



# Renting Homes (Wales) Act 2016

2016 anaw 1

## PART 10

### MISCELLANEOUS

#### CHAPTER 1

##### FURTHER PROVISIONS RELATING TO OCCUPATION CONTRACTS

###### *Notices, statements and other documents*

#### **236 Form of notices, statements and other documents**

- (1) This section applies to any notice or other document (including a copy of a document) required or authorised to be given or made by or because of this Act.
- (2) The notice or document must be in writing.
- (3) The Welsh Ministers may prescribe the form of the notice or document and, unless the regulations provide otherwise, a notice or document not in the prescribed form is of no effect.
- (4) The notice or document may be in electronic form (subject to section 237(4)) provided it—
  - (a) has the certified electronic signature of each person by whom it is required to be signed or executed, and
  - (b) complies with such other conditions as may be prescribed.
- (5) A notice or document within subsection (4) is to be treated as signed or executed by each person whose certified electronic signature it has.
- (6) If a notice or document in electronic form is authenticated by a person as agent, it is to be regarded for the purposes of any enactment as authenticated by that person under the written authority of that person's principal.

- (7) References to an electronic signature and to the certification of such a signature are to be read in accordance with section 7(2) and (3) of the [Electronic Communications Act 2000 \(c. 7\)](#).

### **237 Giving notices, statements and other documents**

- (1) This section applies where this Act requires or authorises a person to—
- (a) notify a person of something, or
  - (b) give a document to a person (including a notice or a copy of a document).
- (2) The notification or document may be given to a person—
- (a) by delivering it to the person,
  - (b) by leaving it at, or posting it to, one of the places mentioned in subsection (3), or
  - (c) if the conditions in subsection (4) are complied with, by sending it to the person in electronic form.
- (3) The places are—
- (a) the person's last known residence or place of business,
  - (b) any place specified by the person as a place where the person may be given notifications or documents, or
  - (c) if the notification or document is given to a person in that person's capacity as a contract-holder, the dwelling subject to the occupation contract.
- (4) A notification or document may be given to a person by sending it in an electronic form if it complies with the conditions in, and any conditions under, section 236(4) and—
- (a) the person has indicated a willingness to receive the notification or document electronically,
  - (b) the text is received by the person in legible form, and
  - (c) the text is capable of being used for subsequent reference.
- (5) The notification or document may be given to a body corporate by being given to the secretary or clerk of that body.
- (6) A notification or document given to a person by leaving it at any of the places mentioned in subsection (3) is to be treated as having been given at the time at which it was left at that place.