



At the Council Chamber, Whitehall

THE 10th DAY OF OCTOBER 2018

BY THE LORDS OF HER MAJESTY'S MOST HONOURABLE
PRIVY COUNCIL

The Privy Council has allowed amendments to the Bye-laws of The Institute of Chartered Accountants in England and Wales as set out in the Schedule to this Order.

Richard Tilbrook

SCHEDULE

AMENDMENTS TO THE BYE-LAWS OF THE INSTITUTE OF CHARTERED ACCOUNTANTS IN
ENGLAND AND WALES

Amendments to the Principal Bye-laws

1. **Delete** Principal Bye-law 38 and **substitute**:

“38 A member of the Council may tender his resignation of office by notice to the Chair of Council.”.

2. **Delete** Principal Byelaws 67 and 68 and **substitute**:

“Notices

67

- a) Any communication required to be given for the purposes of these bye-laws shall be in writing.
- b) Any communication with members shall be delivered electronically, by hand or by post addressed to them at their registered address. Delivery shall be deemed to have occurred (i) for electronic communication, when sent and/or published; (ii) by hand, when delivered; and (iii) by post, 48 hours after posting.

- c) A communication may be delivered electronically by the Institute to a member who has provided an email address unless the member has explicitly requested otherwise.
- d) A communication is validly delivered by the Institute if it is made available on a website.
- e) A communication to be delivered via a website must be made available in a form that will enable the member to:
 - (i) read it; and
 - (ii) keep a copy of it.
- f) The Institute must tell the intended recipient:
 - (i) that the communication is on the website;
 - (ii) how to access the communication.
- g) The Institute must make the communication available on the website throughout:
 - (i) the period specified by any provision of the Supplemental Charter, the Principal Bye-laws or any regulation, or
 - (ii) 28 days from the date on which the notification is sent to the member(s).
- h) A failure to make any communication available on a website throughout the period shall be disregarded if:
 - (i) it is made available on the website for part of that period, and
 - (ii) the failure to make it available throughout that period is wholly attributable to circumstances outside the Institute's control.
- i) The Institute may notify members in writing of an address to which they can send Institute related communications.
- j) In accordance with data protection legislation, the lawful basis for the Institute to contact members is legitimate interest.

Suspension of postal services

68. If at any time there is a suspension of postal services and the Institute is unable to give hard copy notice by post of a meeting of members such notice shall be deemed to have been given to all members entitled to receive it if such notice is made available on a website until the conclusion of the meeting or any adjournment thereof.

In any case, the Institute shall send confirmatory copies of the notice by post to such members if the posting of notices to addresses becomes practicable at least seven days before the meeting.”