



Anti-social Behaviour Act 2003

2003 CHAPTER 38

PART 8

HIGH HEDGES

Supplementary

80 Documents in electronic form

- (1) A requirement of this Part—
 - (a) to send a copy of a remedial notice to a person, or
 - (b) to notify a person under section 68(4) of the reasons for the issue of a remedial notice,is not capable of being satisfied by transmitting the copy or notification electronically or by making it available on a web-site.
- (2) The delivery of any other document to a person (the “recipient”) may be effected for the purposes of section 79(2)(a)—
 - (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 subsection (3) or (5).
- (3) A document is transmitted electronically in accordance with this subsection 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.
- (4) A document which is transmitted in accordance with subsection (3) 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.

- (5) A document is made available on a web-site in accordance with this subsection 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.
- (6) A document made available on a web-site in accordance with subsection (5) shall, unless the contrary is proved, be treated as having been delivered at 9a.m. on the working day immediately following the day on which the recipient is notified in accordance with subsection (5)(c).
- (7) In this section—
- “electronic address” includes any number or address used for the purposes of receiving electronic communications;
- “electronic communication” means an electronic communication within the meaning of the Electronic Communications Act 2000 (c. 7) the processing of which on receipt is intended to produce writing;
- “electronic communications network” means an electronic communications network within the meaning of the Communications Act 2003 (c. 21);
- “electronically” means in the form of an electronic communication;
- “working day” means a day which is not a Saturday or a Sunday, Christmas Day, Good Friday or a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971 (c. 80).