
STATUTORY INSTRUMENTS

2009 No. 2890

The Scotch Whisky Regulations 2009

Giving of notices

41.—(1) Any notice required to be given under these Regulations to any person may be given to them by—

- (a) delivering it to them;
- (b) leaving it at their proper address; or
- (c) sending it to them by post at that address.

(2) The notice may be given to a body corporate by being given to an officer of that body.

(3) The notice may be given to a limited liability partnership by being given to a member of the partnership or a person having the control or management of the partnership business.

(4) The notice may be given to a Scottish partnership or unincorporated partnership by being given to a partner or a person having the control or management of the partnership business.

(5) The notice may be given to any other unincorporated body by being given to an officer of that body.

(6) For the purposes of this regulation and section 7 of the Interpretation Act 1978(1) (service of documents by post) in its application to this regulation, the proper address of any person to whom a notice is to be given 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 limited liability partnership or a Scottish partnership, the address of the registered or principal office of the partnership;
- (c) in the case of an unincorporated partnership or any other unincorporated body, the address of the principal office of the partnership or body;
- (d) in the case of a person to whom the notice is given in reliance on any of paragraph (2), (3), (4) or (5), the proper address of the body corporate, partnership or other unincorporated body in question; and
- (e) in any other case, the last known address of the person in question.

(7) For the purposes of paragraph (6) the references to “the principal office” in relation to a company which is registered outside the United Kingdom, a partnership which is carrying on business outside the United Kingdom and any other unincorporated body which has its principal office outside the United Kingdom, include a reference, in each case, to their principal office within the United Kingdom (if any).

(8) Paragraph (9) applies if a person to be given a notice under these Regulations has specified an address (“the specified address”) within the United Kingdom other than their proper address (as decided under paragraph (6)) as the one at which they, or someone on their behalf, will accept documents of the same description as a notice given under these Regulations.

(9) The specified address is also to be treated for the purposes of this regulation and section 7 of the Interpretation Act 1978 in its application to this regulation as the person's proper address.

(10) In relation to Wales, any notice required to be given under these Regulations to any person must be in English and Welsh.

(11) In this regulation "body corporate" does not include a limited liability partnership or a Scottish partnership.