
STATUTORY INSTRUMENTS

2010 No. 948

The Community Infrastructure Levy Regulations 2010

PART 12

MISCELLANEOUS AND TRANSITIONAL PROVISIONS

Service of documents: general

126.—(1) A notice or other document required or authorised to be served, given, submitted or sent under these Regulations may be served, given, submitted or sent in any of the following ways—

- (a) by delivering it to the person on whom it is to be served or to whom it is to be given, submitted or sent;
- (b) by leaving it at the usual or last known place of abode of that person or, in a case where an address for service has been given by that person, at that address;
- (c) by sending it by post, addressed to that person at that person’s usual or last known place of abode or, in the case where an address for service has been given by that person, at that address;
- (d) by sending it in a prepaid registered letter, or by the recorded delivery service, addressed to that person at that person’s usual or last known place of abode or, in a case where an address for service has been given that person, at that address;
- (e) in a case where an address for service using electronic communications has been given by that person, by sending it using electronic communications, in accordance with the condition set out in paragraph (2), to that person at that address; or
- (f) in the case of an incorporated company or body—
 - (i) by delivering it to the secretary or clerk of the company or body at their registered or principal office,
 - (ii) by sending it by post, addressed to the secretary or clerk of the company or body at that office, or
 - (iii) by sending it in a prepaid registered letter, or by the recorded delivery service, addressed to the secretary or clerk of the company or body at that office.

(2) The condition mentioned in paragraph (1)(e) is that the notice or other document must be—

- (a) capable of being accessed by the person mentioned in that provision;
- (b) legible in all material respects; and
- (c) in a form sufficiently permanent to be used for subsequent reference.

(3) For the purposes of paragraph (2), “legible in all material respects” means that the information contained in the notice or document is available to that person to no lesser extent than it would be if served, submitted, given or supplied by means of a notice or document in printed form.

(4) Where a notice or document sent by electronic communications is received by the recipient outside the recipient’s business hours, it shall be taken to have been received on the next working

day; and for this purpose “working day” means a day which is not a Saturday, Sunday, Bank holiday or other public holiday.

(5) A requirement in these Regulations that any notice, or other document should be in writing is fulfilled where that notice or document fulfils the condition mentioned in paragraph (2), and “written” and cognate expressions must be construed accordingly.

(6) This regulation is without prejudice to section 233 of the Local Government Act 1972⁽¹⁾ (general provisions as to service of notices by local authorities).

(7) Where two or more persons are joint owners of an interest in land, a requirement under these Regulations to serve a notice or other document on an owner of that interest is fulfilled by serving it on any one of the joint owners.

(8) This regulation is subject to any contrary provision made by these Regulations.

Commencement Information

II Reg. 126 in force at 6.4.2010, see [reg. 1](#)

⁽¹⁾ 1972 c. 70.

Changes to legislation:

There are currently no known outstanding effects for the The Community Infrastructure Levy Regulations 2010, Section 126.