



Reservoirs (Scotland) Act 2011

2011 asp 9

PART 1

RESERVOIRS

CHAPTER 10

MISCELLANEOUS

103 Notice to SEPA of revocation of appointment or resignation of engineer

- (1) Where the reservoir manager of a controlled reservoir revokes the appointment of a construction engineer, an inspecting engineer, an other qualified engineer or a supervising engineer appointed in relation to the reservoir, the manager must give SEPA notice of the revocation and of the date it took effect.
- (2) Where an engineer referred to in subsection (1) resigns such appointment—
 - (a) the engineer must give the reservoir manager notice of the resignation and the date on which it took, or is to take, effect,
 - (b) the reservoir manager who receives notice under paragraph (a) must, not later than 28 days after the receipt, give SEPA a copy of the notice.
- (3) Notice under subsection (1) or (2)(a) must be given not later than 28 days after the revocation or (as the case may be) resignation.
- (4) Failure by a reservoir manager to comply with the requirements of subsection (1) or (2)(b) is an offence.
- (5) A reservoir manager guilty of an offence under subsection (4)—
 - (a) in relation to a controlled reservoir which is, at the time the offence is committed, designated as a high-risk 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.
- (6) It is a defence to a charge in proceedings for an offence under subsection (4) that the reservoir manager did not receive notice of the engineer's resignation.