

## SCHEDULE 5

Regulation 40

### Service of notices

1. The provisions of this Schedule apply to the service of a notice except where a contrary provision applies under Schedule 1.
2. A notice must be in writing.
3. A notice may be served on or given to a person by—
  - (a) delivering it to that person in person;
  - (b) sending it to a postal address or address for service using electronic communication provided in an application—
    - (i) for a benchmarking plan under regulation 9; or
    - (ii) for an emissions plan under regulation 14;
  - (c) leaving it at that person’s proper address, or
  - (d) sending it by post or electronic means to that person’s proper address.
4. In the case of a body corporate, a notice may be served on or given to the secretary or clerk of that body.
5. In the case of a partnership, a notice may be served on or given to a partner or a person having control or management of the partnership business.
6. If a person to be served with or given a notice has specified an address in the United Kingdom (other than that person’s proper address) at which that person or someone on that person’s behalf will accept notices of that description, that address must instead be treated as that person’s proper address.
7. For the purposes of this Schedule, “proper address” means—
  - (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 of a partner or a person having that control or management;
  - (c) in any other case, a person’s last known address, which includes an email address.
8. For the purposes of paragraph 7, the principal office of a company registered outside the United Kingdom or of a partnership established outside the United Kingdom is its principal office in the United Kingdom.
9. Where an electronic address for submission of a notice is provided under these Regulations, it may be submitted electronically to that address.