

SCHEDULES

SCHEDULE 11

PUBLIC HEALTH PROTECTION: FURTHER AMENDMENTS

Public Health (Control of Disease) Act 1984

16 After section 60 of the 1984 Act insert—

“60A Electronic communications

- (1) The appropriate Minister may by regulations make provision enabling notices, orders and other documents specified in the regulations to be given or served by an electronic communication.
- (2) Such provision must however secure that the notices, orders and other documents specified in the regulations may only be so given or served if—
 - (a) the person to whom they are to be given or on whom they are to be served has consented in writing to the receipt of notices, orders and other documents by an electronic communication, and
 - (b) the communication is sent to the number or address specified by that person when giving consent.
- (3) The power to make regulations under this section is exercisable by statutory instrument.
- (4) An instrument containing any such regulations is subject to annulment—
 - (a) in the case of regulations made by the Secretary of State, in pursuance of a resolution of either House of Parliament;
 - (b) in the case of regulations made by the Welsh Ministers, in pursuance of a resolution of the National Assembly for Wales.
- (5) Sections 58 to 60 are to be read subject to any provision made in regulations under this section.
- (6) In this section—

“electronic communication” has the same meaning as in the Electronic Communications Act 2000,

“notices, orders and other documents” means notices, orders and other documents authorised or required by or under this Act to be given or served, and

“the appropriate Minister” means—

 - (a) the Secretary of State, in relation to England;
 - (b) the Welsh Ministers, in relation to Wales.”