



Reservoirs (Scotland) Act 2011

2011 asp 9

PART 1

RESERVOIRS

CHAPTER 1

CONTROLLED RESERVOIRS, RESERVOIR MANAGERS, ETC.

2 **Controlled reservoirs: supplementary**

- (1) A controlled reservoir includes its basin, spillways, valves, pipes and any other thing which—
 - (a) controls the flow of the water,
 - (b) facilitates the storage of water in it,
 - (c) supports such control or storage.
- (2) The following structures or areas are not controlled reservoirs (and are not to be taken into account in relation to what is to be treated as a controlled reservoir for the purposes of section 1(3) or (4))—
 - (a) ponds within extractive waste sites or waste facilities,
 - (b) canals or other inland waterways,
 - (c) weirs,
 - (d) structures or areas of water designed to protect land from the sea,
 - (e) sewage sludge lagoons,
 - (f) road and railway embankments,
 - (g) embanked watercourses.
- (3) Regulations by the Scottish Ministers may make provision as to—
 - (a) what constitutes any of the structures or areas referred to in subsection (2),
 - (b) what other thing (if any) described in the regulations is not a controlled reservoir (and is not to be taken into account in relation to what is to be treated as a controlled reservoir for the purposes of section 1(3) or (4)).

Changes to legislation:

There are currently no known outstanding effects for the Reservoirs (Scotland) Act 2011, Section 2.