deemed not to have taken place.
- (c) Only matters identified in the agenda shall be resolved upon at a meeting (but this shall not prevent matters raised under the heading “Any Other Business” being discussed and, if the Chairman thinks fit, being resolved upon).
- (d) All acts done by any meeting of the *Grid Code Review Panel* or of a Technical Group or working group shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment of a Member, be as valid as if such person had been duly appointed.
- (e) A resolution put to the vote at a meeting shall be decided by a show of hands. For the avoidance of doubt, where a person attending a meeting is entitled to cast more than one vote because, for example, he is the alternate for another Member, that person may, subject to establishing to the Chairman’s reasonable satisfaction that he is so entitled, cast his full number of votes by raising his hand.

### (4) Resolutions

- (a) A resolution of the *Grid Code Review Panel* shall be passed by a simple majority of votes cast. If votes are even then the Chairperson shall have the deciding vote.

- (b) A resolution in writing signed by all Members shall be as valid and effective as if it had been passed at a meeting of the *Grid Code Review Panel* duly convened and held and may consist of several documents in like form each signed by or on behalf of one or more Members.

(5) Minutes

- (a) Circulation: The *Grid Code Secretariat* shall circulate copies of the minutes of each meeting of the *Grid Code Review Panel* to each Member as soon as practicable and in any event within ten (10) business days after the relevant meeting has been held.
- (b) Approval of minutes: Each Member shall notify the *Grid Code Secretariat* of his approval or disapproval of the minutes of each meeting within ten (10) business days of receipt of the minutes. A Member who fails to do so will be deemed to have approved the minutes. The approval or disapproval of the minutes aforesaid will not affect the validity of decisions taken by the *Grid Code Review Panel* at the meeting to which the minutes relate.
- (c) If the *Grid Code Secretariat* receives any comments on the minutes, he shall then include those aspects of the minutes upon which there is disagreement into the agenda for the next following meeting of the *Grid Code Review Panel* as the first item for resolution.

(6) Guidance from the *Grid Code Review Panel*

- (a) The *Grid Code Review Panel* may at any time, and from time to time, issue guidance in relation to the *Regional Grid Code* and its implementation, performance and interpretation, and it may establish technical groups and working groups to carry out such work.

(7) Technical groups , Working Groups and Experts

- (a) The *Grid Code Review Panel* may establish such technical groups from time to time consisting of such persons as it considers desirable, whether Members or not. Each technical group shall be subject to such written terms of reference and shall be subject to such procedures as the *Grid Code Review Panel* may determine. The meetings of technical groups shall so far as possible be arranged so that the minutes of such meetings

can if appropriate be presented to the Members in sufficient time for consideration before the next following meeting of the *Grid Code Review Panel*.

- (b) The *Grid Code Review Panel* may further establish working groups to advise it on any matter from time to time. Such working groups may consist of Members and/or others as the *Grid Code Review Panel* may determine for the purpose.
- (c) The *Grid Code Review Panel* may further appoint experts to advise it, the technical groups or working groups on any matter from time to time.
- (d) Resolutions of technical groups , working groups and experts shall not have binding effect unless approved by resolution of the *Grid Code Review Panel*.

(8) Vacation of Office - The office of a Member shall be vacated if:

- (a) he resigns his office by notice delivered to the Secretary; or
- (b) he becomes bankrupt or compounds with his creditors generally; or
- (c) he becomes of unsound mind or a patient for any purpose of any statute relating to mental health; or
- (d) he or his alternate fails to attend more than three consecutive meetings of the *Grid Code Review Panel* without submitting an explanation to the Chairman which is reasonably acceptable to the Chairman.

(9) Members' Responsibilities and Protections

- (a) In the exercise of its powers and the performance of its duties and responsibilities, the *Grid Code Review Panel* shall have due regard for the need to promote the attainment of the principal duties of the *Grid Code Review Panel* set out above.
- (b) In the exercise of its powers and the performance of its duties and responsibilities as a Member, a Member shall represent the interests of that person or persons by whom he is for the time being appointed, provided that such obligation of representation shall at all times be subordinate to the obligations of the Member as a Member of the *Grid Code Review Panel*.

