



# Health and Social Care Act 2012

## 2012 CHAPTER 7

### PART 3

#### REGULATION OF HEALTH AND ADULT SOCIAL CARE SERVICES

#### CHAPTER 7

##### MISCELLANEOUS AND GENERAL

#### **148 Service of documents**

- (1) A notice required under this Part to be given or sent to or served on a person (“R”) may be given or sent to or served on 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, or
    - (ii) by a postal service which provides for the delivery of the document to be recorded, or
  - (c) subject to section 149, by being sent to R by an electronic communication.
- (2) Where a notice is sent 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) Where a notice is sent as mentioned in subsection (1)(c) in accordance with section 149, it is, unless the contrary is proved, to be taken to have been received on the next working day after the day on which it is transmitted.
- (4) In subsection (3) “working day” means a day other than—
  - (a) a Saturday or a Sunday;
  - (b) Christmas Day or Good Friday; or

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*Status: Point in time view as at 01/04/2014. This version of this provision has been superseded.*

*Changes to legislation: Health and Social Care Act 2012, Section 148 is up to date with all changes known to be in force on or before 10 June 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)*

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- (c) a day which is a bank holiday in England under the Banking and Financial Dealings Act 1971.
- (5) A notice required under this Part to be given or sent to or served on a body corporate or a firm is duly given, sent or served if it is given or sent to or served on the secretary or clerk of that body or a partner of that firm.
- (6) For the purposes of section 7 of the Interpretation Act 1978 in its application to this section, the proper address of a person is—
  - (a) in the case of a person who holds a licence under Chapter 3 who has notified Monitor of an address for service, that address, and
  - (b) in any other case, the address determined in accordance with subsection (7).
- (7) 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.
- (8) In this section and in section 149—
  - “electronic communication” has the same meaning as in the Electronic Communications Act 2000;
  - “notice” includes any other document.
- (9) This section is subject to paragraph 4(3) of Schedule 8 (delivery of notice from Secretary of State of suspension of non-executive member of Monitor).

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**Commencement Information**

- I1** S. 148(1)-(5)(6)(b)(7)-(9) in force at 1.11.2012 by [S.I. 2012/2657](#), **art. 2(2)**
- I2** S. 148(6)(a) in force at 1.4.2013 by [S.I. 2013/671](#), **art. 2(3)**

**Status:**

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**Changes to legislation:**

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