



# Reservoirs (Scotland) Act 2011

## 2011 asp 9

### PART 1

#### RESERVOIRS

#### CHAPTER 5

##### CONSTRUCTION OR ALTERATION OF CONTROLLED RESERVOIRS

### **33 Notice to SEPA and appointment of construction engineer**

- (1) The reservoir manager of a controlled reservoir which is to be subject to relevant works must, not later than 28 days before the proposed relevant works begin, give notice to SEPA of the proposed works.
- (2) The reservoir manager must, not later than 28 days before the proposed relevant works begin—
  - (a) appoint a construction engineer,
  - (b) give notice to SEPA of the appointment.
- (3) “A construction engineer” is an engineer appointed under this section to supervise the relevant works until a final certificate is issued in respect of the works.
- (4) An engineer may be appointed as a construction engineer if the engineer—
  - (a) is a member of a panel of reservoir engineers established under section 27 who may (by virtue of an order under that section) be appointed under this section,
  - (b) is not disqualified by virtue of subsection (5) from being appointed as a construction engineer in relation to the reservoir.
- (5) An engineer is disqualified from being appointed as a construction engineer in relation to the reservoir if the engineer is employed by any person who is a reservoir manager of the reservoir.
- (6) In sections 34 to 41—
  - (a) references to “the construction engineer” are references to the engineer appointed for the time being as such under this section in respect of the relevant works,

*Status: This is the original version (as it was originally enacted).*

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- (b) references to “the reservoir manager” are references to the reservoir manager of the controlled reservoir which is the subject of the relevant works.