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SCOTTISH STATUTORY INSTRUMENTS

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**2016 No. 161**

**The Reservoirs (Enforcement etc.) (Scotland) Order 2016**

**PART 4**

**MISCELLANEOUS**

**Notices: supplementary provision**

**9.**—(1) SEPA may, at any time, by notice given to the reservoir manager—

(a) withdraw (in whole or in part)—

- (i) a stop notice;
- (ii) a restraint notice;
- (iii) a restoration notice;
- (iv) a non-compliance penalty notice; or
- (v) an expenses recovery notice; or

(b) with the consent of the reservoir manager, amend the steps specified in—

- (i) a stop notice;
- (ii) a restraint notice; or
- (iii) a restoration notice,

so as to reduce the amount of work necessary to comply with the notice or, where applicable, to extend a period specified in the notice for the taking of any such step; or

(c) reduce the amount specified in—

- (i) a non-compliance penalty notice; or
- (ii) an expenses recovery notice.

(2) In paragraph (1), “the reservoir manager” means a reservoir manager who was given the stop notice, restraint notice, restoration notice, non-compliance penalty notice or expenses recovery notice in question.

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**Commencement Information**

**II** Art. 9 in force at 1.4.2016, see [art. 1](#)

**Guidance about the use of powers**

**10.** SEPA must publish guidance about the use of the powers conferred on it by this Order.

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**Changes to legislation:** There are currently no known outstanding effects for the The Reservoirs (Enforcement etc.) (Scotland) Order 2016, PART 4. (See end of Document for details)

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**Commencement Information**

**I2** Art. 10 in force at 1.4.2016, see [art. 1](#)

**Recovery of payments**

**11.** SEPA may recover as a civil debt any—

- (a) non-compliance penalty; or
- (b) expenses required to be paid under an expenses recovery notice.

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**Commencement Information**

**I3** Art. 11 in force at 1.4.2016, see [art. 1](#)

**Payment of penalties**

**12.** Where, by virtue of this Order, SEPA receives any sum in respect of a non-compliance penalty, SEPA must pay it to the Scottish Ministers.

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**Commencement Information**

**I4** Art. 12 in force at 1.4.2016, see [art. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Reservoirs (Enforcement etc.) (Scotland) Order 2016, PART 4.