Building Societies Act 1986

1986 CHAPTER 53

PART XI

MISCELLANEOUS AND SUPPLEMENTARY AND CONVEYANCING SERVICES

Miscellaneous and supplementary

115   Service of notices.

(1) This section has effect in relation to any notice, directions or other document required or authorised by or under any provision of this Act or by the rules of a building society to be served on any person other than the [**F1**FCA and the PRA] but subject, in the case of notices or other documents to be given or sent to members of a building society, to any provision of its rules.

F2(1A) . . . .

(2) Any such document may be served on the person in question—
    (a)   by delivering it to him;
    (b)   by leaving it at his proper address; or
    (c)   by sending it by post to him at that address.

[**F3**(2A) The reference in subsection (2)(a) to delivering a document to a person includes a reference to sending it electronically to an electronic address which that person has notified for the purpose in accordance with express provision made by this Act.]

(3) Any such document may—
    (a)   in the case of a building society, be served on the secretary of the society;
    (b)   in the case of a body corporate (other than a building society), be served on the secretary or clerk of that body;
    (c)   in the case of a partnership, be served on any partner;
    (d)   in the case of an unincorporated association other than a partnership, be served on any member of its governing body.

2

Building Societies Act 1986 (c. 53)
Part XI – Miscellaneous and Supplementary and Conveyancing Services
Document Generated: 2023-07-29

(4) For the purposes of this section and section 7 of the **M1**Interpretation Act 1978 (service of documents) in its application to this section, the proper address of any person is—

    (a)   in the case of a building society or its secretary, the address of its principal office;

    (b)   in the case of a member of a building society, his registered address;

    (c)   in the case of a director or the chief executive of a building society, his officially notified address;

    (d)   in the case of a body corporate (other than a building society) its secretary or clerk, the address of its registered or principal office in the United Kingdom;

    (e)   in the case of an unincorporated association (other than a partnership) or a member of its governing body, its principal office in the United Kingdom;

and, in any other case, his last-known address (whether of his residence or of a place where he carries on business or is employed).

Textual Amendments

F1   Words in s. 115(1) substituted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), **Sch. 8 para. 50** (with Sch. 12)

F2   S. 115(1A) repealed (1.12.2001) by S.I. 2001/2617, arts. 2(b), 13(2), **Sch. 4** (with S. 13(3), Sch. 5); S.I. 2001/3538, **art. 2**

F3   S. 115(2A) inserted (20.3.2003) by The Building Societies Act 1986 (Electronic Communications) Order 2003 (S.I. 2003/404), arts. 1(1), **8**

Marginal Citations

M1   1978 c. 30.

Changes to legislation:
Building Societies Act 1986, Section 115 is up to date with all changes known to be in force on or before 29 July 2023. 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. View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 5(11)-(14) inserted by 2007 c. 26 s. 1(2)
- s. 5(13)(a) substituted by S.I. 2013/496 Sch. 8 para. 4(4)
- s. 7(6A)-(6C) inserted by 2007 c. 26 s. 1(1)(a)
- s. 7(8A) inserted by 2007 c. 26 s. 1(1)(c)
- s. 176ZB excluded by S.I. 2017/400 reg. 14
- s. 246ZA-246ZC excluded by S.I. 2017/400 reg. 15
- s. 246ZD excluded by S.I. 2017/400 reg. 16