

## SCHEDULES

### SCHEDULE 4

#### RESERVOIRS

##### *Discontinuance*

- 25 (1) Section 13 (discontinuance) is amended as follows.
- (2) In subsection (1) for the words from “more than 25,000” to “adjoining the reservoir” substitute “ 10,000 cubic metres of water above the natural level of any part of the surrounding land ”.
- (3) After subsection (1) insert—
- “(1A) An engineer employed for the purposes of subsection (1) may issue a certificate (the “interim certificate”) if the engineer thinks that the level of water in the reservoir should be reduced before the alteration is completed.
- (1B) The interim certificate must specify—
- (a) the reduced water level,
  - (b) the time by which it must be reduced, and
  - (c) the conditions (if any) on which the reservoir may be filled to the reduced level.
- (1C) The undertaker must ensure that the reservoir does not contain water except in accordance with the interim certificate.
- (1D) The engineer employed for the purposes of subsection (1) may vary an interim certificate by giving written notice to the undertaker.
- (1E) An interim certificate ceases to have effect on the issue of a certificate under subsection (2).”
- (4) In subsection (3) for the words from “more than 25,000” to “adjoining the reservoir” substitute “ 10,000 cubic metres of water above the natural level of any part of the surrounding land ”.
- (5) At the end add—
- “(4) The Minister may by order substitute a different volume of water for the volume specified in subsection (1) or (3).
- (5) Where it appears to [<sup>F1</sup>the appropriate agency] that a qualified civil engineer has not been employed as required by subsection (1) the Agency may by notice require the undertaker—
- (a) to appoint a qualified civil engineer for the purposes of this section before the end of the period of 28 days beginning with the day on which the notice is given, unless the appointment has already been made, and

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**Changes to legislation:** There are currently no known outstanding effects for the Flood and Water Management Act 2010, Paragraph 25. (See end of Document for details)

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- (b) to notify [<sup>F1</sup>the appropriate agency] of the appointment (whether it was made before or after the notice was given).”

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**Textual Amendments**

- F1** Words in Sch. 4 para. 25(5) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 468(2)(c)** (with Sch. 7)

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**Commencement Information**

- I1** Sch. 4 para. 25 in force at 1.10.2011 for specified purposes by [S.I. 2011/2204](#), **art. 3(1)(e)**
- I2** [Sch. 4 para. 25](#) in force at 30.7.2013 for E. so far as not already in force by [S.I. 2013/1590](#), **art. 3(b)**
- I3** [Sch. 4 para. 25](#) in force at 1.4.2016 for W. in so far as not already in force by [S.I. 2016/79](#), **art. 2(d)**

**Changes to legislation:**

There are currently no known outstanding effects for the Flood and Water Management Act 2010, Paragraph 25.