

# + Service of documents Fact sheet

## *Acts Interpretation Act 1954 (Qld)* (as at 1 March 2017) - Part 10

### 39 Service of documents

1. If an Act requires or permits a document to be served on a person, the document may be served—
  - a. on an individual—
    - i. by delivering it to the person personally; or
    - ii. by leaving it at, or by sending it by post, telex, facsimile or similar facility to, the address of the place of residence or business of the person last known to the person serving the document; or
  - b. on a body corporate—by leaving it at, or sending it by post, telex, facsimile or similar facility to, the head office, a registered office or a principal office of the body corporate.
2. Subsection (1) applies whether the expression ‘deliver’, ‘give’, ‘notify’, ‘send’ or ‘serve’ or another expression is used.

3. Nothing in subsection (1)—
  - a. affects the operation of another law that authorises the service of a document otherwise than as provided in the subsection; or
  - b. affects the power of a court or tribunal to authorise service of a document otherwise than as provided in the subsection.

### 39A Meaning of service by post etc.

1. If an Act requires or permits a document to be served by post, service:
  - a. may be effected by properly addressing, prepaying and posting the document as a letter; and
  - b. is taken to have been effected at the time at which the letter would be delivered in the ordinary course of post, unless the contrary is proved.
2. If an Act requires or permits a document to be served by a Particular postal method, the requirement or permission is taken to be satisfied if the document is posted by that method or, if that method is not available, by the equivalent, or nearest equivalent, method provided for the time being by Australia Post.’
3. Subsections (1) and (2) apply whether the expression ‘deliver’, ‘give’, ‘notify’, ‘send’ or ‘serve’ or another expression is used.
4. Without limiting subsection (2), the requirement or permission mentioned in the subsection is taken to be satisfied, and is taken always to have been satisfied, for the service of a document if the document is, or was, posted by certified mail provided by Australia Post.