



Reservoirs (Scotland) Act 2011

2011 asp 9

PART 1

RESERVOIRS

CHAPTER 10

MISCELLANEOUS

103 Notice to SEPA of revocation of appointment or resignation of engineer

- (1) Where the reservoir manager of a controlled reservoir revokes the appointment of a construction engineer, an inspecting engineer, an other qualified engineer or a supervising engineer appointed in relation to the reservoir, the manager must give SEPA notice of the revocation and of the date it took effect.
- (2) Where an engineer referred to in subsection (1) resigns such appointment—
 - (a) the engineer must give the reservoir manager notice of the resignation and the date on which it took, or is to take, effect,
 - (b) the reservoir manager who receives notice under paragraph (a) must, not later than 28 days after the receipt, give SEPA a copy of the notice.
- (3) Notice under subsection (1) or (2)(a) must be given not later than 28 days after the revocation or (as the case may be) resignation.
- (4) Failure by a reservoir manager to comply with the requirements of subsection (1) or (2)(b) is an offence.
- (5) A reservoir manager guilty of an offence under subsection (4)—
 - (a) in relation to a controlled reservoir which is, at the time the offence is committed, designated as a high-risk reservoir is liable on summary conviction to a fine not exceeding level 5 on the standard scale,
 - (b) in relation to any other controlled reservoir is liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (6) It is a defence to a charge in proceedings for an offence under subsection (4) that the reservoir manager did not receive notice of the engineer's resignation.

Changes to legislation: There are currently no known outstanding effects for the Reservoirs (Scotland) Act 2011, Section 103. (See end of Document for details)

Commencement Information

II S. 103 in force at 1.4.2016 by S.S.I. 2016/42, art. 2, Sch. (with art. 3)

Changes to legislation:

There are currently no known outstanding effects for the Reservoirs (Scotland) Act 2011, Section 103.