

---

STATUTORY INSTRUMENTS

---

**2003 No. 404**

**The Building Societies Act 1986  
(Electronic Communications) Order 2003**

**Special meeting on members' requisition: electronic transmission of statement**

**13.**—(1) In Schedule 2 to the 1986 Act, paragraph 20A (special meeting on members' requisition)(1) is amended as follows.

(2) After sub-paragraph (1) insert—

“(1A) Where a copy of a statement is required to be sent to a member under sub-paragraph (1)(b)—

- (a) it may be sent to him electronically only if it is sent to an electronic address notified by the member for the purpose; but
- (b) the requirement to send it shall also be treated as satisfied if the conditions set out in sub-paragraph (1B) are satisfied.

(1B) The requirements of this sub-paragraph are satisfied in the case of a statement if—

- (a) the society and that member have agreed that information which is required to be sent to him may instead be accessed by him on a web site;
- (b) the agreement applies to the statement in question;
- (c) no later than one working day after the statement is first capable of being accessed on a web site that person is notified, in a manner agreed between him and the society, of—
  - (i) the publication of the statement on a web site,
  - (ii) the address of that web site,
  - (iii) the place on that web site where the statement may be accessed, and how it may be accessed; and
- (d) a copy of the statement is published continuously on that web site throughout the period beginning (so far as practicable) at the same time as copies of the statement are sent to members in accordance with sub-paragraph (1)(b), and ending with the conclusion of the meeting.”.

(3) After sub-paragraph (11) insert—

“(11A) Where, in a case in which sub-paragraph (1A)(b) is relied on for compliance with a requirement of sub-paragraph (1)(b)—

- (a) a statement is published for a part, but not all, of the period mentioned in subparagraph (1B)(d), but
- (b) the failure to publish it throughout that period is wholly attributable to circumstances which it would not be reasonable to have expected the society to prevent or avoid,

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

the failure shall not invalidate the proceedings at the meeting.”.