
STATUTORY INSTRUMENTS

2015 No. 192

The Local Audit (Appointing Person) Regulations 2015

PART 7

Miscellaneous

Requirements in relation to certain functions

19.—(1) A principal authority may only exercise the functions in paragraph (2) by the members of the authority meeting as a whole, except where the authority is a corporation sole, in which case the functions must be exercised by the holder of the office.

(2) The functions are—

- (a) deciding to accept an invitation under regulation 9;
- (b) deciding to become an opted in authority under regulation 10; or
- (c) deciding to request to become an opted in authority under regulation 11.

Duty to provide information

20. A principal authority or local auditor appointed by an appointing person must, so far as reasonably practicable, provide the appointing person with such information that it may reasonably require for the purposes of exercising its functions under these Regulations.

Notices

21. A notice that is required under these Regulations to be given to a person or authority must be in writing and may be given by—

- (a) delivering it to that person's or authority's address;
- (b) sending it by post to that person's or authority's address; or
- (c) electronic service in accordance with regulation 22.

Electronic service

22.—(1) This regulation applies in respect of electronic service of a notice on a person or an authority ("the recipient").

(2) Transmission of the notice to the recipient by means of an electronic communication has effect for the purposes of service of the notice on the recipient if, and only if, the conditions in paragraph (3) are met.

(3) The conditions are that—

- (a) the recipient has stated a willingness to receive notices by means of an electronic communication,
- (b) the statement has not been withdrawn, and

- (c) the notice was transmitted to an electronic address specified by the recipient.
- (4) A statement may be limited to notices of a specified description.
- (5) A statement may require a notice to be in a specified electronic form.
- (6) A statement may be modified or withdrawn—
 - (a) in a case where the statement was made by being published, by publishing the modification or withdrawal in the same or in a similar manner;
 - (b) in any other case, by giving a notice to the person to whom the statement was made.
- (7) Where a notice is served on a recipient in accordance with this regulation, the notice is, unless the contrary is proved, to be deemed to have been served on that recipient at the time at which the electronic communication is transmitted.
- (8) In this regulation—
 - “electronic address” includes any number or address used for the purposes of receiving electronic communications;
 - “electronic communication” means an electronic communication within the meaning of section 15 of the Electronic Communications Act 2000 (general interpretation)(1);
 - “specified” means specified in a statement made for the purposes of paragraph (3)(a).

Modifications to the Local Audit and Accountability Act 2014 and other Acts

- 23.** The Schedule to these Regulations has effect.

(1) 2000 c. 7. The definition of “electronic communication” in section 15 was amended by Schedule 17 to the Communications Act 2003 (c. 21).