



Medway Ports Authority Act 1973

1973 CHAPTER xxi

PART VII

MISCELLANEOUS AND GENERAL

84 Service of documents

- (1) Any document required or authorised by or under this Act to be given to or served on a person—
 - (a) being a corporation, society or association, shall be duly given or served if it is given to or served on the secretary or clerk of the corporation, society or association;
 - (b) being a partnership, shall be duly given or served if it is addressed to the partnership identifying it by the name or style under which its business is carried on.
- (2) Subject to the provisions of this section, any notice, consent, approval, demand or other document required or authorised by or under this Act to be given to or served on any person may be given or served either—
 - (a) by delivering it to that person; or
 - (b) by leaving it at his proper address; or
 - (c) by post;so however that, where such a document is sent by post otherwise than in a letter sent by the recorded delivery service, it shall be deemed not to have been given or served if it is proved that it was not received by the person to whom it was addressed.
- (3) For the purposes of this section, and of section 26 of the Interpretation Act, 1889, in its application to this section, the proper address of any person to or on whom such a document is to be given or served shall—
 - (a) in the case of the secretary or clerk of a corporation, society or association, be that of the registered or principal office of the corporation, society or association;

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (b) in the case of a partnership, be the principal place of business of the partnership; and
- (c) in any other case, be the usual or last known place of abode of the person to whom the document is given:

Provided that, where the person to or on whom such a document is to be given or served has furnished an address for service in accordance with arrangements agreed to in that behalf, his proper address for the purpose of this subsection shall be the address so furnished.

- (4) If the name or address of any owner or occupier of any premises to or on whom any such document is to be given or served cannot after reasonable inquiry be ascertained by the person seeking to give or serve the document, the document may be given or served by addressing it to the person to whom it is to be given or on whom it is to be served by the description of "owner" or "occupier" of the premises (describing them) to which the document relates, and by delivering it to some responsible person at the premises, or, if there is no such person to whom it can be delivered, by affixing it, or a copy of it, to some conspicuous part of the premises.
- (5) The provisions of subsections (1) to (4) of this section shall not apply to the service of a summons.
- (6) For the purpose of enabling any document to be served on the owner of any premises, the Authority may by notice in writing require the occupier of the premises to state the name and address of the owner thereof, and if the occupier refuses or wilfully neglects to do so, or wilfully misstates the name and address of the owner, he shall, unless in the case of a refusal he shows cause to the satisfaction of the court for his refusal, be liable on summary conviction to a fine not exceeding five pounds.