



# Reservoirs (Scotland) Act 2011

## 2011 asp 9

### PART 1

#### RESERVOIRS

#### CHAPTER 9

##### CIVIL ENFORCEMENT, EMERGENCY POWERS AND FURTHER OFFENCES

##### *Taking of safety and other measures*

#### **72 Offences under sections 42(1)(d) and 52(1)(c): further remedies**

- (1) This section applies where a reservoir manager is convicted of an offence under—
  - (a) section 42(1)(d) (failure to comply with direction in safety report),
  - (b) section 52(1)(c) (failure to comply with direction in inspection report).
- (2) The court may, in addition to or instead of imposing any penalty competent under section 42(3) or (as the case may be) 52(3), order the reservoir manager to take such steps as are specified in the order, within such period as is so specified—
  - (a) to secure compliance with the direction concerned,
  - (b) to secure the remedying or mitigating of the effects of the failure to comply with the direction.
- (3) The court may—
  - (a) on an application made before the end of the period specified under subsection (2), by order extend the period to such extended period as is specified in the order,
  - (b) on an application made before the end of the extended period, by order further extend the period to such further extended period as is specified in the order,
  - (c) by order grant further extensions of the latest period specified by it by order under paragraph (b), on an application made before the end of the latest period.