

*These notes relate to the Reservoirs (Scotland) Act 2011  
(asp 9) which received Royal Assent on 12 April 2011*

# **RESERVOIRS (SCOTLAND) ACT 2011**

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## **EXPLANATORY NOTES**

### **THE ACT – SECTION BY SECTION**

#### **Part 1 – Reservoirs**

##### *Chapter 1 – Controlled Reservoirs, Reservoir Managers Etc.*

##### *Section 4 – Multiple reservoir managers: supplementary*

17. **Section 4** makes provision about the situation where there is more than one reservoir manager in relation to a controlled reservoir. Section 4(2) provides that the requirements of Part 1 of the Act apply to each and every reservoir manager separately and any duties of the reservoir manager set out under the Act have to be complied with by each of them. To avoid the duplication that this may cause and reduce the administrative burden placed on reservoir managers by the Act; subsection (3) enables reservoir managers to nominate one of their number to fulfil any requirements of Part 1 to which they are all subject. Where such a nomination is made, subsection (4) requires the nominating managers to give notice of the nomination to SEPA and to any engineer appointed in relation to the reservoir. Where such a nomination is made, SEPA may (if it so chooses) notify and consult only the nominated reservoir manager (to the exclusion of other reservoir managers of that reservoir) when required to consult the reservoir manager of that reservoir under the Act. Similarly, engineers appointed under the Act may give certificates and other documents that they are required to issue under the Act to the nominated reservoir manager only.