
STATUTORY INSTRUMENTS

1985 No. 176 (c.3)

**WATER, ENGLAND AND WALES
WATER SUPPLY, SCOTLAND**

The Reservoirs Act 1975 (Commencement No. 2) Order 1985

Made - - - - 13th February 1985

The Secretary of State, in exercise of his powers under section 29 of the Reservoirs Act 1975 and section 6(3) of the Local Government (Interim Provisions) Act 1984 and of all other powers enabling him in that behalf, orders as follows:—

1. This order may be cited as the Reservoirs Act 1975 (Commencement No. 2) Order 1985.

2.—(1) Subject to paragraphs (2) and (3) below, the provisions of the Reservoirs Act 1975 specified in the Schedule to this order shall come into force on 1st April 1985, except in the areas of the metropolitan counties and Greater London.

(2) Paragraph (1) above shall have effect subject to any limitations set out in the Schedule as to the extent to which any provision is brought into force.

(3) The provisions specified in the Schedule shall be brought into force by this order with the following modifications:—

- (i) section 2(1) of the Act shall have effect as if it did not refer to the Greater London Council or the council of a metropolitan county; and
- (ii) references in any of those provisions to a reservoir shall apply in the case of a reservoir situated partly in Greater London or one or more metropolitan counties as if it were wholly situated in the adjacent non-metropolitan county or counties in which it is partly situated.

12th February 1995

Patrick Jenkin
Secretary of State for the Environment

12th February 1985

Nicholas Edwards
Secretary of State for Wales

13th February 1985

George Younger
Secretary of State for Scotland

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SCHEDULE

<i>Provisions of the Act</i>	<i>Subject matter of Provisions</i>
Section 2	Registration of large raised reservoirs, and enforcement of Act, by local authorities
Section 3	Reports by local authorities to, and supervisory powers of, Secretary of State
Section 11	Recording of water levels etc.
Section 15(4) so far as it is applied by section 16(5)	Service of notice by enforcement authorities
Section 16	Emergency powers
Section 17 except (1)(b) to (d) and (3)	Powers of entry
Section 18	Compensation to third parties for damage or disturbance
Section 21(5) and (6) so far as they relate to the provision of information to a person appointed under section 16(3)	Duty of undertakers to furnish information
Section 22 so far as it relates to provisions of the Act already in force or brought into force by this order	Criminal liability of undertakers and their employees
Section 24	Notification to local authorities of existing reservoirs

EXPLANATORY NOTE

This order brings into force on 1st April 1985, provisions of the Reservoirs Act concerned with the setting up of registers of reservoirs and with the enforcement of the Act by local authorities. The enforcement provisions include the power of enforcement authorities to take emergency action where it appears to them that a reservoir is unsafe. Other provisions brought into force impose obligations on reservoir undertakers which include the duty to keep records and supply information and provide that failure to comply with the Act will constitute an offence unless there is reasonable excuse.

None of the provisions brought into force by this order come into force in England in the metropolitan counties or in Greater London. They affect any reservoirs which are partly situated in those areas, however, as if those reservoirs were wholly situated in non-metropolitan counties.

NOTE AS TO EARLIER COMMENCEMENT ORDER

The following provisions of the Act have been brought into force by commencement order made before the date of this order:—

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Provisions	Date of commencement	S.I. No.
S.1.	30th November 1983	1983/1666
S.4		
S.5		
S.29		
S.30		
Schedule 1		