

Computation of time for service of documents between parties

Rule 112(2) provides that sending by post shall be deemed to be effected by properly addressing, preparing and posting a letter containing the document with the postage on it prepaid, to the address for service of the person, or if he does not have an address for service, at his last known address. The document sent by post is deemed to have been received at the time when the letter would be delivered in the ordinary course of the postal service. This deeming provision can be displaced by proof of the date of actual receipt (rule 112(2)) or proof that the document was not received at all i.e. where the letter is returned undelivered. The parties of course have the option (rule 112(1)(a)) of leaving the document at the address for service as recorded in the register.

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