



# Reservoirs (Scotland) Act 2011

## 2011 asp 9

### PART 1

#### RESERVOIRS

#### CHAPTER 9

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

##### *Miscellaneous*

#### **93 Powers of entry: supplementary**

- (1) Where entry under section 91 is for a purpose in subsection (2)(k) of that section the right to enter extends to any neighbouring land.
- (2) A right to enter land conferred by section 91 includes a right, subject in the case of a right exercisable in accordance with a warrant to the terms of the warrant, to—
  - (a) take on to the land such other persons and such materials and equipment (including vehicles) as may be reasonably required for the purposes of assisting the person,
  - (b) do anything else which is reasonably required in order to fulfil the purpose for which entry is taken.
- (3) Except for a purpose referred to in section 91(2)(k), a person may not demand entry to land which is occupied unless either—
  - (a) at least 7 days' notice has been given to the occupier, or
  - (b) the entry is authorised by a warrant under section 92.
- (4) Notice under subsection (3)(a) must—
  - (a) specify the purpose for which entry is required,
  - (b) specify so far as practicable the nature of the proposed works on the land.
- (5) A person authorised by virtue of section 91 to enter land must on request produce written evidence of the authorisation.

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**Status:** Point in time view as at 01/04/2016.

**Changes to legislation:** There are currently no known outstanding effects for the Reservoirs (Scotland) Act 2011, Section 93. (See end of Document for details)

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#### **Commencement Information**

- I1** S. 93(1) in force at 1.4.2016 by S.S.I. 2016/42, art. 2, **Sch.** (with art. 3)
- I2** S. 93(2)-(5) in force at 1.4.2015 by S.S.I. 2015/63, art. 2, **Sch.**

**Status:**

Point in time view as at 01/04/2016.

**Changes to legislation:**

There are currently no known outstanding effects for the Reservoirs (Scotland) Act 2011, Section 93.