



Reservoirs (Scotland) Act 2011

2011 asp 9

PART 1

RESERVOIRS

CHAPTER 6

OTHER REQUIREMENTS: HIGH-RISK RESERVOIRS AND MEDIUM-RISK RESERVOIRS

48 Inspection reports: compliance

- (1) The reservoir manager must (subject to section 59(3)) ensure that any direction in an inspection report issued to the manager is complied with.
- (2) The reservoir manager—
 - (a) may appoint any other qualified engineer (being a person eligible to be appointed as an inspecting engineer for the reservoir) to supervise any of the measures specified in the inspection report, and
 - (b) must, as soon as practicable after making any such appointment, give notice of it to SEPA and the inspecting engineer.
- (3) Not later than 28 days after being satisfied that a measure directed in the inspection report has been taken—
 - (a) the inspecting engineer, or
 - (b) in relation to any measure for which the other qualified engineer is appointed, the other qualified engineer,must give to the reservoir manager an interim inspection compliance certificate.
- (4) An interim inspection compliance certificate must specify—
 - (a) the inspection report to which it relates,
 - (b) the measure taken,
 - (c) any measure for which the person giving the certificate is responsible for supervising that has yet to be taken.

Changes to legislation: There are currently no known outstanding effects for the Reservoirs (Scotland) Act 2011, Section 48. (See end of Document for details)

- (5) The inspecting engineer or the other qualified engineer must, not later than 28 days after being satisfied that all of the measures directed in the inspection report have been taken, give the reservoir manager an inspection compliance certificate.
- (6) The engineer giving an inspection compliance certificate must take an interim compliance certificate given by another engineer under this section to be conclusive of that measure having been taken.
- (7) An inspection compliance certificate must specify—
 - (a) the inspection report to which it relates,
 - (b) that all of the measures directed in the report have been taken.
- (8) The inspecting engineer or the other qualified engineer must, not later than 28 days after giving an interim inspection compliance certificate or an inspection compliance certificate under this section, give SEPA a copy of it.
- (9) Where an inspection report directs a measure for the maintenance of the reservoir to be taken in the interests of the safety of the reservoir (specified in accordance with section 47(3)(a))—
 - (a) no interim inspection compliance certificate is required for that measure, and
 - (b) no account of that measure is to be taken for the purposes of subsections (4)(c), (5) and (7)(b).

Commencement Information

II S. 48 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 48.