



Reservoirs Act (Northern Ireland) 2015

CHAPTER 8

RESERVOIRS ACT (NORTHERN IRELAND) 2015

PART 1

CONTROLLED RESERVOIRS, REGISTRATION AND RESERVOIR DESIGNATION

Controlled reservoirs

1. Controlled reservoirs
2. Structure or area which is to be treated as a controlled reservoir
3. Matters to be taken into account under section 2(3)
4. Controlled reservoirs: further provision
5. Controlled reservoirs: supplementary

Reservoir managers

6. Reservoir managers
7. Multiple reservoir managers: supplementary
8. Duty of multiple reservoir managers to co-operate

Registration

9. Controlled reservoirs register
10. Reservoir managers' duty to register with the Department

Changes to legislation: There are currently no known outstanding effects for the Reservoirs Act (Northern Ireland) 2015. (See end of Document for details)

11. Structures or areas which are controlled reservoirs on the relevant date
12. Structures or areas which become controlled reservoirs after the relevant date
13. Structures or areas which are the subject of regulations under section 2(3)
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15. Registration: supplementary
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17. Giving a reservoir designation
18. Periodic re-assessment of reservoir designations
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21. Appeal against Department's decision in a review under section 20
22. Matters to be taken into account under sections 17(3), 18(2), 20(3)(b)(ii) and 21(5)(a)
23. Matters to be taken into account under sections 17(3), 18(2), 20(3)(b)(ii) and 21(5)(a): further provision
24. High-consequence reservoirs, medium-consequence reservoirs and low-consequence reservoirs: further provision

PART 2

REQUIREMENTS FOR HIGH-CONSEQUENCE AND MEDIUM-CONSEQUENCE RESERVOIRS

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25. Supervision requirement and commissioning of supervising engineer etc.
26. Duties etc. in relation to supervision
27. Regulations as to visits by supervising engineer
28. Visual inspection directed under section 26(4)(a): further provision
29. Nominated representative under section 26(7)(a): further provision

Inspections etc. by inspecting engineer

30. Inspection timing: general requirements
31. Inspection timing: reservoir subject to pre-commencement inspection report

32. Inspection timing: other qualifications
33. Pre-commencement inspection report
34. Commissioning of inspecting engineer etc.
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36. Inspection reports: compliance

Record keeping etc.

37. Recording of water levels etc. and record keeping

Offences: supervision, inspection, record keeping

38. Offences: supervision, inspection, record keeping
39. Offence in connection with inspection: failure to secure compliance with safety direction or recommendation
40. Defences: offence under section 39(1)

PART 3

CONSTRUCTION OR ALTERATION OF CONTROLLED RESERVOIRS

Construction or alteration

41. Application of Part 3 etc.
42. Meaning of “relevant works” for purposes of Act

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43. Notice to Department and commissioning of construction engineer
44. Supervision of relevant works and reservoir safety by construction engineer
45. Safety report
46. Safety report: compliance
47. Preliminary certificate
48. Construction certificate
49. Final certificate
50. Preliminary and final certificates: compliance
51. Termination of supervision by construction engineer

Offences: construction or alteration

52. Offences: construction or alteration
53. Offences: failure to comply with safety direction in safety report, preliminary certificate or final certificate
54. Defences: offences under section 53(1)

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Relevant works underway at commencement

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PART 4

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CIVIL ENFORCEMENT, EMERGENCY POWERS AND FURTHER OFFENCES

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69. Commissioning of engineer by Department
70. Commissioning by the Department: engineers' reports, certificates, recommendations etc.

Enforcement of taking of safety measures

71. Enforcement notice: safety measures
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73. Department's power to arrange taking of safety measures

Conviction of certain offences involving safety matters: further remedies

74. Offence under section 39(1) or 53(1)(a): further remedies

Department's powers in emergency

75. Emergency powers

Recovery of costs under section 69, 71, 73 or 75: appeal

76. Recovery of costs under section 69, 71, 73 or 75: appeal

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77. Stop notices
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85. Fixed monetary penalties: criminal proceedings and conviction etc.
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87. Variable monetary penalties: procedure etc.
88. Variable monetary penalties: criminal proceedings and conviction
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91. Recovery by the Department of certain costs
92. Publication of enforcement action

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93. Powers of entry
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Reasonable facilities, information and assistance

- 98. Affording of reasonable facilities to engineers
- 99. Power of the Department to require information and assistance from reservoir managers
- 100. Offences: sections 98 and 99
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PART 8

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- 115. Assessment of engineers' reports etc.
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- 118. Form and content of notices, reports, certificates etc.
- 119. Electronic serving or giving of notices or other documents
- 120. Change to the Institution of Civil Engineers
- 121. Civil liability

PART 9

GENERAL

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123. Enforcement in relation to the Crown
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SCHEDULES

SCHEDULE 1 — PRE-COMMENCEMENT INSPECTION REPORTS: REVIEW OF DECISION UNDER SECTION 33(2)

1. A reservoir manager of a high-consequence or medium-consequence reservoir on...
2. Any such application must be made in writing before the...
3. In considering an application under paragraph 1, the Department—
4. An engineer is disqualified from being commissioned under paragraph 3...
5. The Department must notify the reservoir manager of its decision...
6. The Department may by regulations make further provision in relation...

SCHEDULE 2 — INDEX OF DEFINED EXPRESSIONS

SCHEDULE 3 — MINOR AND CONSEQUENTIAL AMENDMENTS

The Water and Sewerage Services (Northern Ireland) Order 2006 (NI 21)

1. The Water and Sewerage Services (Northern Ireland) Order 2006 is...
2. In Article 293 (procedure of the Water Appeals Commission)
—
3. Article 297 (regulations by the Department for Regional Development as...
4. In Article 300 (regulations), in paragraph (1)(b), the words “or...

SCHEDULE 4 — REPEALS

Changes to legislation:

There are currently no known outstanding effects for the Reservoirs Act (Northern Ireland) 2015.