
Changes to legislation: There are currently no known outstanding effects for the Flood and Water Management Act 2010, Paragraph 43. (See end of Document for details)

SCHEDULES

SCHEDULE 4

RESERVOIRS

Cross-border England-Scotland reservoirs

- 43 (1) In this paragraph—
- (a) a “cross-border reservoir” means a large-raised reservoir which is partly in England and partly in Scotland,
 - (b) for that purpose “large-raised reservoir” has the meaning given by section A1 of the Reservoirs Act 1975 as inserted by paragraph 2,
 - (c) “the English regime” means the Reservoirs Act 1975 as amended by this Schedule, and
 - (d) “the Scottish regime” means the [^{F1}Reservoirs (Scotland) Act 2011 and any order or regulations made, guidance issued or directions given under that Act].
- (2) The Secretary of State, with the consent of the Scottish Ministers, may by order provide that in relation to cross-border reservoirs—
- (a) the Scottish regime shall apply and the English regime shall not apply, or
 - (b) the English regime shall apply and the Scottish regime shall not apply.
- (3) An order may relate to—
- (a) a specified reservoir, or
 - (b) a class of reservoir.
- (4) An order may provide—
- (a) for any modifications of the English regime that appear necessary or desirable to the Secretary of State in its application to a cross-border reservoir, or
 - (b) for any modifications of the Scottish regime that appear necessary or desirable to the Secretary of State in its application to a cross-border reservoir.
- (5) An order under this paragraph may not be made unless a draft has been laid before and approved by resolution of each House of Parliament.

Textual Amendments

- F1** Words in Sch. 4 para. 43(1)(d) substituted (1.4.2016) by [The Reservoirs \(Scotland\) Act 2011 \(Restrictions on Disclosure of Information in relation to National Security etc.\) Order 2015 \(S.I. 2015/48\)](#), **arts. 1(2), 15** (see [S.S.I. 2016/42](#), **art. 2**, **Sch.** (with **art. 3**))

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Commencement Information

II Sch. 4 para. 43 in force at 1.10.2011 by [S.I. 2011/2204](#), [art. 3\(1\)\(k\)](#)

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