
STATUTORY INSTRUMENTS

2018 No. 1135

The Education Administration Rules 2018

PART 7

TIME, RULES ABOUT DOCUMENTS AND INTERPRETATION

CHAPTER 2

Form and content of documents

Notices or statements in writing

- 7.2.—(1) A notice or statement must be in writing unless the Act or these Rules provide otherwise.
- (2) A document in electronic form must be capable of being—
- (a) read by the recipient in electronic form; and
 - (b) reproduced by the recipient in hard-copy form.

Authentication

- 7.3.—(1) A document in electronic form is sufficiently authenticated—
- (a) if the identity of the sender is confirmed in a manner specified by the recipient; or
 - (b) where the recipient has not so specified, if the communication contains or is accompanied by a statement of the identity of the sender and the recipient has no reason to doubt the truth of that statement.
- (2) A document in hard-copy form is sufficiently authenticated if it is signed.
- (3) If a document is authenticated by the signature of an individual on behalf of—
- (a) a body of persons, the document must also state the position of that individual in relation to the body;
 - (b) a body corporate of which the individual is the sole member, the document must also state that fact.

Information required to identify persons and proceedings etc.

- 7.4.—(1) Where the Act or these Rules require a document to identify, or to contain identification details in respect of, a person or proceedings the information as follows must be given—
- (a) for a further education body which is the subject of the proceedings, the name or names, number and address with which that further education body is registered;
 - (b) for a further education body other than one which is the subject of the proceedings—
 - (i) the name and number with which that further education body is registered, and
 - (ii) where that further education body is a company incorporated outside the United Kingdom, the country or territory in which it is incorporated;

- (c) for a company other than a further education body which is the subject of the proceedings—
 - (i) the name and number with which that company is registered with the registrar of companies, and
 - (ii) where that company is a company incorporated outside the United Kingdom, the country or territory in which it is incorporated;
- (d) for the education administrator—
 - (i) the name of the education administrator,
 - (ii) a postal address for the education administrator, and
 - (iii) either an email address, or a telephone number, through which the education administrator can be contacted;
- (e) for the proceedings—
 - (i) information identifying the further education body,
 - (ii) the full name of the court in which the proceedings are, or are to be, conducted or where documents relating to the proceedings have been or will be filed; and, if applicable, and
 - (iii) any number assigned by the court to those proceedings.

Prescribed format of documents

7.5.—(1) Where a rule sets out requirements as to the contents of any document any title required by the rule must appear at the beginning of the document.

(2) Any other contents required by the rule (or rules where more than one apply to a particular document) must be provided in the order listed in the rule (or rules) or in another order which the maker of the document considers would be convenient for the intended recipient.

Variations from prescribed contents

7.6. Where a rule sets out the required contents of a document, the document may depart from the required contents if—

- (a) the circumstances require such a departure (including where the requirement is not applicable in the particular case); or
- (b) the departure (whether or not intentional) is immaterial.