
STATUTORY INSTRUMENTS

2011 No. 593

The Mutual Societies (Electronic Communications) Order 2011

PART 4

Industrial and provident societies and credit unions

Form and delivery of documents to the Authority

26.—(1) In section 72 of the 1965 Act (the title to which becomes “Form, delivery and evidence of documents”), in subsection (1)(1), for “deposited” substitute “delivered”.

(2) After that section insert—

“Form etc. of electronic documents sent to the Authority

72A.—(1) The Authority may impose requirements as to the form, authentication and manner of delivery of documents sent electronically to the Authority under this Act.

(2) As regards authentication of a document sent to the Authority electronically, the Authority may—

- (a) require the document to be authenticated by a particular person or a person of a particular description;
- (b) specify the means of authentication;
- (c) require the document to contain or be accompanied by the name or registered number of the society to which it relates (or both).

(3) As regards the manner of delivery of a document sent electronically, the Authority may specify requirements as to the hardware and software to be used, and technical specifications (for example, matters relating to protocol, security, anti-virus protection or encryption).

(4) The power conferred by this section does not authorise the Authority to require documents to be delivered electronically.

(5) Requirements imposed under this section must not be inconsistent with requirements imposed by this Act or any other enactment with respect to the form, authentication and delivery of the document concerned.

(6) In this section, a document is sent electronically if it is sent by electronic means or in electronic form.”.

(3) In section 11(3) of the 1968 Act(2) (amendments relating to annual returns), for “section 72(1)” substitute “section 72(1) or 72A”.

(4) After section 14 of the 1968 Act (exemption from requirements in respect of group accounts), insert—

(1) 1965 c.12; section 72(1) was substituted by S.I. 2001/3649, art 182.

(2) 1968 c.55; section 11(3) was amended by the Friendly Societies Act 1974, section 116, Sch 11 and by S.I. 2001/2617, art 13(1), Sch 3, Pt III, paras 246, 253(b).

“Form etc. of electronic documents sent to the Authority

14A. Section 72A of the Act of 1965 applies for the purposes of this Act as it applies for the purposes of that Act.”.

(5) In section 31(2) of the Credit Unions Act 1979⁽³⁾ (interpretation, etc), for “72 and 74” insert “72, 72A, 74 and 74A”.

⁽³⁾ [1979 c. 34](#); section 31(2) was amended by [S.I. 2001/2617](#), art 13(1), Sch 3, PtIV, paras 264, 289(a), Sch 4 and [S.I. 2002/1555](#), art 7(1), (3).