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SCOTTISH STATUTORY INSTRUMENTS

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**2016 No. 42**

**The Reservoirs (Scotland) Act 2011 (Commencement  
No. 5 and Transitional Provision) Order 2016**

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Reservoirs (Scotland) Act 2011 (Commencement No. 5 and Transitional Provision) Order 2016 and comes into force on 1st April 2016.

(2) In this Order, “the Act” means the Reservoirs (Scotland) Act 2011.

**Appointed day**

2.—(1) Subject to paragraph (2), 1st April 2016 is the day appointed for the coming into force of the provisions of the Act specified in column (1) of the table in the Schedule (the subject matter of which is specified in column (2) of that table).

(2) Where a purpose is specified in column (3) of that table in relation to any provision specified in column (1), that provision comes into force on 1st April 2016 only for that purpose.

**Transitional provision**

3.—(1) Until section 12 of the Act (controlled reservoirs not required to be registered under the 1975 Act) has effect for all purposes, references to “10,000 cubic metres” in sections 1(2) and (3) (b), 32(3) and (5), 35(2)(b) and 39(3)(b) of the Act are, for the purposes of the following enactments, to be treated as references to “25,000 cubic metres”—

(a) Part 1 of the Act; and

(b) any provision made by regulations or by order under that Part of the Act.

(2) Paragraph (1) does not apply in so far as it might otherwise modify—

(a) section 12 of the Act; or

(b) any power conferred by the Act to give directions or to make regulations or orders.

St Andrew’s House,  
Edinburgh  
26th January 2016

*AILEEN MCLEOD*  
Authorised to sign by the Scottish Ministers