



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.

Status: This is the original version (as it was originally enacted).

- (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.