

SCHEDULES

SCHEDULE 4

RESERVOIRS

Information and reports

33 After section 21 (duty to provide information) insert—

“21A Power to require information

- (1) For the purposes of carrying out its functions under this Act, [^{F1}the appropriate agency] may by notice require an undertaker to provide information specified in the notice.
- (2) The notice may require the information to be provided—
 - (a) within a specified period;
 - (b) in a specified manner or form.
- (3) The period specified under subsection (2)(a) must be a period of at least 28 days beginning with the day on which the notice is issued.

21B Reports

- (1) The Minister may by regulations require a specified person to make a report to the Environment Agency about any incident of a specified kind which affected, or could have affected, the safety of a large raised reservoir.
- (2) The regulations may, in particular, provide that the duty to report applies to—
 - (a) an undertaker, and
 - (b) an engineer appointed for any purpose of this Act.
- (3) The regulations may make provision about—
 - (a) the form and manner of a report,
 - (b) the timing of a report.”

Annotations:

Amendments (Textual)

- F1** Words in Sch. 4 para. 33 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 468(2)(d)** (with Sch. 7)

Commencement Information

- I1** Sch. 4 para. 33 in force at 1.10.2011 for specified purposes by [S.I. 2011/2204](#), art. 3(1)(e)
- I2** [Sch. 4 para. 33](#) in force at 30.7.2013 for E. so far as not already in force by [S.I. 2013/1590](#), art. 3(b)
- I3** [Sch. 4 para. 33](#) in force at 1.4.2016 for W. in so far as not already in force by [S.I. 2016/79](#), art. 2(d)

Changes to legislation: There are currently no known outstanding effects for the Flood and Water Management Act 2010, Cross Heading: Information and reports. (See end of Document for details)

- 34 In section 22 (criminal liability) after subsection (4) insert—
- “(4A) An undertaker who fails to comply with a requirement of a notice given under section 21A is guilty of an offence.
- (4B) An undertaker who fails to comply with a requirement to make a report under regulations made under section 21B is guilty of an offence.
- (4C) A person guilty of an offence under subsection (4A) or (4B) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.”

Annotations:

Commencement Information

I4 Sch. 4 para. 34 in force at 30.7.2013 for E. by S.I. 2013/1590, art. 3(b)

I5 Sch. 4 para. 34 in force at 1.4.2016 for W. by S.I. 2016/79, art. 2(d)

Changes to legislation:

There are currently no known outstanding effects for the Flood and Water Management Act 2010, Cross Heading: Information and reports.