



2015 CHAPTER 8

PART 3

CONSTRUCTION OR ALTERATION OF CONTROLLED RESERVOIRS

Supervision by construction engineer

Notice to Department and commissioning of construction engineer

43.—(1) The reservoir manager of a controlled reservoir which is to be subject to relevant works must, not later than 28 days before the proposed relevant works begin, give notice to the Department of the proposed works.

(2) The reservoir manager must, not later than 28 days before the proposed relevant works begin—

- (a) commission a construction engineer,
- (b) give notice to the Department of the commissioning.

(3) A “construction engineer” is an engineer duly commissioned under this section to supervise the relevant works and the safety of the reservoir until a copy of the final certificate issued in respect of the works is given to the Department in accordance with section 49(8).

(4) An engineer may be commissioned as a construction engineer if the engineer—

- (a) is a member of a panel of reservoir engineers established under section 102 who may (by virtue of an order under that section) be commissioned under this section in relation to the reservoir,
- (b) is not disqualified by virtue of subsection (5) from being commissioned as a construction engineer in relation to the reservoir.

- (5) An engineer is disqualified from being commissioned as a construction engineer in relation to the reservoir if the engineer—
- (a) is an employee of any person who is a reservoir manager of the reservoir,
 - (b) has previously been an inspecting engineer in relation to the reservoir.
- (6) In sections 44 to 51—
- (a) references to “the construction engineer” are references to the engineer duly commissioned for the time being as such under this section in respect of the relevant works,
 - (b) references to “the reservoir manager” are references to the reservoir manager of the controlled reservoir which is the subject of the relevant works.