



Historic Environment (Wales) Act 2023

2023 asc 3

PART 7

GENERAL

PROSPECTIVE

Service of documents

205 Service of notices and other documents: general

- (1) This section applies where a provision contained in or made under this Act requires or authorises a notice or other document to be served on a person (whether the provision uses the word “serve” or “give” or any other term).
- (2) The document may be served on the person in any of the following ways—
 - (a) by handing it to the person or, in the case of a person who is a body corporate, handing it to the secretary or clerk of the body at its registered or principal office;
 - (b) by leaving it at the person’s usual or last known place of residence or, if the person has given an address for service, at that address;
 - (c) by sending it by post in a pre-paid letter—
 - (i) addressed to the person at the person’s usual or last known place of residence or, in the case of a person who is a body corporate, addressed to the secretary or clerk of the body at its registered or principal office, or
 - (ii) if the person has given an address for service, addressed to the person at that address;
 - (d) if the person has given an address for service using electronic communications, by sending it to the person at that address using an electronic communication which complies with the conditions in subsection (3).

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Historic Environment (Wales) Act 2023, Cross Heading: Service of documents. (See end of Document for details)

- (3) The conditions are that the document is—
 - (a) capable of being accessed by the person to whom it is sent,
 - (b) legible in all material respects, and
 - (c) capable of being used for subsequent reference.
- (4) Where an electronic communication is used to serve a document on a person and is received by the person outside the person’s business hours, the document is to be treated as having been served on the next working day.
- (5) See section 233 of the [Local Government Act 1972 \(c. 70\)](#) for additional provision about the methods by which local authorities may serve documents.

Commencement Information

- II** S. 205 not in force at Royal Assent, see [s. 212](#)

206 Additional provision about service on persons interested in or occupying land

- (1) This section applies (in addition to section 205) where a provision contained in or made under this Act requires or authorises a notice or other document to be served on a person—
 - (a) as having an interest in a building, monument or land, or
 - (b) as an occupier of a building, monument or land.
- (2) Where the document is to be served on a person as having an interest in a building, monument or land, and the name of the person cannot be discovered after making reasonable inquiries, the document may be addressed to the person as “the owner” of the building, monument or land (which must be described).
- (3) Where the document is to be served on a person as an occupier of a building, monument or land, it may be addressed to the person by name or as “the occupier” of the building, monument or land (which must be described).
- (4) Subsection (5) applies—
 - (a) where—
 - (i) a document is to be served on a person as having an interest in a building, monument or land,
 - (ii) the person’s usual or last known place of residence cannot be discovered after making reasonable inquiries, and
 - (iii) the person has not given an address for the service of the document, or
 - (b) where a document is to be served on a person as an occupier of a building, monument or land.
- (5) The document is to be treated as properly served if it is addressed to the person, clearly marked as an important communication affecting the person’s property, and is—
 - (a) sent to the building, monument or land by post and not returned as undelivered,
 - (b) handed to a person who is, or appears to be, resident or employed in or on the building, monument or land, or
 - (c) attached conspicuously to the building or monument or to an object on the site of the monument or on the land.

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Historic Environment (Wales) Act 2023, Cross Heading: Service of documents. (See end of Document for details)

Commencement Information

I2 S. 206 not in force at Royal Assent, see [s. 212](#)

Status:

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Changes to legislation:

There are currently no known outstanding effects for the Historic Environment (Wales) Act 2023,
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