



2015 CHAPTER 8

PART 6

CIVIL ENFORCEMENT, EMERGENCY
POWERS AND FURTHER OFFENCES

Reasonable facilities, information and assistance

Offences: sections 98 and 99

100.—(1) A reservoir manager of a controlled reservoir who fails, without reasonable excuse, to comply with any of the following requirements commits an offence—

- (a) the requirements of section 98 (affording of reasonable facilities to engineers),
- (b) the requirements of section 99 (provision of information and assistance to the Department).

(2) A reservoir manager of a controlled reservoir who does any of the following commits an offence—

- (a) intentionally alters, suppresses or destroys any document, information or particulars which the person has been required by virtue of either of those sections to produce,
- (b) for the purposes of either of those sections knowingly or recklessly provides any document which is, or any information or particulars which are, false or misleading in a material respect.

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

- (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 any other controlled reservoir is liable on summary conviction to a fine not exceeding level 4 on the standard scale.