



Historic Environment (Wales) Act 2016

2016 anaw 4

PART 2

ANCIENT MONUMENTS ETC

Miscellaneous

21 Service of documents by electronic communication

(1) In section 56 of the [Ancient Monuments and Archaeological Areas Act 1979 \(c.46\)](#) (service of documents), in subsection (1), after paragraph (c) insert—

“(ca) in a case where—

- (i) the notice or other document relates to a monument situated in Wales or land in Wales; and
- (ii) an address for service using electronic communications has been given by that person,

by sending it using an electronic communication, in accordance with the condition set out in subsection (1A); or”.

(2) After subsection (1) of that section insert—

“(1A) The condition mentioned in subsection (1)(ca) is that the notice or 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;

and for this purpose “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 or given by means of a notice or document in printed form.”

(3) After subsection (2) of that section insert—

Status: This is the original version (as it was originally enacted).

- “(3) In this section, “Wales” has the same meaning as in the Government of Wales Act 2006 (see section 158(1) of that Act).”
- (4) In section 61 of that Act (interpretation), in subsection (1), insert at the appropriate place—
- ““address”, in relation to electronic communications, means a number or address used for the purposes of such communications;”;
- ““electronic communication” has the same meaning as in the Electronic Communications Act 2000;”.
- (5) After subsection (2A) of that section insert—
- “(2B) Where—
- (a) an electronic communication is used for the purpose of serving or giving a notice or other document on or to any person for the purposes of this Act; and
- (b) the communication is received by that person outside that person’s business hours,
- it is to be treated as having been received on the next working day; and in this subsection “working day” means a day which is not a Saturday, Sunday, Bank Holiday or other public holiday.”