



Long Leases (Scotland) Act 2012

2012 asp 9

PART 6

GENERAL AND MISCELLANEOUS

Notices etc.

74 Service of notices

- (1) Service of a notice on a person under section 17(1)(a) or Part 4 must be effected—
 - (a) by delivering it to the person,
 - (b) by sending it to the person at a place mentioned in subsection (2)—
 - (i) by a registered post service (as defined in section 125(1) of the Postal Services Act 2000 (c.26)), or
 - (ii) by a postal service which provides for the delivery of the notice to be recorded,
 - (c) in a case where a notice sent under paragraph (b) is returned to the person who sent it with an intimation that it could not be delivered—
 - (i) by delivering it, or
 - (ii) by sending it by post,with that intimation to the Extractor of the Court of Session.
- (2) The place referred to in subsection (1)(b) is—
 - (a) the person's place of residence,
 - (b) the person's place of business,
 - (c) a postal address which the person ordinarily uses, or
 - (d) if none of those places or that address is known at the time of delivery or posting, whatever place is at that time the person's most recently known—
 - (i) place of residence,
 - (ii) place of business, or
 - (iii) postal address which the person ordinarily used.
- (3) For the purposes of this Act, any of the following is sufficient evidence of service of the notice—

Changes to legislation: There are currently no known outstanding effects for the Long Leases (Scotland) Act 2012, Section 74. (See end of Document for details)

- (a) an acknowledgement in the prescribed form signed by the person on whom the notice is served,
 - (b) in the case of a notice sent under subsection (1)(b), a certificate in the prescribed form signed by the sender of the notice and accompanied by the postal receipt,
 - (c) in the case of a notice delivered or sent under subsection (1)(c), an acknowledgement of receipt by the Extractor on a copy of the notice.
- (4) The date on which a notice is served on a person is the date of delivery or (as the case may be) posting of the notice.
- (5) In this section, “notice” includes an instalment document.

Commencement Information

II [S. 74](#) in force at 28.11.2013 by [S.S.I. 2013/322](#), [art. 2\(i\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Long Leases (Scotland) Act 2012, Section 74.