
STATUTORY INSTRUMENTS

2021 No. 789

**The Gas Act 1986 and Electricity Act 1989
(Electronic Communications) Order 2021**

Amendments to the Gas Act 1986

2.—(1) Section 46 of the Gas Act 1986⁽¹⁾ (service of notices etc.) is amended as follows.

(2) After subsection (1) insert—

“(1A) In the case of a notice or other document required or authorised to be given, delivered or served under this Part, or regulations made under this Part, by the Authority⁽²⁾ or the Secretary of State, that notice or document may also be given, delivered or served by electronic means if the conditions in subsection (1B) are met.

(1B) The conditions in this subsection are that—

- (a) the person to whom the notice or other document is to be given or delivered or on whom it is to be served has indicated to the Authority or the Secretary of State (as the case may be) the person’s willingness to receive by electronic means notices or documents of that description (and has not withdrawn that indication); and
- (b) the notice or document is sent to the number or address most recently specified by the person for that purpose.

(1C) An indication for the purposes of subsection (1B)—

- (a) must be given in such manner and include such information as the Authority or the Secretary of State (as the case may be) directs; and
- (b) may be withdrawn by an indication given in such manner as the Authority or the Secretary of State (as the case may be) directs.

(1D) Withdrawal of an indication given for the purposes of subsection (1B) takes effect at the beginning of the fifth working day after the day on which the Authority or the Secretary of State (as the case may be) receives the indication withdrawing it.

(1E) A notice or other document which is given, delivered or served in accordance with subsection (1A) is to be treated as having been given, delivered or served on the next working day after the day on which it is sent.”

(3) In subsection (2) after “subsection (1)” insert “or (1A)”.

(4) For subsection (5) substitute—

“(5) In this section—

- (a) references to premises specified in a licence include references to premises of a description, or situated in an area, so specified;
- (b) “working day” means any day other than—
 - (i) Saturday or Sunday;

(1) 1986 c. 44. Section 46 was amended by paragraph 52 of Schedule 3 and Schedule 6 to the Gas Act 1995 (c. 45) and by paragraphs 2(1) and 18 of Schedule 6 to the Utilities Act 2000 (c. 27).
(2) Section 66 of the Gas Act 1986 defines “the Authority”.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (ii) Christmas Day or Good Friday;
- (iii) a day which is a bank holiday in England and Wales or Scotland under the Banking and Financial Dealings Act 1971⁽³⁾.”

(3) [1971 c. 80](#); section 1 of and Schedule 1 to that Act relate to bank holidays. Schedule 1 was amended by section 1 of the St Andrew’s Day Bank Holiday (Scotland) Act [2007 \(asp 2\)](#).