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STATUTORY INSTRUMENTS

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**2011 No. 593**

The Mutual Societies (Electronic Communications) Order 2011

PART 4

Industrial and provident societies and credit unions

**Interpretation: communications**

**27.**—(1) In section 74 of the 1965 Act (interpretation: general), in subsection (1)(1), insert at the appropriate place—

““electronic address” means any number or address used for the purposes of sending or receiving documents or information by electronic means.”.

(2) After that section insert—

**“Meaning of “electronic form”, “by electronic means” etc.**

**74A.**—(1) The following provisions apply for the purposes of this Act.

(2) A document or information is sent in electronic form if it is sent—

- (a) by electronic means (for example, by email or fax), or
- (b) by any other means while in electronic form (for example, sending a disk in the post).

References to electronic copy have a corresponding meaning.

(3) A document or information is sent by electronic means if it is—

- (a) sent initially and received at its destination by means of electronic equipment for the processing (which expression includes digital compression) or storage of data, and
- (b) entirely transmitted, conveyed and received by wire, by radio, by optical means or by other electromagnetic means.

References to “electronic means” have a corresponding meaning.

(4) A document or information sent in electronic form must be sent in a form, and by a means, that the sender reasonably considers will enable the recipient—

- (a) to read it, and
- (b) to retain a copy of it.

(5) For the purposes of this section, a document or information can be read only if—

- (a) it can be read with the naked eye, or
- (b) to the extent that it consists of images (for example photographs, pictures, maps, plans or drawings), it can be seen with the naked eye.

(6) The provisions of this section apply whether the provision of this Act uses the word “send” or uses other words (such as “deliver”, “furnish”, “issue”, “produce”, “provide” or “supply”) to refer to the sending of a document or information.”.