

# LEGISLATION (WALES) ACT 2019

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 2: Interpretation and Operation of Welsh Legislation**

##### *Section 14 – Day on which service is deemed to be effected*

89. This section provides for the day on which a document served electronically or by post is deemed to be served. It creates a presumption that the document was served on that day, but this can be rebutted by evidence to the contrary.
90. [Section 14](#) relies on the concept of “the ordinary course of post” for the purposes of deeming when service by post is effected. This concept is intended to operate with any postal service that may be used, including service using first class or second class post, or some other means of expedited postal delivery. In each case, when post is used, the sender can determine the day on which service is deemed to take place by reference to normal delivery times for the service chosen.
91. This section also deals with the deemed date of service of documents served using electronic communications. In order to reflect the near instantaneous nature of most electronic communication, the document is deemed to be served on the day it is sent.
92. [Section 14](#) provides for the “day” on which service is deemed to take place, because periods of time specified in Welsh legislation are normally periods of whole days. If there were a case where it was necessary to identify the precise time of day at which a document was served, the relevant Assembly Act or Welsh subordinate instrument would need to make provision about that question.