

# SEPD guide to novation of connection agreements

This guide is designed to give you, the customer, an overview of Southern Electric Power Distribution plc's ("SEPD") novation process for connection agreements. If your connection agreement is with Scottish Hydro Electric Power Distribution PLC please refer to SHEPD guide to Assignment of Connection Agreements.

In this guide we refer to the current party to the connection agreement as the "Contracted Party" and to the third party to whom the connection agreement is proposed to be novated as the "Proposed Contracted Party".

## What is a Novation

Novation is a means of transferring a party's rights and obligations under a contract to a third party. Novation of a connection agreement should **not** be confused with an assignment in security, which is required where the rights under the connection agreement are assigned to a funder as security for borrowing. Further information on the process for assignment in security can be obtained by contacting [commercial.contracts@sse.com](mailto:commercial.contracts@sse.com)

## Considerations before completing a Novation

In some circumstances it may not be possible for SEPD to consent to a novation or the granting of the novation may be delayed until other arrangements are dealt with to our satisfaction. For example;

- There may be other agreements that would also need to be assigned or novated.
- There may be security arrangements that need to be addressed.
- There may be outstanding issues with the connection.

If you are aware of any of the above, we recommend you contact your contract manager ([commercial.contracts@sse.com](mailto:commercial.contracts@sse.com)) before populating the template yourself.

**Please note:**  
The novation is not legally binding until it is signed by all 3 parties.

**Who do I contact if I have any questions?**

[commercial.contracts@sse.com](mailto:commercial.contracts@sse.com)



**Scottish & Southern**  
Electricity Networks

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## Populating a Novation

You can complete the novation template below and return 3 original hard copies signed by the Contracted Party and the Proposed Contracted Party to SEPD at the address below.

SOUTHERN ELECTRIC POWER DISTRIBUTION PLC  
Commercial Contract Managers  
Walton Park,  
Walton Road,  
Cosham,  
PO6 1UJ

Please be aware that you will need the following information for both the Contracted Party and the Proposed Contracted Party in order to complete the template:

- Name/Company Name
- Address/Place of business/Company Registered Office (as applicable)
- Contact details (Name, Tel No., E-mail)
- Company Number (Where Applicable)



## Request a Novation

Alternatively, you can contact our Commercial Contract Managers team and if SEPD agrees to the novation they will draft the Novation Agreement for you.

Email: [commercial.contracts@sse.com](mailto:commercial.contracts@sse.com)

In order to action a novation request, SEPD will require written consent from the Contracted Party to confirm they wish to novate their Connection Agreement. The written email or letter must include the following information of both parties:

- Name/Company Name
- Address/Place of business/Company Registered Office (as applicable)
- Contact details (Name, Tel No., E-mail)
- Company Number (Where Applicable)

SEPD will produce 3 copies of the Novation Agreement and provide this to the Contracted Party. It is the Contracted Party's responsibility to sign and arrange to have the Proposed Contracted Party sign and return the Novation Agreements to SEPD.

Upon receipt of **3 signed original** hard copies of the Novation Agreements, SEPD counter signs and updates their system records. The Novation is completed when the Novation Agreements are signed by SEPD. SEPD will return two signed Novation Agreements to the Contracted Party and the Contracted Party must forward one to the new Proposed Contracted Party.

**The novation is not legally binding until it is signed by all 3 parties.**



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AND

**Southern Electric Power Distribution Plc**

## DEED OF NOVATION

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Relating to  
A Connection Agreement for

REF

**THIS DEED is made between** ..... **BETWEEN:**

(1)

.....

and

(2)

.....

and

(3) **SOUTHERN ELECTRIC POWER DISTRIBUTION PLC** a company registered in England and Wales (registered number 4094290) with its registered office at 55 Vastern Road, Reading, Berkshire, RG1 8BU ("**SEPD**").

**WHEREAS:**

A.

and SEPD are parties to an agreement dated ..... which provides for a connection by SEPD to

(the "Connection Agreement").

B.

wishes to assume the rights and obligations of ..... under the Connection Agreement and the parties to this Deed have agreed to this upon the terms set out below.

**This Deed witnesses as follows:**

**1. Acceptance of liability by**

1.1

transfers all its rights and obligations under the Connection Agreement to

to

..... shall enjoy all the rights and benefits of the ..... under the Connection Agreement, and all references to ..... in the Connection Agreement shall be read and construed as references to

1.2

accepts the liabilities of ..... under the Connection Agreement arising before, on or after the date hereof and agrees to perform all the duties and to discharge all the obligations of ..... under the Connection Agreement arising before, on or after the date hereof and to be bound by all the terms and conditions of the Connection Agreement in every way as if ..... were named in the Connection Agreement ab initio in place of

## **2. Acceptance of liability by SEPD**

SEPD agrees with effect from the date hereof to perform all the duties and to discharge all the obligations of it under the Connection Agreement and to be bound by all the terms and conditions of the Connection Agreement in favour of \_\_\_\_\_ in every way as if \_\_\_\_\_ were named in the Connection Agreement ab initio in place of \_\_\_\_\_

## **3. Release by SEPD of**

With effect from the date hereof SEPD releases and discharges \_\_\_\_\_ from the performance of the obligations of \_\_\_\_\_ under the Connection Agreement arising before, on or after the date hereof and from all claims and demands whatsoever arising out of or in respect of the Connection Agreement before, on or after the date hereof.

## **4. Release by \_\_\_\_\_ of SEPD**

With effect from the date hereof \_\_\_\_\_ releases and discharges SEPD from the performance of SEPD's obligations under the Connection Agreement arising before, on or after the date hereof and from all claims and demands whatsoever arising out of or in respect of the Connection Agreement before, on or after the date hereof.

## **5. Miscellaneous**

The terms and conditions of this Deed represent the entire agreement between the parties relating to the novation of the Connection Agreement and except as specifically amended by this Deed all the terms and conditions of the Connection Agreement remain in full force and effect.

**6. Governing Law**

This Deed shall be governed by and construed in accordance with the laws of England and Wales and the parties submit to the exclusive jurisdiction of the English and Welsh courts.

<p><b>Executed as a Deed</b> (but not delivered until the date appearing at the head of page 1) by</p> <p>.....</p> <p>Director/Authorised Signatory</p> <p>Name:.....</p>	<p>Signature of witness:</p> <p>.....</p> <p>Name: .....</p> <p>Address: .....</p> <p>.....</p> <p>.....</p> <p>Date:.....</p> <p>Title:.....</p>
<p><b>Executed as a Deed</b> (but not delivered until the date appearing at the head of page 1) by</p> <p>.....</p> <p>Director/Authorised Signatory</p> <p>Name:.....</p>	<p>Signature of witness:</p> <p>.....</p> <p>Name: .....</p> <p>Address: .....</p> <p>.....</p> <p>.....</p> <p>Date:.....</p> <p>Title:.....</p>
<p><b>Executed as a Deed</b> (but not delivered until the date appearing at the head of page 1) by</p> <p><b>Southern Electric Power Distribution PLC</b></p> <p>.....</p> <p>Director/Authorised Signatory</p> <p>Name:.....</p>	<p>Signature of witness:</p> <p>.....</p> <p>Name: .....</p> <p>Address: .....</p> <p>.....</p> <p>.....</p> <p>Date:.....</p> <p><i>Lead Commercial Contract Manager</i></p>