



Highways Act 1980

1980 CHAPTER 66

PART XIV U.K.

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

Notices, etc.

322 Service of notices etc. E+W

- (1) Any notice, consent, approval, order, demand, licence, certificate or other document required or authorised by or under this Act to be given or served on a corporation is duly given or served if it is given to or served on the secretary or clerk of the corporation.
- (2) Subject to the provisions of this section, any notice, consent, approval, order, demand, licence, certificate or other document required or authorised by or under this Act to be given or served on any person may be given or served either—
 - (a) by delivering it to that person, or
 - (b) by leaving it at his proper address, or
 - (c) by post;so, however, that where any such document is sent by post otherwise than in a registered letter, or by the recorded delivery service, it shall be deemed not to have been given or served if it is proved that it was not received by the person to whom it was addressed.
- (3) For the purposes of this section, and of section 7 of the ^{M1}Interpretation Act 1978 in its application to this section, the proper address of any person to or on whom any such document is to be given or served—
 - (a) where the person has furnished an address for service in accordance with arrangements agreed to in that behalf, is the address furnished;
 - (b) where the person has not furnished an address as provided by paragraph (a) above, is

Status: Point in time view as at 21/12/2001.

Changes to legislation: Highways Act 1980, Section 322 is up to date with all changes known to be in force on or before 12 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (i) in the case of the secretary or clerk of a corporation, that of the registered or principal office of the corporation, and
 - (ii) in any other case, the person’s usual or last known place of abode.
- (4) If the name or the address of any owner, lessee or occupier of premises to or on whom any such document is to be given or served cannot after reasonable inquiry be ascertained by the person seeking to give or serve the document, the document may be given or served by—
- (a) addressing it to the person to whom it is to be given or on whom it is to be served by the description of “owner”, “lessee”, or “occupier” of the premises (describing them) to which the document relates, and
 - (b) delivering it to some responsible person resident or appearing to be resident on the premises or if there is no such person to whom it can be delivered, affixing it or a copy of it to some conspicuous part of the premises.
- (5) The foregoing provisions of this section do not apply to the service of—
- (a) a notice required or authorised to be served under [F1Part II of, or Schedule 1 to, the Acquisition of Land Act 1981] as applied by this Act, or
 - (b) a summons.

Textual Amendments

F1 Words substituted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34, **Sch. 4 para. 31(14)**

Modifications etc. (not altering text)

C1 [S. 322](#) applied (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. **25(1)(2)**; [S.I. 1991/2288](#), art. 3, **Sch.**

Marginal Citations

M1 [1978 c. 30](#).

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