

Status: Point in time view as at 18/01/2019.

Changes to legislation: There are currently no known outstanding effects for the Pow of Inchaffray Drainage Commission (Scotland) Act 2019, SCHEDULE 7. (See end of Document for details)

SCHEDULE 7

(introduced by section 24)

SERVICE OF NOTICE

- 1 A notice to be given to a person for the purposes of this Act (whether the expression “serve”, “give”, “send” or any other expression is used) must be in writing and be sent to the person or the person's agent by—
- (a) personal delivery,
 - (b) post sent to the person's proper address, or
 - (c) in a case where an address for service of a notice of the kind in question (or of notices generally) using electronic means has been given by the person on whom the notice is to be served, electronic transmission to that address.
- 2 For the purposes of paragraph 1(b), 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, the address of the principal office of the partnership,
 - (c) in any other case, the last known address of the person.
- 3 A notice is duly served on—
- (a) a body corporate other than a limited liability partnership, if served on the secretary or clerk of that body,
 - (b) a limited liability partnership, if served on a member of the partnership,
 - (c) a partnership other than a limited liability partnership, if served on a member of the partnership or on a person having the control or management of the partnership business.
- 4 Where a notice is to be served on a person as having an interest in, or as the occupier of, land and the person's name or address cannot be ascertained after reasonable inquiry, for the purposes of this Act the notice may be served by—
- (a) addressing it to the person by name or by the description of “owner”, or as the case may be “occupier”, of the land (describing it), and
 - (b) leaving it either—
 - (i) in the hands of a person who is, or appears to be, resident or employed on the land, or
 - (ii) conspicuously affixed to some building or object on the land.
- 5 A notice is to be taken to have been served—
- (a) if sent by post to an address in the United Kingdom, 48 hours after it is sent, and
 - (b) if sent by electronic transmission, on the day of transmission, unless the contrary is shown.

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