

*These notes relate to the Reservoirs (Scotland) Act 2011
(asp 9) which received Royal Assent on 12 April 2011*

RESERVOIRS (SCOTLAND) ACT 2011

EXPLANATORY NOTES

THE ACT – SECTION BY SECTION

Part 1 – Reservoirs

Chapter 6 – Other Requirements: High-Risk Reservoirs and Medium Risk Reservoirs

Section 45 – Appointment of inspecting engineer etc

71. This section requires managers of high risk and medium risk reservoirs to appoint an inspecting engineer to carry out an inspection of the reservoir at each of the times specified in section 46. Subsection (1)(b) requires the reservoir manager to notify SEPA of the appointment within 28 days. Subsection (2) sets out who may be appointed and requires the engineer to be a member of a panel of reservoir engineers established under Section 27. Because inspecting engineers are intended to have a degree of independence from the reservoir manager that appoints them, subsection (3) sets out that an engineer is disqualified from being appointed as an inspecting engineer in relation to a particular reservoir if he or she is employed by a reservoir manager of that reservoir or if he or she has previously been (or is connected to) a construction engineer for the reservoir.