



Reservoirs (Scotland) Act 2011

2011 asp 9

PART 1

RESERVOIRS

CHAPTER 5

CONSTRUCTION OR ALTERATION OF CONTROLLED RESERVOIRS

37 Preliminary certificates

- (1) Where the construction engineer considers that the reservoir may safely be filled (wholly or partially) with water or that the level of water should be reduced, the engineer must, as soon as is reasonably practicable after being so satisfied, give the reservoir manager a preliminary certificate.
- (2) A preliminary certificate must—
 - (a) specify a level (the “specified level”) that water in the reservoir must not exceed,
 - (b) require the reservoir manager to ensure that the level of water does not exceed the specified level,
 - (c) specify any requirements the engineer considers appropriate as to the manner in which the level of water in the reservoir may be increased or decreased.
- (3) A construction engineer must, not later than 28 days after giving a preliminary certificate, give SEPA a copy of it.
- (4) A subsequent preliminary certificate applicable to the reservoir replaces any previous preliminary certificate applicable to the reservoir in respect of the relevant works.
- (5) A preliminary certificate ceases to have effect on the issue of the final certificate applicable to the reservoir in respect of those works.

Commencement Information

II S. 37 in force at 1.4.2016 by S.S.I. 2016/42, art. 2, Sch. (with art. 3)

Changes to legislation:

There are currently no known outstanding effects for the Reservoirs (Scotland) Act 2011, Section 37.