
WELSH STATUTORY INSTRUMENTS

2010 No. 713

The Valuation Tribunal for Wales Regulations 2010

PART 5

Council Tax Appeals

Service of notices

46.—(1) Without prejudice to section 233 of the Local Government Act 1972, any notice to be served by the Clerk or listing officer under this Part may be served —

- (a) by delivering it —
 - (i) to the person on whom it is to be served; or
 - (ii) to any other person authorised by them to act as their agent for the purpose;
- (b) by leaving it at or forwarding it by post to —
 - (i) the usual or last-known place of business of that person, or
 - (ii) in the case of a company, its registered office, or
 - (iii) the usual or last-known place of business or registered office of any other person authorised as mentioned in sub-paragraph (a)(ii);
- (c) by delivering it to some person on the premises to which it relates or, if there is no person on the premises to whom it can so be delivered, by fixing it to some conspicuous part of the premises;
- (d) without prejudice to the foregoing provisions of this regulation, where premises to which the notice relates are a place of business of the person on whom it is to be served, by leaving it at, or forwarding it by post addressed to that person at, that place of business; or
- (e) by electronic communication in accordance with paragraph (3) but subject as mentioned in that paragraph.

(2) Any notice to be served on the Valuation Tribunal, the Clerk, the valuation officer or the listing officer under these Regulations must be—

- (a) sent by pre-paid post or delivered by hand to the address specified for the proceedings;
- (b) sent by fax to the number specified for the proceedings; or
- (c) sent or delivered by such other method and to such address as may be agreed by the Clerk, the valuation officer or the listing officer (as the case may be) and the person by whom the notice is to be served.

(3) Subject to paragraph (4), if a party provides a fax number, email address or other details for the electronic transmission of documents to them, that party must accept service of notices and delivery of documents by that method.

(4) If a party informs the Clerk and all other parties that a particular form of communication (other than post or delivery) should not be used to serve notice on, or provide documents to, that party, that form of communication must not be used.

(5) If the Clerk or a party sends a notice to a party or the Clerk by email or any other electronic means of communication, the recipient may request that the sender provide a hard copy of the notice to the recipient.

(6) A request under paragraph (5) must be made as soon as reasonably practicable after the recipient receives the notice or document electronically.

(7) If the name of any taxpayer on whom a notice is required or authorised to be served cannot after reasonable inquiry be ascertained, the notice may be served by addressing it to “The Council Tax Payer” of the dwelling concerned (naming the dwelling), without further name or description.

(8) For the purpose of any legal proceedings, a notice given by electronic communication, shall, unless the contrary is proved, be treated as served on the second business day after it was sent.

(9) A person who has notified an address for the purpose of electronic communication shall, by notice in writing to the Clerk and the other parties, advise the Clerk and the other parties of any change in that address; and the change shall take effect on the third business day after the date on which the notice is received by the Clerk and the other parties, as the case may be.

(10) The Clerk and each party may assume that the address provided by a party or its representative is and remains the address to which documents should be sent or delivered until receiving written notification to the contrary.

(11) In this regulation —

- (a) “electronic communication” has the meaning given in section 15(1) of the Electronic Communications Act 2000⁽¹⁾;
- (b) any reference to a notice includes a reference to any other document required or authorised to be served; and
- (c) any reference to such requirement or authorisation is to a requirement or authorisation under these Regulations.

(1) 2000 c. 7. Section 15(1) (interpretation) was amended by the Communications Act 2003, section 406(1), Schedule 17, paragraph 158.