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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 395**

**The Seed Potatoes (Scotland) Regulations 2015**

**PART VI**

**MISCELLANEOUS PROVISIONS**

**Service of notices**

**19.**—(1) Any notice served under these Regulations must be in writing and may be amended, suspended or revoked in writing at any time.

(2) A notice may be served on a person by—

- (a) personal delivery;
- (b) leaving it at the person's proper address; or
- (c) sending it by post or by electronic means to the person's proper address.

(3) In the case of a body corporate, a notice may be served on or given to an officer of that body.

(4) In the case of a partnership, a notice may be served on or given to a partner or a person having control or management of the partnership business.

(5) In the case of an unincorporated association, a notice may be served on or given to an officer of the association.

(6) For the purposes of this regulation and section 7 of the Interpretation Act 1978(1) (service of documents by post) in its application to this regulation, "proper address" means—

- (a) in the case of a body corporate or an officer of that body—
  - (i) the registered or principal office of that body; or
  - (ii) the email address of the officer;
- (b) in the case of a partnership or a partner or person having control or management of the partnership business—
  - (i) the principal office of the partnership; or
  - (ii) the email address of the partner or person having that control or management;
- (c) in the case of an unincorporated association or an officer of the association—
  - (i) the office of the association; or
  - (ii) the email address of the officer;
- (d) in any other case, a person's last known address, which includes an email address.

(7) For the purposes of paragraph (6), the principal office of a body corporate registered outside the United Kingdom or of a partnership established outside the United Kingdom is its principal office in the United Kingdom.

(8) If the name or address of any occupier of premises on whom a notice is to be served or given under these Regulations cannot, after reasonable inquiry, be ascertained, the notice may be served by leaving it conspicuously affixed to a building or object on the premises.

(9) A notice may specify that a person in receipt of it must immediately inform an authorised officer of its safe receipt.

(10) In this regulation—

“body corporate” includes a limited liability partnership;

“director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate;

“officer”, in relation to a body corporate, means any director, manager, secretary or other similar officer of the body corporate; and

“partnership” includes a Scottish partnership, but does not include a limited liability partnership.