- (c) The *Grid Code Review Panel*, each Member and the *Grid Code Secretariat* shall be entitled to rely upon any communication or document reasonably believed by it or him to be genuine and correct and to have been communicated or signed by the person by whom it purports to be communicated or signed.
- (10) Group Representatives' addresses
- (a) Each Member shall from time to time communicate his address to the Secretary and all notices sent to such address shall be considered as having been duly given.

### **6.3 Duties of the Grid Code Review Panel**

- (1) The *Grid Code Review Panel* shall:
- (a) Keep the *Regional Grid Code* and its working under review;
  - (b) Ensure that the *Regional Grid Code* is consistent in its approach and is developed to reflect changes in *Prudent Utility Practice* and technology;
  - (c) Review and discuss all proposals for amendments to the *Regional Grid Code* which the *RPCC*, *TSOs* or *Users* submit to the *Grid Code Review Panel* for consideration from time to time;
  - (d) Following any unforeseen circumstances referred to it by the *RPCC* consider whether the actions taken by *RPCC* or a *TSO* were justified and what changes, if any, are necessary to the *Regional Grid Code*;
  - (e) Present recommendations to the *RPCC Board* as to amendments to the *Regional Grid Code* that the *Grid Code Review Panel* considers warranted and the reason for such changes;
  - (f) Publish such recommendations and the reasons for them
  - (g) Review existing standards relevant to the operation of the GMS Interconnected Transmission System and to make modifications or proposals for new standards in relation to the operation of the GMS Interconnected Transmission System, and
  - (h) Issue guidance in relation to the *Regional Grid Code* and its implementation, performance and interpretation.

## **7. Regional Grid Code Amendment and Exemption Procedure**

### **7.1 Changes to the Grid Code**

- (1) *RPCC Board* is the approval authority for the *Regional Grid Code*. Only the *RPCC Board* shall therefore approve any *Amendments* to or *Exemptions* from the *Grid Code* upon the recommendation of the *Grid Code Review Panel*.
- (2) Any *TSO*, *User*, member of the *Grid Code Review Panel* or *RPCC* may propose amendments to or *Exemptions* from the *Grid Code*.
- (3) Any *TSO* or *User* can apply for an *Exemption*. *Exemption* from the obligation to comply with provisions of the *Grid Code* may be granted by the *RPCC Board* on recommendation of the *Grid Code Review Panel* for the following reasons:
  - (a) It may not be economically viable or technically necessary to upgrade existing equipment to the required *Regional Grid Code* standards. Where this is the case the *RPCC Board* will give consideration to a time bound *Exemption* for all or part of the *Regional Grid Code*.
  - (b) To facilitate transition through interim arrangements.
  - (c) Any other reason deemed technically or economically necessary by the *Grid Code Review Panel* in the circumstances.
- (4) An application containing the details of a proposed change to the *Regional Grid Code* shall be submitted to the *Grid Code Secretariat* in accordance with the provisions set out in this Governance Code.

### **7.2 Submissions to the Grid Code Review Panel**

- (1) The *Grid Code Secretariat* shall make available a list of submission dates aligned with *Grid Code Review Panel* planned meetings.
- (2) Urgent submissions shall be dealt with at ad-hoc meetings of the *Grid Code Review Panel* as decided by the Chairperson upon advice from the *Grid Code Secretariat*.



- (3) The *Grid Code Secretariat* shall issue guidelines and timelines for submissions to the *Grid Code Review Panel*. The guidelines shall be published together with the submission dates on *the RPCC's* website.
- (4) All applications for an amendment or *Exemption* shall be submitted, in accordance with the guidelines, to the *Grid Code Secretariat*. The applicant shall state the relevant clauses of the *Regional Grid Code* and give reasons for the application.
- (5) A *Party* seeking *Exemption* from any provision in the *Regional Grid Code* shall make a written request to the *Grid Code Secretariat* containing the following information:
  - (a) Details of the applicant applying for *Exemption*;
  - (b) The clause against which the present or predicted non-compliance is identified;
  - (c) The specific reason for non-compliance with the provision;
  - (d) Identification of the equipment in respect of which an *Exemption* is being sought;
  - (e) Whether the *Exemption* sought is permanent or for a delay in achieving compliance,
  - (f) If a delay in achieving compliance is being sought, the date by which the non-compliance will be remedied.
- (6) The *Grid Code Review Panel* shall initiate the review process without delay and shall:
  - (a) Firstly, if deemed necessary, ensure that the submission is referred to Technical Groups, Working Groups or experts for detailed assessment, clarification, reformulation and/or recommendation, and
  - (b) Lastly, forward the recommendation to *the RPCC Board* for consideration once it has been finalised.
- (7) The *Grid Code Review Panel* shall take the complexity and importance of the amendment/*Exemption* into account in deciding on the composition of the Sub-Committees and Working Groups that will deal with the submission.

