



Reservoirs (Scotland) Act 2011

2011 asp 9

PART 1

RESERVOIRS

CHAPTER 3

RISK DESIGNATION

20 **Periodic review of risk designations**

- (1) SEPA must review the risk designation for the time being of a controlled reservoir—
 - (a) at any time SEPA considers the designation may have ceased to be appropriate,
 - (b) where the designation was given under section 19 and has not been reviewed under paragraph (a) during the period of 6 years after it was given (whether or not it has been reviewed under section 23), by the end of that period,
 - (c) by the end of the period of 6 years after each review under this section.
- (2) In reviewing the risk designation, SEPA must, having taken into account the matters mentioned in section 22, either—
 - (a) provisionally confirm the risk designation, or
 - (b) provisionally give the reservoir a risk designation as one of the other types referred to in paragraphs (a) to (c) of section 18(3).
- (3) SEPA does as is specified in paragraphs (a) and (b) of subsection (2) in relation to a controlled reservoir by giving the reservoir manager notice specifying—
 - (a) whether it provisionally confirms the risk designation or provisionally gives the reservoir a different risk designation,
 - (b) where it provisionally gives the reservoir a different risk designation, the different risk designation concerned,
 - (c) the reasons for its decision,
 - (d) how representations may be made to SEPA,
 - (e) that any representations must be made not later than the end of the period of 2 months beginning with the day on which the notice is given.