



Gas Act 1986

1986 CHAPTER 44

PART I

GAS SUPPLY

Supplemental

^{F1}46 Service of notices etc.

- (1) ^{F2} . . . Any notice or other document required or authorised to be given, delivered or served under this Part or regulations made under this Part may be given, delivered or served either—
- (a) by delivering it to the person to whom it is to be given or delivered or on whom it is to be served;
 - (b) by leaving it at the usual or last known place of abode of that person;
 - (c) by sending it in a prepaid letter addressed to that person at his usual or last known place of abode;
 - (d) in the case of a body corporate, by delivering it to the secretary or clerk of the body at their registered or principal office, or sending it in a prepaid letter addressed to the secretary or clerk of the body at that office; or
 - (e) if it is not practicable after reasonable inquiry to ascertain the name or address of a person to whom it should be given or delivered, or on whom it should be served, as being a person having any interest in premises, by addressing it to him by the description of the person having that interest in the premises (naming them) to which it relates and delivering it to some responsible person on the premises, or affixing it or a copy of it to some conspicuous part of the premises.

^{F3}(1A) In the case of a notice or other document required or authorised to be given, delivered or served under this Part, or regulations made under this Part, by the Authority or the Secretary of State, that notice or document may also be given, delivered or served by electronic means if the conditions in subsection (1B) are met.

Changes to legislation: Gas Act 1986, Section 46 is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (1B) The conditions in this subsection are that—
- (a) the person to whom the notice or other document is to be given or delivered or on whom it is to be served has indicated to the Authority or the Secretary of State (as the case may be) the person’s willingness to receive by electronic means notices or documents of that description (and has not withdrawn that indication); and
 - (b) the notice or document is sent to the number or address most recently specified by the person for that purpose.
- (1C) An indication for the purposes of subsection (1B)—
- (a) must be given in such manner and include such information as the Authority or the Secretary of State (as the case may be) directs; and
 - (b) may be withdrawn by an indication given in such manner as the Authority or the Secretary of State (as the case may be) directs.
- (1D) Withdrawal of an indication given for the purposes of subsection (1B) takes effect at the beginning of the fifth working day after the day on which the Authority or the Secretary of State (as the case may be) receives the indication withdrawing it.
- (1E) A notice or other document which is given, delivered or served in accordance with subsection (1A) is to be treated as having been given, delivered or served on the next working day after the day on which it is sent.]
- [^{F4}(2) Without prejudice to subsection (1) [^{F5}or (1A)] above, where this subsection applies in relation to a [^{F6}gas transporter] or gas supplier, any notice to be given to or served on the transporter or supplier under—
- (a) any condition of his licence;
 - (b) any provision of Schedule 2B to this Act; or
 - (c) in the case of a transporter, section 10 above,
- may be given or served by delivering it at, or sending it in a prepaid letter to, an appropriate office of the transporter or supplier.
- (3) Subsection (2) above applies in relation to a [^{F6}gas transporter] if he divides [^{F7}any authorised area of his] into such areas as he thinks fit and—
- (a) in the case of each area, fixes offices of his which are to be appropriate offices in relation to notices relating to matters arising in that area; and
 - (b) publishes in each area, in such manner as he considers adequate, the addresses of the offices fixed by him for that area.
- (4) Subsection (2) above applies in relation to a gas supplier if he divides the premises specified in his licence into such areas as he thinks fit and—
- (a) in the case of each area, fixes offices of his which are to be appropriate offices in relation to notices relating to matters arising in that area;
 - (b) publishes in each area, in such manner as he considers adequate, the addresses of the offices fixed by him for that area; and
 - (c) endorses on every demand note for gas charges payable to him the addresses of the offices fixed for the area in question.
- [^{F8}(5) In this section—
- (a) references to premises specified in a licence include references to premises of a description, or situated in an area, so specified;
 - (b) “working day” means any day other than—

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- (i) Saturday or Sunday;
- (ii) Christmas Day or Good Friday;
- (iii) a day which is a bank holiday in England and Wales or Scotland under the Banking and Financial Dealings Act 1971.]]

Textual Amendments

- F1** S. 46 applied (29.9.2000) by 2000 c. 27, s. 106(4); S.I. 2000/2412, art. 2, **Sch.** (subject to transitional provisions in art. 3(2))
- F2** Words in s. 46(1) repealed (1.3.1996) by 1995 c. 45, ss. 10(1), 17(5), Sch. 3 para. 52(1), **Sch. 6**; S.I. 1996/218, **art. 2**
- F3** S. 46(1A)-(1E) inserted (1.8.2021) by The Gas Act 1986 and Electricity Act 1989 (Electronic Communications) Order 2021 (S.I. 2021/789), arts. 1(2), **2(2)**
- F4** S. 46(2)-(5) substituted for s. 46(2)(3) (1.3.1996) by 1995 c. 45, s. 10(1), **Sch. 3 para. 52(2)**; S.I. 1996/218, **art. 2**
- F5** Words in s. 46(2) inserted (1.8.2021) by The Gas Act 1986 and Electricity Act 1989 (Electronic Communications) Order 2021 (S.I. 2021/789), arts. 1(2), **2(3)**
- F6** Words in s. 46 substituted (1.10.2001) by 2000 c. 27, s. 108, **Sch. 6 Pt. I para. 2(1)**; S.I. 2001/3266, arts. 1(2), 2, **Sch.** (subject to transitional provisions in arts. 3-20)
- F7** Words in s. 46(1) substituted (1.10.2001) by 2000 c. 27, s. 108, **Sch. 6, Pt. I para. 18**; S.I. 2001/3266, arts. 1(2), 2, **Sch.** (subject to transitional provisions in arts. 3-20)
- F8** S. 46(5) substituted (1.8.2021) by The Gas Act 1986 and Electricity Act 1989 (Electronic Communications) Order 2021 (S.I. 2021/789), arts. 1(2), **2(4)**

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 5(e) and word inserted by [2023 c. 52 s. 185\(3\)](#)
- s. 5(1)(ca) inserted by [2023 c. 52 s. 168\(2\)\(b\)](#)
- s. 5(10A) inserted by [2023 c. 52 s. 168\(2\)\(c\)](#)
- s. 5(11A)(11B) inserted by [2023 c. 52 s. 185\(4\)](#)
- s. 7B(5FA) inserted by [2023 c. 52 s. 185\(13\)](#)
- s. 7AC inserted by [2023 c. 52 s. 185\(6\)](#)
- s. 8AA(11B) inserted by [2023 c. 52 s. 185\(14\)](#)
- s. 15A inserted by [1992 c. 43 s. 17](#)
- s. 23D(2)(d) and word inserted by [2013 c. 32 s. 138\(4\)\(c\)\(iii\)](#)
- s. 27(1ZA)(aa) inserted by S.I. 2019/93, Sch. 1 para. 2(2)(b) (as substituted) by [S.I. 2019/1245 reg. 17](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 28(8A) inserted by [2023 c. 52 Sch. 14 para. 3\(3\)](#)
- s. 41E(6)(d) and word inserted by [2013 c. 32 s. 138\(4\)\(f\)\(ii\)](#)
- Sch. 4B para. 9B and cross-heading inserted by [2023 c. 52 Sch. 14 para. 4](#)