
STATUTORY INSTRUMENTS

2016 No. 607

The Open Internet Access (EU Regulation) Regulations 2016

PART 1

PRELIMINARY

Service of notifications and other documents

2.—(1) This regulation applies where provision made (in whatever terms) by or under these Regulations authorises or requires—

- (a) a notification to be given to any person; or
- (b) a document of any other description (including a copy of a document) to be sent to any person.

(2) This regulation has effect subject to regulation 3.

(3) The notification or document may be given or sent to the person in question—

- (a) by delivering it to the person;
- (b) by leaving it at the person's proper address; or
- (c) by sending it by post to the person at that address.

(4) The notification or document may be given or sent to a body corporate by being given or sent to the secretary or clerk of that body.

(5) The notification or document may be given or sent to a firm by being given or sent to—

- (a) a partner in the firm; or
- (b) a person having the control or management of the partnership business.

(6) The notification or document may be given or sent to an unincorporated body or association by being given or sent to a member of the governing body of the body or association.

(7) 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 a person 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 firm, unincorporated body or association, the address of the principal office of the partnership, body or association;
- (c) in the case of a person to whom the notification or other document is given or sent in reliance on any of paragraphs (4) to (6), the proper address of the body corporate, firm or (as the case may be) other body or association in question; and
- (d) in any other case, the last known address of the person in question.

(8) In the case of—

- (a) a company registered outside the United Kingdom,

⁽¹⁾ 1978 c. 30.

(b) a firm carrying on business outside the United Kingdom, or
(c) an unincorporated body or association with offices outside the United Kingdom,
the references in paragraph (7) to its principal office include references to its principal office within the United Kingdom (if any).

(9) In this regulation—

“document” includes anything in writing;

“notification” includes notice; and

references to giving or sending a notification or other document to a person include references to transmitting it to that person and to serving it on that person.