
STATUTORY INSTRUMENTS

2021 No. 1178

**The Payment and Electronic Money Institution
Insolvency (England and Wales) Rules 2021**

PART 12

Provisions of general effect

CHAPTER 3

The giving of notice and the supply of documents to or by the administrator

Electronic delivery — general

257.—(1) A notice or other document may be given, delivered or sent by electronic means unless in any particular case some other form of delivery is required by the Regulations or these Rules or an order of the court, provided that the intended recipient of the notice or other document has—

- (a) given actual consent (whether in the specific case or generally) to electronic delivery and has—
 - (i) not revoked that consent, and
 - (ii) provided an electronic address for delivery;
- (b) given deemed consent in accordance with paragraph (2) (in which case the electronic address for delivery shall be the address used by the institution for communications with the intended recipient before the special administration commenced) and has not revoked that consent.

(2) For the purposes of paragraph (1) an intended recipient is deemed to have consented to the electronic delivery of a notice or other document by the administrator where the intended recipient and the institution had customarily communicated with each other by electronic means before the special administration commenced.

(3) In the absence of evidence to the contrary, a notice or other document is presumed to have been delivered by electronic means where the sender can produce a copy of the electronic communication which—

- (a) contains the notice or other document, or to which the notice or other document was attached, and
- (b) shows the time and date the electronic communication was sent and the electronic address to which it was sent.

(4) A document sent electronically is deemed to have been delivered to the recipient at 9.00am on the next business day after it was sent.

(5) Paragraph (4) does not apply in respect of notices or other documents sent electronically under Part 2.

Changes to legislation: There are currently no known outstanding effects for the The Payment and Electronic Money Institution Insolvency (England and Wales) Rules 2021, Section 257. (See end of Document for details)

Commencement Information

II Rule 257 in force at 12.11.2021, see [rule 2](#)

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There are currently no known outstanding effects for the The Payment and Electronic Money Institution Insolvency (England and Wales) Rules 2021, Section 257.