

Febeliec answer to the Elia public consultation on the General Conditions

Febeliec would like to thank Elia for this consultation on the General Conditions. Febeliec would like to make following comments on the current proposal:

- Definition of Indirect Damage: Febeliec considers it not opportune to apply the concept one wants to define in the definition itself (“Indirect Damage” means “any indirect damage...”). Febeliec would for example propose to apply “any consequential damage...”
- Twice the word “annexes” is used without capital letter, whereas it is a defined concept and thus a capital letter should be applied “Annexes” (cfr. Art. 1.3 en Art. 1.4.1) – Art. 1.3 further contains a typo: “unless the context requires otherwise”

In general, Febeliec also would like to stress that only an English version of the General Conditions was made available for this consultation, while based on the standard Terms & Conditions language (art. 3) only the Dutch and French versions are relevant from a legal point of view. Febeliec has already made this comment on previous occasions, and strongly insists that stakeholder can also provide their input during the public consultation on the legally binding texts.