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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**

**Electronic transmission of representations of retiring auditor**

**28.** In section 6 of the 1968 Act (provisions as to resolutions relating to appointment and removal of auditors), after subsection (7) insert—

“(7A) A society (“S”) is to be regarded as sending a member (“M”) a copy of the document containing the representations received by it for the purposes of subsection (7) (c) if each of the following conditions is satisfied.

(7B) The first condition is that M—

- (a) has agreed (generally or specifically) that S may make the document available to M on a website, and
- (b) has not revoked that agreement.

(7C) The second condition is that S has notified M of—

- (a) the presence of the document on the website,
- (b) the address of the website,
- (c) the place on the website where the document may be accessed, and
- (d) how to access the document.

(7D) The third condition is that the document is present on the website for the whole of the period—

- (a) beginning when S sends M the notification referred to in subsection (7C) or, if later, when the document first appears on the website, and
- (b) ending 28 days after the later of the two dates referred to in paragraph (a).

(7E) If the document is absent from the website for part of the period referred to in subsection (7D), the absence is to be disregarded if it is wholly attributable to circumstances that it would not be reasonable to have expected S to prevent or avoid.”

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**Commencement Information**

**II** Art. 28 in force at 12.4.2011, see [art. 1\(1\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Mutual Societies (Electronic Communications) Order 2011, Section 28.