



Reservoirs Act 1975

1975 CHAPTER 23

[^{F1} New, enlarged and restored reservoirs

[^{F16} Construction or enlargement of reservoirs.

- (1) No large raised reservoir shall be constructed (whether as a new reservoir or by the alteration of an [^{F2}existing structure or area] that is not a large raised reservoir) or shall be altered so as to increase [^{F3}or decrease] its capacity, unless a qualified civil engineer (“the construction engineer”) is employed to design and supervise the construction or alteration; and where the use of a reservoir as a reservoir has been abandoned, and the reservoir is to be brought back into use after being altered so as to increase [^{F3}or decrease] its capacity, that shall be treated for purposes of this Act as the construction of a new reservoir.
- (2) Where a large raised reservoir is constructed as a new reservoir, it shall not be used for the storage of water, or be filled wholly or partially with water, otherwise than in accordance with the certificate of the construction engineer responsible for its construction (or, in the event of any alteration to it, in accordance with subsection (4) below).
- (3) Where a large raised reservoir is constructed by the alteration of an [^{F4}existing structure or area] that is not a large raised reservoir, the ^{F5}... reservoir shall not be used for the storage of water, or be filled wholly or partially with water, otherwise than in accordance with the certificate of the construction engineer responsible for the construction of the reservoir (or, in the event of any alteration to it, in accordance with subsection (4) below).
- (4) Where a large raised reservoir is altered so as to increase [^{F6}or decrease] its capacity, then from the time when the construction engineer responsible for the alteration gives any certificate for the reservoir, the reservoir shall not be used for the storage of water, or be filled wholly or partially with water, otherwise than in accordance with the certificate of that construction engineer (or, in the event of any further alteration to it, in accordance with this subsection as it applies on that alteration).

Changes to legislation: Reservoirs Act 1975, Section 6 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

- (5) Where the construction or alteration of a reservoir is by this section required to be supervised by a construction engineer, the reservoir shall be under the supervision of the construction engineer until he gives his final certificate for the reservoir.
- (6) ^{F7} ...
- [^{F8}(6A) This section and sections 7 and 8 do not apply in relation to alterations, or proposed alterations, to decrease the capacity of a large raised reservoir so that it is incapable of holding 10,000 cubic metres of water above the natural level of any part of the surrounding land (in which case section 13 applies instead).
- (6B) The Minister may by order substitute a different volume of water for the volume specified in subsection (6A).]]

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. 6(1) substituted (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. 3(2)** (with s. 49(1)(6)); [S.I. 2013/1590](#), **art. 3(b)**; [S.I. 2016/79](#), **art. 2(b)**
- F3** Words in s. 6(1) 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. 10(2)** (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)**
- F4** Words in s. 6(3) substituted (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. 3(3)** (with s. 49(1)(6)); [S.I. 2013/1590](#), **art. 3(b)**; [S.I. 2016/79](#), **art. 2(b)**
- F5** Words in s. 6(3) omitted (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 virtue of [Flood and Water Management Act 2010 \(c. 29\)](#), s. 49(3), **Sch. 4 para. 10(3)** (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)**
- F6** Words in s. 6(4) 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. 10(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)**
- F7** S. 6(6) omitted (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 virtue of [Flood and Water Management Act 2010 \(c. 29\)](#), s. 49(3), **Sch. 4 para. 10(5)** (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)**
- F8** S. 6(6A)(6B) added (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. 10(6)** (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)**

Modifications etc. (not altering text)

- C1** Ss. 6–10 modified by [S.I. 1986/466](#), **art. 2(2)**, **Sch. 1**
- C2** S. 6(6A) modified (temp.) (3.7.2013) by [The Flood and Water Management Act 2010 \(Commencement No. 2, Transitional and Savings Provisions\) \(England\) Order 2013 \(S.I. 2013/1590\)](#), **art. 4(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](#)