
STATUTORY INSTRUMENTS

2007 No. 783

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007

PART 5

MISCELLANEOUS

Documents in electronic form

22.—(1) The requirements—

- (a) of regulation 7(8) (notice of direction restricting deemed consent in a particular case);
- (b) of regulation 8(3) and (6) (service, withdrawal and variation of discontinuance notice);
- (c) of regulation 18(5) (notice of modification or revocation of express consent);
- (d) of paragraphs 4, 7 and 8 of Schedule 5, and of paragraphs 4 and 8 as applied as mentioned in paragraph 11 of that Schedule (notice of making, modification or revocation of area of special control order),

are not capable of being satisfied by transmitting the notice electronically or by making it available on a web-site.

(2) A claim for compensation under regulation 19 may not be made electronically or by making it available on a web-site.

(3) The delivery of any other document to a person (“the recipient”) may be effected for any purpose of these Regulations other than the purposes of regulation 9—

- (a) by transmitting it electronically, or
- (b) by making it available on a web-site,

but only if it is transmitted or made available in accordance with paragraph (4) or (6).

(4) A document is transmitted electronically in accordance with this paragraph if—

- (a) the recipient has agreed that documents may be delivered to him by being transmitted to an electronic address and in an electronic form specified by him for that purpose; and
- (b) the document is a document to which that agreement applies and is transmitted to that address in that form.

(5) A document which is transmitted in accordance with paragraph (4) by means of an electronic communications network shall, unless the contrary is proved, be treated as having been delivered at 9 a.m. on the working day immediately following the day on which it is transmitted.

(6) A document is made available on a web-site in accordance with this paragraph if—

- (a) the recipient has agreed that documents may be delivered to him by being made available on a web-site;
- (b) the document is a document to which that agreement applies and is made available on a web-site;
- (c) the recipient is notified, in a manner agreed by him, of—

- (i) the presence of the document on the web-site;
- (ii) the address of the web-site; and
- (iii) the place on the web-site where the document may be accessed.

(7) A document made available on a web-site in accordance with paragraph (6) shall, unless the contrary is proved, be treated as having been delivered at 9 a.m. on the working day immediately following the day on which the recipient is notified in accordance with paragraph (6)(c).

(8) In this regulation—

“electronic address” includes any number or address used for the purposes of receiving electronic communications; and

“electronic communications network” has the meaning given by section 32(1) of the Communications Act 2003⁽¹⁾.