
STATUTORY INSTRUMENTS

2005 No. 3448

**The Registered Pension Schemes
(Relief at Source) Regulations 2005**

Electronic communications and documents

- 8.—(1) If particulars or declarations given under regulations 4 to 7—
- (a) are not in writing, or
 - (b) are given to the scheme administrator by someone other than the relevant individual,
- the following provisions of this regulation apply.
- (2) In a case falling within paragraph (1) the scheme administrator shall—
- (a) make a declaration in writing on behalf of the relevant individual under regulations 4 to 6 that the particulars given or the terms of the declarations given are those recorded in the scheme administrator's declaration, and
 - (b) send a copy of the declaration to the relevant individual.
- (3) Unless the relevant individual notifies the scheme administrator, within 30 days after the date when the copy of the declaration referred to in paragraph (2) ("the original declaration") was sent to him—
- (a) that he does not wish to become a member of the pension scheme, or
 - (b) that the original declaration was incorrect,
- the original declaration shall take effect as from the date on which the copy of it was sent to the relevant individual in accordance with that paragraph.
- (4) If the relevant individual notifies the scheme administrator that the original declaration should be corrected, the original declaration shall cease to have effect, and the scheme administrator shall make a new declaration and paragraphs (2) and (3) shall apply to the new declaration as they applied to the original declaration.
- (5) Particulars or declarations furnished under regulation 4, 5, 6 or 7 or this regulation shall be regarded as furnished in writing for the purposes of this regulation if, although not in writing, they are furnished by means of electronic communication and contain the electronic signature of the maker.
- (6) Declarations made by the scheme administrator under this regulation shall be regarded as made in writing if they are produced by electronic means.
- (7) The copy of a declaration to be sent in accordance with paragraph (2)(b) may be sent to the relevant individual by electronic communications.
- (8) In the case of a person to whom regulation 7 applies, references in this regulation to the relevant individual include any person authorised by that regulation to act on his behalf.