



2015 CHAPTER 8

PART 5

DISPUTE REFERRAL

**Referral to referee: directions in safety report or inspection report**

**61.**—(1) This section applies where—

- (a) a safety report contains a direction by a construction engineer,
- (b) an inspection report contains a direction by an inspecting engineer referred to in—
  - (i) section 35(4)(a)(ii) (to ensure taking of measure in interests of safety of reservoir),
  - (ii) section 35(4)(e) of that section (to ensure supervision by an inspecting engineer or other qualified engineer of taking of certain measures),
  - (iii) section 35(4)(f) of that section (to ensure monitoring by supervising engineer of taking of certain measures),
- (c) an inspection report contains a recommendation by an inspecting engineer as to when the next inspection of the reservoir should take place.

(2) The reservoir manager to whom the report is given may challenge the direction, or recommendation, by referring it to a referee in accordance with regulations made under section 66(1).

(3) Where a referral is made under subsection (2), the direction or recommendation is suspended until the reference has been determined or withdrawn.