



OFFICIAL

HMP []

Commercial and Contract Management Directorate

SCHEDULE 22:

NOTICES



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1. Notices

- 1.1 All notices under this Contract shall be in writing and all certificates, notices or written instructions to be given under the terms of this Contract shall be served by sending the same by special or recorded delivery, email, facsimile or by hand, leaving the same at:

If to the Contractor:

For the attention of:

[]

Address:

[]

Fax No:

[]

Email:

[]

If to the Authority or the Authority's
Representative:

For the attention of:

[]

Director of Procurement

Address:

Ministry of Justice

Commercial and Contract Management

Directorate

102 Petty France

London

SW1H 9AJ

Fax No:

0300 047 5166

Email:

[]

- 1.2 Either Party to this Contract (and the Authority's Representative) may change its nominated address, email or facsimile number by prior notice to the other Party.

- 1.3 The Authority's Representative shall notify the Contractor's Representative in writing from time to time the person or persons who is/are authorised by the Authority's Representative to execute notices under this Contract.
- 1.4 Notices given by special or recorded delivery shall be effective upon the earlier of:
- 1.4.1 actual receipt; and
 - 1.4.2 five (5) Business Days after mailing.
- 1.5 Notices delivered by hand shall be effective upon delivery.
- 1.6 Notices given by email shall be deemed to have been received on the later of: (i) twenty-four (24) hours from delivery (provided that this is on a Business Day); or (ii) 9.00am on the first Business Day following the email being sent (if the twenty-four (24) hour period ends on a non Business Day), and (in either case) where the email is sent to the correct email address and no notice of delivery failure is received.
- 1.7 Notices may only be served as an attachment to an email if the original notice is then sent to the recipient by personal delivery or recorded delivery in the manner set out in the table in **paragraph 1.1 (Notices)** including:
- 1.7.1 Termination Notices;
 - 1.7.2 Contractor Termination Notices;
 - 1.7.3 notices issued pursuant to **clause 70.2 (Notice of Dispute)**; and
 - 1.7.4 notices issued pursuant to **clause 60 (Authority Step-In)**.
- 1.8 Failure to send any original notice by personal delivery or recorded delivery in accordance with **paragraph 1.7 (Notices)** shall invalidate the service of the related e-mail transmission. The deemed time of delivery of such notice shall be the deemed time of delivery of the original notice sent by personal delivery or special or recorded delivery (as set out in **paragraph 1.4 (Notices)**) or if earlier, the time of response or acknowledgement by the other Party of the email attaching the relevant notice.



- 1.9 Notices given by facsimile shall be deemed to have been received where there is confirmation of uninterrupted transmission by a transmission report and where there has been no telephonic communication by the recipient to the senders (to be confirmed in writing) that the facsimile has not been received in legible form:
- 1.9.1 within two (2) hours after sending, if sent on a Business Day between the hours of 9am and 4pm; or
 - 1.9.2 by 11am on the following Business Day, if sent after 4pm, on a Business Day but before 9am on that following Business Day.