



# Reservoirs Act 1975

## 1975 CHAPTER 23

### *[<sup>F1</sup> Supplementary*

#### **[<sup>F1</sup>20 General provisions as to reports, certificates etc. of engineers.**

- (1) Any report [<sup>F2</sup>, certificate or directions] of an engineer acting for any purpose of this Act, including a referee under section 19 above, shall be in the prescribed form.
- (2) Any such report or certificate, unless the engineer in question is appointed to act by the enforcement authority, shall be delivered to and kept by the undertakers.
- (3) Any such report or certificate, where the engineer in question is appointed to act by the enforcement authority, shall be delivered to the authority, but a copy of it shall be sent by the engineer at the same time to the undertakers and shall be kept by them.
- (4) Where any document to which this subsection applies is delivered by the engineer in question to the undertakers, the engineer shall within twenty-eight days after he delivers it to the undertakers send a copy of it to the enforcement authority.

The documents to which this subsection applies are—

- (a) any certificate of an engineer acting for any purpose of this Act;
- (b) any report made by an inspecting engineer or an engineer acting for purposes of section 14 above <sup>F3</sup>... , and any report made by an engineer acting under section 8 or 9 above;
- (c) any decision of a referee <sup>F4</sup>... ;
- (d) any written explanation given by a construction engineer to the undertakers of his reasons for deferring the issue of his final certificate;
- (e) any advice given by a supervising engineer to the undertakers which either—
  - (i) recommends them to have the reservoir inspected under section 10 above or to take any other action; or
  - (ii) draws their attention to a breach of any provision of section 6(2) to (4) or 9(2) or of section 11 above.
- [<sup>F5</sup>(f) any written statement given under section 12(2) or (2A);
- (g) any direction given under section 12(6);]

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**Changes to legislation:** Reservoirs Act 1975, Section 20 is up to date with all changes known to be in force on or before 24 May 2023. 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

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[<sup>F6</sup>(h) any direction given under section 12AA(4) or (7).]

- (5) Where an enforcement authority receive a certificate of an engineer acting for the purposes of section 13 above or a copy of such a certificate, and the reservoir is situated partly in the area of another [<sup>F7</sup>relevant authority] not being the undertakers, the enforcement authority shall send a copy of the certificate to that other [<sup>F7</sup>relevant authority].]

#### 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.S.I. 2016/42, art. 2, sch. (with art. 3)
- F2** Words in s. 20(1) substituted (E.W.) (1.10.2011 for specified purposes) by Flood and Water Management Act 2010 (c. 29), s. 49(3), **Sch. 4 para. 31** (with s. 49(1)(6)); S.I. 2011/2204, art. 3(1)(f)
- F3** Words in s. 20(4)(b) omitted (30.7.2013 for E., 1.4.2016 for W.) by virtue of Flood and Water Management Act 2010 (c. 29), s. 49(3), **Sch. 4 para. 28** (with s. 49(1)(6)); S.I. 2013/1590, art. 3(b); S.I. 2016/79, art. 2(d)
- F4** Words in s. 20(4)(c) omitted (30.7.2013 for E., 1.4.2016 for W.) by virtue of Flood and Water Management Act 2010 (c. 29), s. 49(3), **Sch. 4 para. 23(2)** (with s. 49(1)(6)); S.I. 2013/1590, art. 3(b); S.I. 2016/79, art. 2(d)
- F5** S. 20(4)(f)(g) added (30.7.2013 for E., 1.4.2016 for W. for specified purposes, otherwise on "the applicable day" 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. 17(6)** (with s. 49(1)(6)); S.I. 2013/1590, art. 3(b) (with art. 4(2)-(5)); S.I. 2016/79, arts. 2(c), 3
- F6** S. 20(4)(h) added (30.7.2013 for E., 1.4.2016 for W.) by Flood and Water Management Act 2010 (c. 29), s. 49(3), **Sch. 4 para. 23(3)** (with s. 49(1)(6)); S.I. 2013/1590, art. 3(b); S.I. 2016/79, art. 2(d)
- F7** Words in s. 20 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)

#### Modifications etc. (not altering text)

- C1** Ss. 19, 20 modified by S.I. 1986/466, art. 2(2), **Sch. 1**

**Changes to legislation:**

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**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](#)