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SCOTTISH STATUTORY INSTRUMENTS

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**2012 No. 319**

**The Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012**

**PART 11**

Electronic communication

**Electronic communication**

**71.**—(1) For the purpose of these Regulations, an applicant may send a document by electronic communication—

- (a) in a form approved by the relevant authority for the purposes of this regulation;
- (b) to an address notified by the relevant authority for the purposes of this regulation; and
- (c) by the method set out in paragraph (4).

(2) An applicant sending a document to a relevant authority by electronic communication is taken to have agreed—

- (a) to the use of electronic communication for all purposes relating to the application which are capable of being carried out electronically; and
- (b) that the address for the purpose of such communication is the address incorporated into, or otherwise logically associated with, that communication.

(3) Deemed agreement referred to in paragraph (2) subsists until the applicant gives notice to revoke the agreement, and the notice takes effect from the date specified in it, being a date not less than 7 working days after the date on which the notice is given.

(4) An electronic communication must be—

- (a) capable of being accessed by the recipient;
- (b) legible in all other material respects; and
- (c) sufficiently permanent to be used for subsequent reference.

(5) Unless the contrary is proved a document sent by the method specified in paragraph (3) is, for the purposes of any legal proceedings, to be regarded as having been—

- (a) delivered when the document has been delivered to or by the relevant authority and the delivery of the document has been recorded on an official computer system; and
- (b) received at the time and date of receipt recorded in an official computer system.

(6) In this regulation—

“address” includes any number or address used for the purpose of electronic communication or storage;

“document” includes an application, notice, certificate, information and evidence;

“electronic communication” has the same meaning as in section 15(1) of the Electronic Communications Act 2000 <sup>M1</sup>;

**Status:** Point in time view as at 28/01/2013.

**Changes to legislation:** The Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012, Section 71 is up to date with all changes known to be in force on or before 22 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

“legible in all material respects” means that the information contained in the document is available to the recipient to no lesser extent than it would be if sent or given by means of a document in printed form; and

“official computer system” means a computer system maintained by or on behalf of the relevant authority for the sending, receiving, processing or storing of an application.

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**Marginal Citations**

**M1** 2000 c.7. Section 15(1) was amended by paragraph 158 of Schedule 17 to the [Communications Act 2003 \(c.21\)](#).

**Status:**

Point in time view as at 28/01/2013.

**Changes to legislation:**

The Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012, Section 71 is up to date with all changes known to be in force on or before 22 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.