



Reservoirs Act 1975

1975 CHAPTER 23

[^{F1} Operation of Act, and administration

^{F2}[^{F1}2 Registration of large raised reservoirs, and enforcement of Act, by local authorities.

- (1) [^{F3} The relevant authorities for purposes of this Act shall be, in England ^{F4}... the Environment Agency][^{F5}, in Wales the NRBW] and, in Scotland, [^{F6}councils constituted under section 2 of the Local Government etc. (Scotland) Act 1994].
- (2) It shall be the duty of each [^{F7} relevant authority] to establish and maintain for their area a register showing the large raised reservoirs situated wholly or partly in the area, and giving the prescribed information about each of them; and—
 - (a) the register maintained by a [^{F7} relevant authority] under this subsection and copies of it or a prescribed part of it shall be kept at such place or places as may be prescribed; and
 - (b) the register so maintained, and any copy required under sub-paragraph (a) above to be kept at any place, shall be available for inspection at all reasonable times by any person.

[^{F2}(2A) If it appears to the Secretary of State that the inclusion of any information in the register maintained under subsection (2) above by the Environment Agency [^{F8}or the NRBW] would be contrary to the interests of national security, he may direct the Agency [^{F9} or the NRBW] not to include that information in the register.]

[^{F10}(2B) The undertaker must register a large raised reservoir with the relevant authority.

(2C) The Minister may make regulations about registration under this section.

(2D) Regulations under subsection (2C) may, in particular, include provision about—

- (a) the information to be registered, and
- (b) the time by which information, or changes to information, must be registered.

(2E) The regulations may require an undertaker to notify the relevant authority about—

- (a) proposed alterations to which section 6 applies;
- (b) a proposal to abandon a large raised reservoir under section 14;

Changes to legislation: Reservoirs Act 1975, Section 2 is up to date with all changes known to be in force on or before 24 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (c) the appointment, or termination of appointment, of an engineer for a purpose of this Act.]
- (3) It shall be for the [F7relevant authority] in whose area a reservoir is situated, if they are not themselves the undertakers, to secure that the undertakers observe and comply with the requirements of this Act.
- (4) Where a reservoir extends into the areas of more than one [F7relevant authority], then unless one of those authorities are the undertakers, the authority charged under subsection (3) above with securing that the undertakers observe and comply with the requirements of this Act shall be such one of those authorities as may be agreed between them or, in default of agreement, may be determined by the Secretary of State.
- (5) Where a reservoir extends into the areas of more than one [F7relevant authority], and one of those authorities are the undertakers, subsections (3) and (4) above shall apply as if the reservoir did not extend into the area of that one of the authorities.
- (6) For purposes of this Act “enforcement authority” means, in relation to a reservoir, the [F7relevant authority] charged under subsection (3) above with securing that the undertakers observe and comply with the requirements of this Act (and, where the context so requires, includes the authority that would be so charged if the reservoir were a large raised reservoir); and accordingly the provisions of this Act relating to the enforcement authority for a reservoir do not apply in the case of a reservoir if a [F7relevant authority] are the undertakers and the reservoir is situated wholly in the area of that authority.
- (7) There shall be paid out of money provided by Parliament any increase attributable to this Act in the amounts so payable under any enactment by way of rate support grant.]

Textual Amendments

- F1** Act repealed (S.) (1.4.2016) by [Reservoirs \(Scotland\) Act 2011](#) (asp 9), **ss. 8(2)**, 116(1) (with s. 110); S.I. 2016/42, art. 2, sch. (with art. 3)
- F2** S. 2(2A) inserted (E.W.) (1.10.2004 for E., 11.11.2004 for W.) by [Water Act 2003](#) (c. 37), **ss. 78(1)**, 105(3); S.I. 2004/2528, art. 2(n) (with Sch. para. 8); S.I. 2004/2916, art. 2(b)
- F3** Words in s. 2(1) substituted (1.10.2004) by [Water Act 2003](#) (c. 37), **ss. 74(1)(a)**, 105(3); S.I. 2004/2528, art. 2(k) (with Sch. para. 8)
- F4** Words in s. 2(1) omitted (1.4.2013) by virtue of [The Natural Resources Body for Wales \(Functions\) Order 2013](#) (S.I. 2013/755), art. 1(2), **Sch. 2 para. 119(2)(a)** (with Sch. 7)
- F5** Words in s. 2(1) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013](#) (S.I. 2013/755), art. 1(2), **Sch. 2 para. 119(2)(b)** (with Sch. 7)
- F6** Words in s. 2(1) substituted (S.) (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 98**; S.I. 1996/323, **art. 4(1)(b)(c)**
- F7** Words in s. 2 substituted (1.10.2004) by [Water Act 2003](#) (c. 37), **ss. 74(1)(b)**, 105(3); S.I. 2004/2528, art. 2(k) (with Sch. para. 8)
- F8** Words in s. 2(2A) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013](#) (S.I. 2013/755), art. 1(2), **Sch. 2 para. 119(3)(a)** (with Sch. 7)
- F9** Words in s. 2(2A) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013](#) (S.I. 2013/755), art. 1(2), **Sch. 2 para. 119(3)(b)** (with Sch. 7)
- F10** S. 2(2B)-(2E) inserted (1.10.2011 for specified purposes, 30.7.2013 for E. so far as not already in force, 1.4.2016 for W. in so far as not already in force) by [Flood and Water Management Act 2010](#) (c. 29), s. 49(3), **Sch. 4 para. 4** (with s. 49(1)(6)); S.I. 2011/2204, art. 3(1)(e); S.I. 2013/1590, art. 3(b); S.I. 2016/79, art. 2(b)

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Modifications etc. (not altering text)

C1 S. 2 modified by [S.I. 1985/176, art. 2\(3\)\(ii\)](#), [Sch.](#) and 1986/466, art. 2(2), Sch. 2

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Changes and effects yet to be applied to :

- s. 2(1) word substituted by [2009 asp 6 s. 84\(3\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(4B) inserted by [2009 asp 6 s. 84\(2\)](#)
- s. 12C inserted by [2009 asp 6 s. 89](#)
- s. 12ZA inserted by [2009 asp 6 s. 88](#)
- s. 22B inserted by [2009 asp 6 s. 86\(2\)](#)
- s. 27B inserted by [2009 asp 6 s. 90](#)