
STATUTORY INSTRUMENTS

2007 No. 26

The Income-related Benefits (Subsidy to Authorities) (Miscellaneous Amendments and Electronic Communications) Order 2007

Amendment of Part II of the principal Order

2.—(1) Part II of the principal Order (claims for and payment of subsidy) shall be amended in accordance with the following paragraphs.

- (2) In article 2 (interpretation of Parts II and IV) after the definition of “claim form”, insert—
““electronic communication” has the same meaning as in section 15(1) of the Electronic Communications Act 2000”;
- (3) After article 3 (conditions for payment of subsidy), insert—

“Electronic communications

3A.—(1) The Secretary of State, an authority or auditor may use an electronic communication in connection with any claim, audit or payment of subsidy provided it is made in accordance with the provisions set out in Part 2 of Schedule 6.

(2) Any reference to an electronic communication in this Order means an electronic communication made in accordance with those provisions.

(3) Schedule 6 makes further provisions relating to electronic communications.”.

- (4) In article 4 (requirement of claim)—
- (a) in paragraphs (2) and (4) after the words “on the form supplied by him to that authority”, insert “or by means of an electronic communication”;
 - (b) in paragraphs (2)(c) and (3) for “30th June” substitute “31st May”;
 - (c) in paragraph (3) before the words “The final claim”, insert “Except where an authority submits a claim by means of an electronic communication,”;
 - (d) omit paragraph (4A);
 - (e) in paragraph (4B) after the words “on such form as is supplied by him or them”, insert “or by means of an electronic communication”; and
 - (f) in paragraph (5) after the words “shall be signed”, insert “or submitted by means of an electronic communication”.
- (5) In article 5 (requirement to keep records and provide information)—
- (a) in sub-paragraph (1)(a) after “paragraph (2)”, insert “in written or electronic form”;
 - (b) in sub-paragraph (1)(b) after the words “produce records”, insert “in written or electronic form”; and
 - (c) in sub-paragraph (2)(a) for “full, accurate and properly calculated”, substitute “fairly stated and in accordance with the relevant articles of this Order”.
- (6) In article 6 (requirement of audit)—

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- (a) in paragraph (1)(ia) after the words “is submitted to the Secretary of State”, insert “in written or electronic form”;
- (b) in paragraph (2)(a) after the words “such information”, insert “in written or electronic form”;
- (c) for sub-paragraph (b) of paragraph (2) and the words following that paragraph substitute—
 - “(b) keep, and where asked to do so, produce records in written or electronic form with a bearing on its claim,as may be required by the auditor or as may be otherwise required to enable that authority to show and its auditor to check, that that claim is fairly stated and in accordance with the relevant articles of this Order.”; and
- (d) for paragraph (3) substitute—
 - “(3) No final subsidy shall be paid until the authority’s auditor has certified on the claim for or by means of an electronic communication that the final claim is fairly stated and in accordance with the relevant articles of this Order.”.