
STATUTORY INSTRUMENTS

2000 No. 2368

The Army Custody Rules 2000

PART I

PRELIMINARY

Service by FAX or other means of electronic data transmission

4.—(1) A document may be transmitted by FAX to a person if it is transmitted—

- (a) where the person is the legal adviser of the person to whom the proceedings relate, to the FAX number of any FAX machine at the address notified in accordance with rule 19(5); and
- (b) in any other case, to the FAX number of any FAX machine at his proper address.

(2) Paragraph (1) shall not apply if the person concerned has indicated in writing that he is not willing to regard a document as having been duly served on him if it is transmitted to a specified FAX number falling within that paragraph.

(3) In paragraph (1), the reference to a FAX machine is to any machine which is capable of receiving documents transmitted by FAX.

(4) A document may be transmitted by FAX where the person to be served has indicated in writing to the person serving the document that he is willing to regard a document as having been duly served on him if it is transmitted to a specified FAX number and the document is transmitted to that number.

(5) Paragraph (4) shall apply with appropriate modification to a transmission of electronic data other than by FAX as it applies to a transmission by FAX.

(6) In paragraph (4), the reference to the person to be served is—

- (a) in a case falling within rule 3(4)(d), a reference to the legal adviser appointed by the person to whom the proceedings relate; and
- (b) in a case falling within rule 3(6)(d), a reference to the commanding officer.

(7) Where a document is transmitted by FAX in accordance with this rule, the person to whom the document is addressed shall be specified in the FAX.