- (8) The *Grid Code Secretariat* shall inform the applicant of the expected time frames for dealing with the submission.
- (9) The applicant shall be allowed to make representation to the Sub-Committees and Working Groups sessions and/or the *Grid Code Review Panel* prior to the formulation or finalisation of the *Grid Code Review Panel* recommendation to the *RPCC*.

### **7.3 Recommendations by Grid Code Review Panel to the RPCC Board**

- (1) Once the *Grid Code Review Panel* has reviewed submissions, the *Grid Code Secretariat* shall prepare the formal recommendation to the *RPCC Board* on all proposed amendments and *Exemptions* to the *Grid Code*. The recommendation(s) to the *Authority* shall also include a clear expression of divergent views on such proposals, if any were received.

### **7.4 Approval by RPCC Board**

- (1) The *RPCC Board* shall review all recommendations for amendments to the *Grid Code* received from the *Grid Code Secretariat* and shall or shall not approve them.
- (2) The *RPCC Board* shall review all recommendations for *Exemptions* to the *Grid Code* received from the *Grid Code Secretariat* and grant full or partial Exemption from complying with a certain provision of the *Grid Code*.
- (3) All *Exemptions* granted shall prevail over the relevant section of the *Grid Code*.
- (4) Amendments and *Exemptions* shall have an implementation date stipulated by the *RPCC Board* and shall, if applicable, include time bound provisions and conditions.
- (5) The *RPCC Board* shall give notice to the *Grid Code Secretariat* of the decisions reached by the *Authority*. The *Grid Code Secretariat* is responsible for communicating these decisions to *Regional Grid Code Parties*.

- (6) The *Grid Code Secretariat* shall update the *Regional Grid Code* with the approved amendments and clearly identify *Exemptions*.
- (7) The *RPCC* shall keep a register of all *Exemptions* which have been granted, identifying the name of the *Regional Grid Code Party* and equipment in respect of which the *Exemption* has been granted, the relevant provision of the *Grid Code*, the period of *Exemption* and the extent of compliance with the provisions.
- (8) Upon request from any *Party*, the *RPCC* shall provide a copy of such register of *Exemptions* to such *Party*.

## **8. Dispute mediation, resolution and appeal mechanisms**

### **8.1 Mutual Discussion**

- (1) If a Dispute or difference of any kind whatsoever arises (the "Dispute") between *RPCC* and any *TSO* or *User* in connection with, or arising out of, the interpretation, implementation or breach of any provision in this *Regional Grid Code*, any *Party* may issue to the other *Party* a written notice (the "Dispute Notice") outlining the matter in Dispute. Following issue of a Dispute Notice both *Parties* shall discuss in good faith and attempt to settle the Dispute between them.
- (2) Dispute resolution may include a request to the *RPCC* to refer the matter to the *Grid Code Review Panel* to consider the disputed *Regional Grid Code* provisions.

### **8.2 Determination by the RPCC Board**

- (1) If the Dispute cannot be settled within thirty (30) business days after issue of the Dispute Notice, either *Party* shall have the right to refer the Dispute to the *RPCC Board* for resolution. In this case the procedure will be as follows:
  - (a) The request for referral shall be made in writing to the *RPCC* and a dated copy of the original Dispute Notice between the *Parties* shall be attached;

- (b) Upon receipt of a request for referral, the *RPCC* shall write to the *Parties* acknowledging that the Dispute has been referred to the *RPCC* for determination;
  - (c) Following receipt of *RPCC* acknowledgment, each *Party* shall have five (5) business days to submit their reason(s) as to the cause of the Dispute in writing to the *RPCC*, and
  - (d) No later than ten (10) business days after the *RPCC* has received each *Party's* reason(s) as to the causes of the Dispute in writing, the *RPCC Board* shall write to each *Party* setting out the manner in which it intends to resolve the Dispute and indicate a date by which a determination may be expected which in any case shall not exceed three (3) months. The *RPCC Board* may also seek the views and advice of an independent expert on settlement of the Dispute.
- (2) The determination by the *RPCC Board* shall be final and legally binding on all *Parties*.

