



# Health and Social Care Act 2008

## 2008 CHAPTER 14

### PART 1

#### THE CARE QUALITY COMMISSION

### CHAPTER 6

#### MISCELLANEOUS AND GENERAL

##### *Service of documents*

#### **93 Service of documents**

- (1) Any notice required under this Part to be given to a person (“R”) may be given to R—
  - (a) by being delivered personally to R,
  - (b) by being sent to R—
    - (i) by a registered post service, as defined by section 125(1) of the Postal Services Act 2000 (c. 26), or
    - (ii) by a postal service which provides for the delivery of the document to be recorded, or
  - (c) subject to section 94, by being sent to R by an electronic communication.
- (2) Where a notice is given as mentioned in subsection (1)(b), it is, unless the contrary is proved, to be taken to have been received on the third day after the day on which it is sent.
- (3) Any notice required under this Part to be given to a body corporate or firm is duly given if it is given to the secretary or clerk of that body or a partner of that firm.
- (4) For the purposes of section 7 of the Interpretation Act 1978 (c. 30) in its application to this section, the proper address of a person is—

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*Status: This is the original version (as it was originally enacted).*

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- (a) in the case of a person registered under Chapter 2 who has notified the Commission under regulations under section 16 (regulations about registration) of an address for service, that address, and
  - (b) in any other case, the address determined in accordance with subsection (5).
- (5) That address is—
- (a) in the case of a secretary or clerk of a body corporate, the address of the registered or principal office of the body,
  - (b) in the case of a partner of a firm, the address of the principal office of the firm, and
  - (c) in any other case, the last known address of the person.
- (6) In this section and in section 94—
- (a) “electronic communication” has the same meaning as in the Electronic Communications Act 2000 (c. 7),
  - (b) “notice” includes any other document, and
  - (c) a reference to a notice being given by or to a person includes a reference to a notice being served by or on a person.