



# Reservoirs (Scotland) Act 2011

## 2011 asp 9

### PART 1

#### RESERVOIRS

#### CHAPTER 9

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

##### *Appointment of engineers*

#### **67 Appointment of engineer by SEPA**

- (1) SEPA may make the relevant appointment where—
  - (a) it has by notice under section 65(2) required a reservoir manager to make the appointment, and
  - (b) the reservoir manager has failed to make the appointment.
- (2) An appointment by SEPA under this section is to be treated for the purposes of this Part as if the appointment were by the reservoir manager under section 33(2)(a), 45(1)(a) or (as the case may be) 49(1)(a).
- (3) An appointment under this section has no effect if the reservoir manager has already made the relevant appointment.
- (4) An appointment under this section terminates with effect from the date of a subsequent relevant appointment made by the reservoir manager.
- (5) The reservoir manager must pay SEPA the amount of any expenses reasonably incurred by it in pursuance of the exercise of powers under this section.