## 9. Compliance

- (1) All *Parties* shall comply with the *Grid Code* as updated from time to time.
- (2) *Parties* shall inform the *RPCC* of any *Non-Conformance Report* of a material nature that has been submitted to another *Party*.
- (3) The *RPCC* may require a *Party* to provide *Information* that is deemed necessary for the proper administration of the *Regional Grid Code*. This *Information* shall, upon request, be treated as confidential.

## 10. *Regional Grid Code* Violations and Sanctions

- (1) If a *Party* is in breach of any of the *Regional Grid Code* requirements, the *RPCC Board* may impose the sanctions and penalties as are provided for in the Intergovernmental Agreements or *Licenses* concerned.

## 11. Code Audits

- (2) A *Party* may request from another *Party*, any material in the possession or control of that *Party* relating to compliance with a section of the *Grid Code*.
- (3) A request under this clause shall include the following information:
  - (d) Nature of the request,
  - (e) Name of the representative appointed by the requesting *Party* to conduct the investigation
  - (f) the time or times at which the *Information* is required.
- (4) The relevant *Party* may not unreasonably withhold any relevant *Information* requested. It shall provide a representative of the requesting *Party* with such access to all relevant documentation, data and records (including computer records or systems) as is reasonably requested. This *Information* shall be treated as confidential if requested. Any request or investigation shall be conducted without undue disruption to the business of the *Party*.

## 12. Version Control

- (1) The *Regional Grid Code* will evolve as the *GMS* evolves.
- (2) Each of the sections and Codes that collectively form the *Regional Grid Code* shall have separate version control and approvals.
- (3) The *Grid Code Secretariat* shall be responsible for version control.
- (4) The *RPCC* shall be responsible for overall *Regional Grid Code* publication.

## ANNEX: Governance Code – History of Comments

#	Country	Reference section in the document	Country Comment	Consultants Review and Recommendation	Country Acceptance
1.	Thailand	Section 2 (1)	Technical performance/standards should be mentioned and covered in the Regional GC. It's the base and for the implementation of other content	Technical performance/standards are incorporated in the various sections of the grid code. Example grid code connection conditions and system operations codes have many of the performance requirements and standards.	
2.	WGPG meeting in Hanoi, Vietnam. Vientiane, Laos	Section 1 (1)	Add 'Inter-Governmental Memorandum of Understanding for the Establishment of the Regional Power Coordination Centre in the Greater Mekong Subregion,'	Text added in version 0.3	
3	WGPG meeting in Hanoi, Vietnam.	All sections	Change RPTCC to RPCC board	Text added in version 0.3	
4	China	Sections 6 & 7	We suggest more than 1 person for each TSO can join the Grid Code Review Panel, because the review work scope is very comprehensive which is more than 1 person can handle.	The person appointed by each TSO ensures the relevant person in their organization reviews and comments on proposed change. Grid Code Review Panel can co-opt Technical Groups, Working Groups or experts for detailed assessment, clarification, reformulation and/or recommendation to assist with reviewing changes as per section 7.2 (6a).	
5	Thailand	Section 6.1 (4)	Increase the term of office of a Member from two to three years	Accepted – changed in version 0.3	

#	Country	Reference section in the document	Country Comment	Consultants Review and Recommendation	Country Acceptance
6	Laos	Section 7.4 Approval by RPCC Board	<p>Amendments and <i>Exemptions</i> shall have <u>an implementation date</u> stipulated by the <i>RPCC Board</i> and shall, if applicable, include time bound provisions and conditions.</p> <p>Sufficient time should be given:</p> <ul style="list-style-type: none"> <li>• to communicate between the Grid Code Secretariat and Regional Grid Code Parties;</li> <li>• to fully spread the amended Code throughout the Parties; and</li> <li>• to be well understood by all Parties.)</li> </ul>	Accepted – to be changed in version 0.4	