

UNIFORM ELECTRONIC TRANSACTIONS ACT (EXCERPT)
Act 305 of 2000

450.840 Change or error in transmission of electronic record.

Sec. 10.

If a change or error in an electronic record occurs in a transmission between parties to a transaction, the following rules apply:

(a) If the parties have agreed to use a security procedure to detect changes or errors and 1 party has conformed to the procedure, but the other party has not, and the nonconforming party would have detected the change or error had that party also conformed, the conforming party may void the effect of the changed or erroneous electronic record.

(b) In an automated transaction involving an individual, the individual may void the effect of an electronic record that resulted from an error made by the individual in dealing with the electronic agent of another person if the electronic agent did not provide for the prevention or correction of the error and, at the time the individual learns of the error, all of the following apply:

(i) The individual promptly notified the other person of the error and that the individual did not intend to be bound by the electronic record received by the other person.

(ii) The individual takes reasonable steps to return to the other person or to destroy any consideration received as a result of the erroneous electronic record.

(iii) The individual has not used or received any benefit or value from any consideration received from the other person.

(c) If neither subdivision (a) nor (b) applies, the error has the same effect as provided by law.

(d) Subdivisions (b) and (c) cannot be varied by agreement.

History: 2000, Act 305, Imd. Eff. Oct. 16, 2000