



# Animal Health and Welfare (Scotland) Act 2006

2006 asp 11

## PART 1

### ANIMAL HEALTH

#### *Miscellaneous*

#### 15 **Electronic communication**

After section 83 of the 1981 Act there is inserted—

##### **“83A Electronic communication: Scotland**

- (1) Any requirement in the provisions mentioned in subsection (3) for something to be done in writing may be met by doing that thing as described in subsection (2).
- (2) That is, by using a document—
  - (a) transmitted by electronic means; and
  - (b) capable of being reproduced in legible form.
- (3) Those provisions are—
  - (a) sections 3(2), 30(1), 36Q(1) and (6), 40(1)(b), 41(1)(b), 47, 60(9), 63(4) and 65(1) of, and paragraph 2(4) of Schedule 3 to, this Act;
  - (b) sections 17(3), 22(7)(a), 62G(5) and 81 (each as read with section 83(1)) of this Act.
- (4) But subsection (1) applies in relation to section 17(3), 22(7)(a), 30(1), 36Q(1) or (6) or 62G(5) only if—
  - (a) the recipient has consented to receive electronic communication for the purpose; and
  - (b) transmission is to an email address provided by the recipient.

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*Status: This is the original version (as it was originally enacted).*

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- (5) For the purposes of sections 17(3), 22(7)(a), 30(1) and 36Q(1), a document transmitted under subsection (1) shall be taken to be received on the day after the day of its transmission.
- (6) The Scottish Ministers may, for the purposes of this Act, by order make further provision for the purposes of or in connection with—
- (a) using electronic communication (including the use of electronic signatures);
  - (b) using documents in electronic form.
- (7) An order under subsection (6)—
- (a) may make provision by amending this Act or otherwise;
  - (b) shall be made by statutory instrument subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (8) In this section—
- “electronic communication” is to be construed in accordance with section 15(1) of the Electronic Communications Act 2000 (c. 7);
  - “electronic signature” is to be construed in accordance with section 7(2) of that Act.”.