



2015 CHAPTER 8

PART 5

DISPUTE REFERRAL

PROSPECTIVE

Powers of referee: referral under section 61(2)

- 64.**—(1) This section applies where a referral is made under section 61(2).
- (2) The referee may make such modifications (if any) as the referee considers appropriate to the direction or recommendation.
- (3) Where the referee makes any such modification, the referee—
- (a) must modify the report which contains the direction or recommendation,
 - (b) where the report is a safety report, must make any necessary modification to any safety measure certificate given in relation to the report,
 - (c) where the report is an inspection report and the referral was made in respect of a direction in it as to ensuring the taking of a measure in the interests of the safety of the reservoir, must make any necessary modification to any interim inspection compliance certificate given in relation to the report.
- (4) The referee must take the steps mentioned in subsection (5) not later than 28 days after making a decision under subsection (2).
- (5) The steps are—
- (a) to give the reservoir manager and the relevant engineer a certificate (a “referral certificate”) stating—

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Reservoirs Act (Northern Ireland) 2015, Section 64. (See end of Document for details)

- (i) whether the referee has modified the report,
 - (ii) any modification made,
- (b) where the referee has modified the report or any safety measure certificate or interim inspection compliance certificate, to give the reservoir manager and the relevant engineer a copy of the modified report and any such modified certificate,
- (c) to give the Department a copy of the referral certificate and any modified report and any such modified safety measure certificate or interim inspection compliance certificate.
- (6) A direction, recommendation, report, safety measure certificate or interim inspection compliance certificate modified under this section has effect as so modified.
- (7) In subsection (3)(b) and (c), “any necessary modification” means any modification the referee considers is necessary in relation to any measure specified in the certificate as a measure yet to be taken.

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Reservoirs Act (Northern Ireland) 2015, Section 64.