



Public Health (Wales) Act 2017

2017 anaw 2

PART 9

MISCELLANEOUS AND GENERAL

General

122 Giving notices

- (1) This section applies where a provision of this Act or of regulations made under it requires or authorises a person to give notice to another person (“P”).
- (2) The notice must be in writing.
- (3) The notice may be given to P in any one of the following ways—
 - (a) by delivering it to P;
 - (b) by leaving it at or posting it to any address specified by P as an address for giving notices, or (if P has not specified an address for this purpose) by leaving it at or posting it to P’s usual address;
 - (c) if the conditions in subsection (4) are met, by sending it to P electronically.
- (4) The conditions are—
 - (a) that P has indicated to the person by whom the notice is sent a willingness to receive it electronically, and has provided that person with an address suitable for that purpose, and
 - (b) that the notice is sent to that address.
- (5) P’s usual address, for the purpose of subsection (3)(b), is—
 - (a) if P is a body corporate, the address of the registered or principal office of the body;
 - (b) if P is acting in his or her capacity as a partner in a partnership, the address of the principal office of the partnership;
 - (c) if P is a local authority, the principal office of the local authority;
 - (d) in any other case, the last known residence or place of business of P.

Changes to legislation: Public Health (Wales) Act 2017, Section 122 is up to date with all changes known to be in force on or before 03 September 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (6) A fixed penalty notice given under section 27 or 49 may not be given to P by sending it electronically.
- (7) The reference in subsection (3)(a) to delivering a notice to P is—
 - (a) if P is a body corporate, a reference to delivering it to the secretary or clerk of that body;
 - (b) if P is a partnership, a reference to delivering it to a partner or a person having control or management of the partnership business.
- (8) A notice that is given to P by leaving it at a place in accordance with subsection (3)
 - (b) is to be treated as having been given at the time at which it was left at that place.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2017/949, art. 3 by [S.I. 2017/967 art. 2](#)