



Deer (Scotland) Act 1996

1996 CHAPTER 58

PART II

CONSERVATION, CONTROL AND SUSTAINABLE MANAGEMENT OF DEER

Control agreements, control schemes and emergency measures: supplementary provisions

16 Service of notices.

(1) Subject to the provisions of this section, any notice for the purposes of this Act shall be in writing, and any notice or other document required or authorised by or under this Act to be given to or served on any person shall be duly given or served if it is delivered to him or left at his proper address or sent to him by post [^{F1}or, where subsection (1A) below applies, sent to him at a specified number or address].

[^{F2}(1A) Any notice for the purposes of sections 10(7) and (8), 15(2)(a) [^{F3}, 40(1) and 40A(1)] of this Act, may be by electronic communication (as defined in section 15(1) of the Electronic Communications Act 2000 (c. 7)), which has been recorded and is consequently capable of being reproduced.]

[^{F2}(1B) Any notice to which subsection (1A) above applies may be given to or served on a person by such an electronic communication only if—

- (a) the person consents in writing to the receipt of a notice of the kind in question from the sender by electronic communication sent to a specified number or address, and
- (b) the communication is sent to the number or address in question.]

(2) Any such notice or other document required or authorised to be served on any person for the purposes of this Act shall be duly served, if that person is an incorporated company or body, if it is served on the clerk or secretary of that company or body.

(3) For the purposes of this section and section 7 of the ^{M1}Interpretation Act 1978, the proper address of any person on whom any such notice or document is to be served shall, in the case of the clerk or secretary of any incorporated company or body, be

Changes to legislation: There are currently no known outstanding effects for the Deer (Scotland) Act 1996, Section 16. (See end of Document for details)

that of the registered or principal office of such company or body, and in any other case be the last known address of the person in question.

- (4) Where any notice or other document is to be given to or served on a person as being the person having any interest in land and it is not practicable after reasonable inquiry to ascertain his name or address, the notice or document may be given or served by addressing it to him by the description of the person having that interest in the land (naming it) and delivering the notice or document to some responsible person on the land or by affixing it, or a copy of it, to some conspicuous object on the land.
- (5) Nothing in this section shall require ^{F4}SNH] to give written notice of ^{F5}its] intention to issue an authorisation in pursuance of section 10 of this Act.

Textual Amendments

- F1** Words in s. 16(1) inserted (23.6.2006) by [Electronic Communications \(Scotland\) Order 2006 \(S.S.I. 2006/367\)](#), arts. 1(1), **3(4)(a)**
- F2** S. 16(1A) - S. 16(1B) inserted (23.6.2006) by [Electronic Communications \(Scotland\) Order 2006 \(S.S.I. 2006/367\)](#), arts. 1(1), **3(4)(b)**
- F3** Words in s. 16(1A) substituted (28.6.2016) by [Land Reform \(Scotland\) Act 2016 \(asp 18\)](#), **ss. 81(2), 130(1)** (with s. 128); S.S.I. 2016/193, reg. 2(1), Sch.
- F4** Word in Act substituted (1.8.2010) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), **Sch. 1 para. 6**; S.S.I. 2010/221, art. 3(2), Sch.
- F5** Word in s. 16(5) substituted (1.8.2010) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), **Sch. 1 para. 20**; S.S.I. 2010/221, art. 3(2), Sch.

Marginal Citations

- M1** 1978 c.30.

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