



Reservoirs (Scotland) Act 2011

2011 asp 9

PART 1

RESERVOIRS

CHAPTER 5

CONSTRUCTION OR ALTERATION OF CONTROLLED RESERVOIRS

34 Inspection, reports, supervision of works etc. by construction engineer

- (1) The construction engineer must supervise the relevant works in accordance with this section until a final certificate is issued in respect of the works.
- (2) The engineer must—
 - (a) inspect the reservoir,
 - (b) design any construction or alteration.
- (3) Where the reservoir is being constructed or is subject to alteration but is not being discontinued or abandoned, the construction engineer (subject to subsection (6)) may give the reservoir manager a safety report prepared in accordance with section 35.
- (4) Where the reservoir is being restored to use, discontinued or abandoned, the construction engineer must give the reservoir manager a safety report.
- (5) A safety report given under subsection (4) must (subject to subsection (6)) be given not later than 9 months after the construction engineer is appointed.
- (6) Where the appointment of the construction engineer was required by notice from SEPA under section 65(2) (or is to be treated by virtue of section 67(2) as being an appointment by the reservoir manager), the construction engineer must give the reservoir manager a safety report as soon as is reasonably practicable after being appointed.
- (7) A construction engineer must, not later than 28 days after giving a safety report under this section, give SEPA a copy of it.

Changes to legislation: *There are currently no known outstanding effects for the Reservoirs (Scotland) Act 2011, Section 34. (See end of Document for details)*

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Commencement Information

II [S. 34](#) in force at 1.4.2016 by [S.S.I. 2016/42](#), [art. 2](#), [Sch.](#) (with [art. 3](#))

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