
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 68

The Seed (Licensing and Enforcement
etc.) (Scotland) Regulations 2016

PART IV

MISCELLANEOUS AND SUPPLEMENTAL

Service of notices

20.—(1) Any notice required to be given to any person by the Scottish Ministers by virtue of these Regulations may be given by—

- (a) delivering it to that person;
- (b) leaving it at that person's proper address;
- (c) sending it by post or fax to that person's proper address; or
- (d) sending it by email to that person's last known email address.

(2) For the purposes of paragraph (1), in the case of a licensed professional seed operator or a licensed seed testing station, "person" includes a responsible person.

(3) For the purposes of paragraph (1)(a), a notice is delivered to—

- (a) a body corporate where it is given to a relevant individual within that body;
- (b) a partnership where it is given to a partner or a person having control or management of the partnership;
- (c) an unincorporated association where it is given to an officer or a member of the governing body of the association or any other person having management responsibilities in respect of the association.

(4) For the purposes of paragraph (1)(b) and (c) and section 7 of the Interpretation Act 1978⁽¹⁾ (service of documents by post) in its application to this regulation, "proper address" means—

- (a) in the case of a body corporate, the registered office (if it is in the United Kingdom) or the principal office of the body in the United Kingdom;
- (b) in the case of a partnership, the principal office of the partnership;
- (c) in the case of an unincorporated association, the principal office of the association;
- (d) in any other case, a person's last known address.

(5) For the purposes of paragraph (1)(d), a notice is sent to an email address of—

- (a) a body corporate, where it is sent to an email address of—
 - (i) the body corporate; or
 - (ii) a relevant individual within that body,

where that address is supplied by that body for the conduct of the affairs of that body;

(1) 1978 c.30.

- (b) a partnership, where it is sent to an email address of—
 - (i) the partnership; or
 - (ii) a partner or person having control or management of that partnership, where that address is supplied by that partnership for the conduct of the affairs of the partnership;
 - (c) an unincorporated association, where it is sent to an email address of—
 - (i) an officer or member of the governing body of the association; or
 - (ii) any other person having management responsibilities in respect of the association, where that address is supplied by that association for the conduct of the affairs of that association;
 - (d) a person other than a person mentioned in sub-paragraph (a), (b) or (c), where it is sent to an email address supplied by that person for the conduct of the affairs of that person.
- (6) In this regulation—
- “partnership” includes a Scottish partnership; and
 - “relevant individual” means—
 - (a) a director, manager, secretary or other similar officer of the body corporate; or
 - (b) where the affairs of the body corporate are managed by its members, a member.