

**Changes to legislation:** Flood and Water Management Act 2010, Cross Heading: Information and reports is up to date with all changes known to be in force on or before 22 February 2018. 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)

## 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, [<sup>F1</sup>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)

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- 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:**

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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. 6(17) inserted by [2016 anaw 3 Sch. 2 para. 25\(2\)](#)