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WELSH STATUTORY INSTRUMENTS

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**2005 No. 758**

**The Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2005**

**PART 6**

Miscellaneous and General

**Service of notices**

**40.**—(1) Without prejudice to section 233 of the Local Government Act 1972 and paragraph (2) and subject to paragraphs (3) and (4), any notice to be served may be served —

- (a) by delivering it —
  - (i) to the person on whom it is to be served; or
  - (ii) to any other person authorised by them to act as their agent for the purpose;
- (b) by sending it to that person or that agent by electronic communication;
- (c) by leaving it at or forwarding it by post to —
  - (i) the usual or last-known place of business of that person, or
  - (ii) in the case of a company, its registered office, or
  - (iii) the usual or last-known place of business or registered office of any other person authorised as mentioned in sub-paragraph (a)(ii);
- (d) by delivering it to some person on the premises to which it relates or, if there is no person on the premises to whom it can so be delivered, by fixing it to some conspicuous part of the premises;
- (e) without prejudice to the foregoing provisions of this regulation, where a hereditament to which the notice relates is a place of business of the person on whom it is to be served, by leaving it at, or forwarding it by post addressed to that person at, that place of business.

(2) Where any notice which is to be served on a person falls to be served by or on behalf of the Common Council or by an officer of the Common Council, it may be given or served in any manner in which it might be given or served under section 233 of the Local Government Act 1972 if the Common Council were a local authority within the meaning of that section.

(3) Any notice to be served on the owner or occupier of any premises may be addressed by the description of “owner” or “occupier” of the premises, without further name or description.

- (4) Any notice to be served on a valuation officer may be served by —
  - (a) addressing the notice to the valuation officer for the area in question, without further description; and
  - (b) delivering it or sending it to the valuation officer’s office by post or electronic communication.
- (5) In this regulation —

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (a) “electronic communication” has the meaning given in section 15(1) of the Electronic Communications Act 2000<sup>(1)</sup>;
- (b) any reference to a notice includes a reference to a proposal and any other document required or authorised to be served;
- (c) any reference to such requirement or authorisation is to a requirement or authorisation under these Regulations; and
- (d) any notice sent by the means described in paragraph (1)(b) shall be regarded as sent when it is received in a legible form.

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<sup>(1)</sup> 2000 c. 7.