

## SCHEDULE 2

Regulation 5

### Notices etc.

1. In this Schedule, “instrument” means any notice or direction served or given under these Regulations (but does not include a notice or direction required to be given to the regulator or registry administrator).

2. An instrument must be in writing.

3. An instrument may be served on or given to a person (“P”) by—

- (a) delivering it to P in person;
- (b) sending it to a postal or email address n provided by P for the purpose of service of instruments;
- (c) leaving it at P's proper address; or
- (d) sending it by post or electronic means to P's proper address.

4. In the case of a body corporate, an instrument may be served on or given to the secretary or clerk of that body.

5. In the case of a partnership, an instrument may be served on or given to a partner or a person having control or management of the partnership business.

6. If a person (“Q”) to be served with or given an instrument has specified an address in the United Kingdom (other than Q's proper address) at which Q or someone on Q's behalf will accept instruments of that description, that address must instead be treated as Q's proper address.

7. For the purposes of this Schedule, “proper address” means (subject to paragraph 6)—

- (a) in the case of a body corporate or its secretary or clerk—
  - (i) the registered or principal office of that body, or
  - (ii) the email address of the secretary or clerk;
- (b) in the case of a partnership or a partner or person having control or management of the partnership business—
  - (i) the principal office of the partnership, or
  - (ii) the email address (or, in the case of a partnership established outside the United Kingdom, the last known address) of a partner or a person having that control or management;
- (c) in any other case, a person's last known address (which for the purpose of this paragraph and paragraph (b) includes an email address).

8. For the purposes of paragraph 7, where a body corporate registered outside the United Kingdom or a partnership established outside the United Kingdom has an office in the United Kingdom, the principal office of that body corporate or partnership is its principal office in the United Kingdom.

9.—(1) Where for the purposes of paragraph 7 the person giving or serving an instrument is not able to ascertain a proper address in relation to a UK administered operator, a relevant address may instead be treated as the proper address.

(2) For that purpose, “relevant address” means an address derived from information supplied to the regulator by Eurocontrol (or any other organisation) at the request of the European Commission

**Status:** Point in time view as at 25/03/2015.

**Changes to legislation:** There are outstanding changes not yet made by the [legislation.gov.uk](https://www.legislation.gov.uk) editorial team to The Greenhouse Gas Emissions Trading Scheme Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

---

### Textual Amendments

- F1** [Article 18b](#) of the Directive enables the Commission to request the assistance of Eurocontrol (or another relevant organisation) in preparing its list of operators; Eurocontrol (the European Organisation for the Safety of Air Navigation) is an intergovernmental organisation of 38 States and the European Union.

**10.** The provisions of this Schedule do not apply where a contrary provision applies under paragraph 8 of Schedule 9.

**Status:**

Point in time view as at 25/03/2015.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Greenhouse Gas Emissions Trading Scheme Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations.