



2015 CHAPTER 8

PART 2

REQUIREMENTS FOR HIGH-CONSEQUENCE AND MEDIUM-CONSEQUENCE RESERVOIRS

Offences: supervision, inspection, record keeping

Offence in connection with inspection: failure to secure compliance with safety direction or recommendation

39.—(1) Failure by a reservoir manager of a high-consequence or medium-consequence reservoir without lawful excuse to comply with the requirements of section 36(1) (ensuring compliance with direction in inspection report or pre-commencement safety recommendation as to taking of measure) is an offence.

(2) A reservoir manager guilty of an offence under subsection (1)—

- (a) in relation to a controlled reservoir which is, at the time the offence is committed, a high-consequence reservoir is liable on summary conviction to a fine not exceeding level 5 on the standard scale,
- (b) in relation to a controlled reservoir which is, at the time the offence is committed, a medium-consequence reservoir is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(3) Section 74 makes provision as to further remedies available on conviction of an offence referred to in subsection (1).