



# Legal Services Act 2007

## 2007 CHAPTER 29

### PART 9

#### GENERAL

##### *Notices etc*

#### **200 Notices and directions**

- (1) A requirement or power under this Act to give a notice (or to notify) is a requirement or power to give notice in writing.
- (2) A requirement or power under this Act to give a direction (or to direct) is a requirement or power to give a direction in writing.
- (3) Any power conferred by this Act to give a direction includes power to revoke the direction.
- (4) Subsection (3) does not apply to the power conferred on an ombudsman to give a direction under section 137 (directions on a determination of a complaint).

#### **201 Documents**

- (1) In this Act “document” includes anything in which information is recorded in any form.
- (2) In relation to a document in which information is recorded otherwise than in a legible form, any reference to the production of the document is a reference to the production of the information in a legible form or in a form from which it can readily be produced in a legible form.

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*Status: This is the original version (as it was originally enacted).*

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## **202 The giving of notices, directions and other documents**

- (1) This section applies where provision made (in whatever terms) by or under this Act authorises or requires a notice, direction or any other document (including a copy of a document) to be given to a person.
- (2) The notice, direction or document may be given to the person—
  - (a) by delivering it to the person,
  - (b) by leaving it at the person's proper address, or
  - (c) by sending it by post to the person at that address.
- (3) The notice, direction or document may be given to a body corporate by being given to the secretary or clerk of that body.
- (4) The notice, direction or document may be given to a partnership by being given to—
  - (a) a partner in the partnership, or
  - (b) a person having the control or management of the partnership business.
- (5) The notice, direction or document may be given to any other unincorporated body by being given to a member of the governing body of the unincorporated body.
- (6) For the purposes of this section, and section 7 of the Interpretation Act 1978 (c. 30) (service of documents by post) in its application to this section, the proper address of a person is—
  - (a) in the case of a body corporate, the address of the registered or principal office of the body;
  - (b) in the case of a partnership, or any other unincorporated body, the address of the principal office of the partnership or body;
  - (c) in the case of a person to whom the notice or other document is given in reliance on any of subsections (3) to (5), the proper address of the body corporate, partnership or other unincorporated body in question;
  - (d) in any other case, the last known address of the person in question.
- (7) In the case of—
  - (a) a company registered outside the United Kingdom,
  - (b) a partnership carrying on business outside the United Kingdom, or
  - (c) any other unincorporated body with offices outside the United Kingdom,the references in subsection (6) to its principal office include references to its principal office within the United Kingdom (if any).
- (8) This section has effect subject to section 203 (notices, directions and documents in electronic form).

## **203 The giving of notices, directions and other documents in electronic form**

- (1) This section applies where—
  - (a) section 202 authorises the giving of a notice, direction or other document by its delivery to a particular person ("the recipient"), and
  - (b) the notice, direction or other document is transmitted to the recipient—
    - (i) by means of an electronic communications network, or
    - (ii) by other means but in a form that nevertheless requires the use of apparatus by the recipient to render it intelligible.

- (2) The transmission has effect for the purposes of this Act as a delivery of the notice, direction or other document to the recipient, but only if the requirements imposed by or under this section are complied with.
- (3) Where the recipient is the Board, the OLC or an ombudsman—
  - (a) the recipient must have indicated its willingness to receive the notice, direction or other document in a manner mentioned in subsection (1)(b),
  - (b) the transmission must be made in such manner, and satisfy such other conditions as the recipient may require, and
  - (c) the notice, direction or other document must take such form as the recipient may require.
- (4) Where the person making the transmission is the Board, the OLC or an ombudsman, that person may (subject to subsection (5)) determine—
  - (a) the manner in which the transmission is made, and
  - (b) the form in which the notice, direction or other document is transmitted.
- (5) Where the recipient is a person other than the Board, the OLC or an ombudsman—
  - (a) the recipient, or
  - (b) the person on whose behalf the recipient receives the notice, direction or other document,must have indicated to the person making the transmission the recipient's willingness to receive notices, directions or other documents transmitted in the form and manner used.
- (6) An indication to any person for the purposes of subsection (5)—
  - (a) must be given to that person in such manner as that person may require;
  - (b) may be a general indication or one that is limited to notices or documents of particular descriptions;
  - (c) must state the address to be used and must be accompanied by such other information as that person requires for the making of the transmission;
  - (d) may be modified or withdrawn at any time by a notice given to that person in such manner as that person may require.
- (7) An indication, requirement or determination given, imposed or made by the Board, the OLC or an ombudsman for the purposes of this section is to be given, imposed or made by being published by that person.
- (8) In this section “electronic communications network” has the same meaning as in the Communications Act 2003 (c. 21).