



Curriculum and Assessment (Wales) Act 2021

2021 asc 4

PART 7

GENERAL

78 Written information, notices and directions

- (1) This section applies where provision made by or under this Act—
 - (a) requires information to be given to a person in writing,
 - (b) requires a written notice to be given to a person, or
 - (c) requires or authorises a direction to be given to a person.
- (2) The information, notice or direction may be given to the person—
 - (a) by delivering it to the person,
 - (b) by leaving it at the person's proper address,
 - (c) by sending it by post to the person's proper address, or
 - (d) if the condition in subsection (3) is met, by sending it electronically to the person's proper address,and the references in subsections (4) to (6) to giving information or a notice or a direction are references to giving it in one of the ways specified in paragraphs (a) to (d).
- (3) The condition in this subsection is met if the person to whom the information, notice or direction is to be given—
 - (a) has agreed that it may be sent electronically, and
 - (b) has provided an address suitable for that purpose.
- (4) The information, notice or direction may be given to a body corporate by giving it to the secretary or clerk of that body.
- (5) The information, notice or direction may be given to a partnership by giving it to—
 - (a) a partner in the partnership, or

- (b) a person having the control or management of the partnership business.
- (6) The information, notice or direction may be given to any other unincorporated body by giving it to a member of the governing body of the unincorporated body.
- (7) For the purposes of subsection (2)(b) and (c) and section 13(1) of the [Legislation \(Wales\) Act 2019 \(anaw 4\)](#) (service of documents), the proper address of a person is—
- (a) in the case of a head teacher, the address of the school;
 - (b) in the case of a teacher in charge of a pupil referral unit, the address of the pupil referral unit;
 - (c) in the case of a body corporate, the address of the registered or principal office of the body;
 - (d) in the case of a partnership, or any other unincorporated body, the address of the principal office of the partnership or body;
 - (e) in the case of a person to whom the information or notice is given in reliance on any of subsections (4) to (6), the proper address of the body corporate, partnership or other unincorporated body in question;
 - (f) in any other case, the last known address of the person.
- (8) For the purposes of subsection (2)(d) and section 13(2) of the [Legislation \(Wales\) Act 2019](#), the proper address of a person is the address provided by that person in accordance with subsection (3)(b).
- (9) In the case of—
- (a) a company registered outside the United Kingdom,
 - (b) a partnership carrying on business outside the United Kingdom, and
 - (c) any other unincorporated body with offices outside the United Kingdom,
- the references in subsection (7) to its principal office include references to its principal office within the United Kingdom (if any).