
DRAFT STATUTORY INSTRUMENTS

2024 No.

The Biodiversity Gain Site Register (Financial Penalties and Fees) Regulations 2024

PART 2

Financial penalties

General provision about notices under this Part

- 11.**—(1) In this Part, “notice” means notice in writing.
- (2) A notice under this Part may be given to a person by—
- (a) sending it by post to the person at the person’s proper address, or
 - (b) sending it to the person by email to the person’s appropriate email address.
- (3) A notice given to a person by sending it to that person by email is to be treated as having been given to that person 24 hours after it was sent.
- (4) For the purposes of paragraph (2)—
- (a) a person’s proper address for a notice sent by post is (subject to paragraph (5)) the address which was included under regulation 8(2)(b) of the Biodiversity Gain Site Register Regulations 2024 in the application to which the notice relates;
 - (b) a person’s appropriate email address for a notice sent by email is (subject to paragraph (6)) the email address included under regulation 8(2)(c) of the Biodiversity Gain Site Register Regulations 2024 in the application to which the notice relates.
- (5) Where, since making the application to which the notice relates, the person who made the application has notified the register operator in writing of a change of address for—
- (a) receipt of notices sent by post under the Biodiversity Gain Site Register Regulations 2024 in connection with that application, or
 - (b) receipt of notices relating to that application sent by post under these Regulations,
- the person’s proper address for a notice under this Part relating to that application is whichever postal address that person has most recently provided in writing to the register operator, whether for receipt of notices in connection with that application or for receipt of notices under these Regulations relating to that application, or both.
- (6) Where, since making the application to which the notice relates, the person who made the application has notified the register operator in writing of a change of address for—
- (a) receipt of notices sent by email under the Biodiversity Gain Site Register Regulations 2024 in connection with that application, or
 - (b) receipt of notices relating to that application sent by email under these Regulations,
- the person’s appropriate email address for a notice under this Part relating to that application is whichever email address that person has most recently provided in writing to the register operator,

whether for receipt of notices in connection with that application or for receipt of notices under these Regulations relating to that application, or both.

(7) For the purposes of this regulation, a notice relates to an application if it relates to a financial penalty under this Part for the supply of false or misleading information in connection with the application.