

Electronic means of making certain information available for purposes of section 1137

1138. (1) For the purposes of section 1137, but subject to subsection (2), where a shareholder has consented to the use by the company of electronic means for conveying information, the copies of the documents referred to in section 1136 (1) may be provided, by electronic mail, to that shareholder by the company and the notice convening the general meeting referred to in section 1137 (2) shall contain a statement to that effect.

(2) The entitlement referred to in section 1137 (4) shall not apply where, for the period specified in subsection (3), copies of the documents referred to in section 1136 (1) are available to download and print, free of charge, from the company's website by shareholders of the company.

(3) The period referred to in subsection (2) is a continuous period of at least 2 months, commencing at least 30 days before the date of the general meeting which, by virtue of section 1137, is to consider the common draft terms of merger and ending at least 30 days after that date.

(4) Where, in the period referred to in subsection (3), access to the company's website is disrupted for a continuous period of at least 24 hours or for separate periods totalling not less than 72 hours, the period referred to in subsection (3) shall be extended for a period corresponding to the period or periods of disruption.