

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 47 – Inspections: duties of inspecting engineers etc.

74. This section requires the inspecting engineer to inspect the reservoir, issue an inspection report to the reservoir manager within 9 months of completing the inspection, and issue inspection compliance certificate in accordance with section 48. Subsection (2) requires the reservoir manager to give the inspecting engineer a copy of the latest inspection report for the reservoir if they have one. Subsection (3) requires the inspection report to include any measures the inspecting engineer considers should be taken in the interest of safety including any measures for the maintenance of the reservoir. It also requires the inspection report to specify whether any of the measures from the previous report are not included in the current report and why. Subsection (3)(d) requires the report to direct the reservoir manager to ensure that the measures specified in the inspection report for the maintenance of the reservoir are monitored by the supervising engineer and that the other measures specified in the inspection report are undertaken within a specified period of time under the supervision of the inspecting engineer or other qualified engineer (as may be appointed under section 48(2)). Subsections (3)(e) and (f) require inspection reports to specify the timing of the next inspection and any matters that should be monitored by the supervising engineer until that inspection occurs. Subsection (3)(g) enables the inspection report to include recommendations on other matters relevant to the maintenance of the reservoir which do not require measures to be specified under subsection (3)(a).
75. Subsection (4) requires the inspecting engineer to give a copy of the report to SEPA and the supervising engineer within 28 days. Subsection (5) defines the terms “the inspecting engineer”, “the other qualified engineer” and “the reservoir manager” for the purposes of sections 47 and 48.