
WELSH STATUTORY INSTRUMENTS

2016 No. 55

The Developments of National Significance
(Procedure) (Wales) Order 2016

PART 1

Preliminary

Electronic communications

3.—(1) In this Order, and in relation to the use of electronic communications for any purpose of this Order which is capable of being effected electronically—

- (a) the expression “address” (*“cyfeiriad”*) includes any number or address used for the purposes of such communications;
- (b) references to notices, representations or other documents, or to copies of such documents, include references to such documents or copies of them in electronic form.

(2) Paragraphs (3) to (7) apply where an electronic communication is used by a person for the purpose of fulfilling any requirement in this Order to give or send any statement, notice or other document to any other person (“the recipient”).

(3) The requirement is taken to be fulfilled where the notice or other document transmitted by means of the electronic communication is—

- (a) capable of being accessed by the recipient;
- (b) legible in all material respects; and
- (c) sufficiently permanent to be used for subsequent reference.

(4) In paragraph (3), “legible in all material respects” (*“darllenadwy ym mhob modd perthnasol”*) means that the information contained in the notice or other document is available to the recipient to no lesser extent than it would be if sent or given by means of a document in printed form.

(5) Where the electronic communication is received by the recipient outside the recipient’s business hours, it will be taken to have been received on the next working day.

(6) A requirement in this Order that any document should be in writing is fulfilled where that document meets the criteria in paragraph (3), and “written” (*“ysgrifenedig”*) and cognate expressions are to be construed accordingly.

(7) Except where a hard copy is expressly required, a requirement in this Order to send more than one copy of a statement or other document is complied with by sending one copy only of the statement or other document in question in electronic form.