



Digital Economy Act 2017

2017 CHAPTER 30

PART 3

ONLINE PORNOGRAPHY

28 Requirements for notices given by regulator under this Part

- (1) The age-verification regulator may give notice to a person under section 18, 19, 20, 21 or 23 by sending the notice to that person—
 - (a) by post to that person's proper address; or
 - (b) by email to that person's email address.
- (2) In the case of a notice given under section 18, 21(1) or 23(1), a person's proper address for the purposes of subsection (1)(a), and section 7 of the Interpretation Act 1978 in its application to that subsection, is—
 - (a) where that person is a body corporate, the address of its registered office or principal office;
 - (b) where that person is a partnership or an unincorporated association or body, the address of its principal office;
 - (c) in any other case, that person's last known address.
- (3) In the case of a notice given under section 19, 20, 21(3) or 23(10), a person's proper address for the purposes of subsection (1)(a), and section 7 of the Interpretation Act 1978 in its application to that subsection, is any address at which the age-verification regulator believes, on reasonable grounds, that the notice will come to the attention of that person or (where that person is a body corporate) any director or other officer of that body corporate.
- (4) For the purposes of subsection (1)(b), a person's email address is—
 - (a) any email address published for the time being by that person as an address for contacting that person; or
 - (b) if there is no such published address, any email address by means of which the age-verification regulator believes, on reasonable grounds, that the notice will

Status: This is the original version (as it was originally enacted).

come to the attention of that person or (where that person is a body corporate) any director or other officer of that body corporate.

(5) A notice under section 18, 19, 20, 21 or 23 sent to a person by email is to be taken to have been given to that person 48 hours after it is sent.

(6) In the case of—

- (a) a body corporate registered outside the United Kingdom;
- (b) a partnership carrying on business outside the United Kingdom; or
- (c) an unincorporated association or body with offices outside the United Kingdom,

the references in subsection (2) to its principal office include references to its principal office in the United Kingdom (if any).

(7) In this section—

“director” includes any person occupying the position of a director, by whatever name called;

“officer”, in relation to a body corporate, includes a director, a manager, a secretary or, where the affairs of the body corporate are managed by its members, a member.