



2015 CHAPTER 8

PART 5

DISPUTE REFERRAL

PROSPECTIVE

Commissioning of referee

63.—(1) The referee must be an engineer commissioned under this section either—

- (a) by agreement between the reservoir manager and the relevant engineer, or
- (b) where no agreement is reached, by the Institution of Civil Engineers.

(2) An engineer may be commissioned as a referee if the engineer—

- (a) is a member of a panel of reservoir engineers established under section 102 who may (by virtue of an order under that section) be commissioned under this section in relation to the reservoir,
- (b) is not disqualified by virtue of subsection (3) from being commissioned under this section in relation to the reservoir concerned.

(3) An engineer is disqualified from being commissioned under this section in relation to the reservoir if the engineer—

- (a) is, or has previously been, an employee of any person who is, or has previously been, a reservoir manager of the reservoir,
- (b) has previously been an inspecting engineer or a construction engineer in relation to the reservoir,

Status: *This version of this provision is prospective.*

Changes to legislation: *There are currently no known outstanding effects for the Reservoirs Act (Northern Ireland) 2015, Section 63. (See end of Document for details)*

(c) is connected (as a partner, employer, employee or fellow employee in a civil engineering business) with a person who has previously been an inspecting engineer or a construction engineer in relation to the reservoir.

(4) In this section and sections 64 and 65, “the relevant engineer” means the inspecting engineer or construction engineer who gave the direction or recommended, specified or imposed the matter which is the subject of the referral.

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Reservoirs Act (Northern Ireland) 2015, Section 63.