
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 314 (C. 37)

**FLOOD RISK MANAGEMENT
WATER SUPPLY**

The Reservoirs (Scotland) Act 2011
(Commencement No. 4) Order 2015

Made - - - - *1st September 2015*
Laid before the Scottish
Parliament - - - - *2nd September 2015*
Coming into force - - *1st October 2015*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 116(1) of the Reservoirs (Scotland) Act 2011⁽¹⁾ and all other powers enabling them to do so.

Citation and commencement

1. This Order may be cited as the Reservoirs (Scotland) Act 2011 (Commencement No. 4) Order 2015 and comes into force on 1st October 2015.

Appointed day

2. 1st October 2015 is the day appointed for the coming into force of the following provisions of the Reservoirs (Scotland) Act 2011—

- (a) section 18 (provisional risk designation);
- (b) section 19 (first risk designation);
- (c) section 20 (periodic review of risk designations);
- (d) section 21 (decision following a periodic review);
- (e) section 22(1), (2) and (3) (risk designation and periodic review: matters to be taken into account);
- (f) section 23(1) to (7) (review of SEPA's decisions giving risk designations);
- (g) section 24(1) to (6) (appeal to the Scottish Ministers following SEPA's review);
- (h) section 26(1) (high-risk reservoirs, medium risk reservoirs and low-risk reservoirs: further provision); and

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(i) section 91(2)(b) (powers of entry in relation to risk designation).

St Andrew's House, Edinburgh
1st September 2015

AILEEN MCLEOD
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1st October 2015 the provisions of the Reservoirs (Scotland) Act 2011 (“the Act”) specified in article 2. In particular, it brings into force provisions which require the Scottish Environment Protection Agency to give each controlled reservoir registered under the Act a risk designation.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

Sections 1, 2, 3, 7 and 114 to 116 of the Act came into force on 13th April 2011 in accordance with section 2 of the Interpretation and Legislative Reform (Scotland) Act 2010 ([asp 10](#)). The following provisions were brought into force by earlier commencement orders as follows:—

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 4	1st April 2015	S.S.I. 2015/63
Section 5(1) only for the purpose of bringing into force paragraph (o)	1st April 2015	S.S.I. 2015/63
Section 5(2) to (4)	1st April 2015	S.S.I. 2015/63
Section 6	1st January 2015	S.S.I. 2014/348
Section 9	1st April 2015	S.S.I. 2015/63
Section 10(1) for the purpose of giving effect to section 10(1) of the Act only in so far as it applies in relation to a 1975 Act reservoir	1st April 2015	S.S.I. 2015/63
Section 10(2)	1st January 2015	S.S.I. 2014/348
Section 11(1) and (2)	1st April 2015	S.S.I. 2015/63
Section 11(3)	1st January 2015	S.S.I. 2014/348
Section 12 for the purpose of making orders	1st January 2015	S.S.I. 2014/348
Section 13 for the purpose of giving effect to section 13 of the Act only in so far as it applies in relation to a 1975 Act reservoir	1st April 2015	S.S.I. 2015/63
Section 14	1st January 2015	S.S.I. 2014/348
Section 15(1) to (3) for the purpose of giving effect to section 15(1) to (3) of the Act only in so far as it applies in relation to a 1975 Act reservoir	1st April 2015	S.S.I. 2015/63
Section 15(4)	1st January 2015	S.S.I. 2014/348
Section 16(2) and (6)	1st April 2015	S.S.I. 2015/63

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 17 for all purposes except in relation to requirements of section 12(1) of the Act	1st April 2015	S.S.I. 2015/63
Section 22(4)	1st January 2015	S.S.I. 2014/348
Section 23(8)	1st January 2015	S.S.I. 2014/348
Section 24(7)	1st January 2015	S.S.I. 2014/348
Section 25	1st January 2015	S.S.I. 2014/348
Section 27(a) for the purpose of making orders	1st January 2015	S.S.I. 2014/348
Section 27(a) in so far as not already in force	20th February 2015	S.S.I. 2015/43
Section 27 in so far as not already in force	1st April 2015	S.S.I. 2015/63
Section 28(1) to (6)	1st April 2015	S.S.I. 2015/63
Section 28(7) and (8)	1st January 2015	S.S.I. 2014/348
Section 29	1st April 2015	S.S.I. 2015/63
Section 30(1)	1st April 2015	S.S.I. 2015/63
Section 30(2)	1st January 2015	S.S.I. 2014/348
Section 31(1)(a)	20th February 2015	S.S.I. 2015/43
Section 31(1)(b)	1st January 2015	S.S.I. 2014/348
Section 31(1) in so far as not already in force	1st April 2015	S.S.I. 2015/63
Section 31(2)	1st January 2015	S.S.I. 2014/348
Section 32(4)(b) for the purpose of making regulations	1st January 2015	S.S.I. 2014/348
Section 35(1)(d) for the purpose of making regulations	1st January 2015	S.S.I. 2014/348
Section 38(3)(c) for the purpose of making regulations	1st January 2015	S.S.I. 2014/348
Section 51(1)(e) for the purpose of making regulations	1st January 2015	S.S.I. 2014/348
Section 51(2)	1st January 2015	S.S.I. 2014/348
Sections 54 and 55	1st January 2015	S.S.I. 2014/348
Section 56(3) for the purpose of making regulations	1st January 2015	S.S.I. 2014/348
Section 57(2) and (3) for the purpose of making orders	1st January 2015	S.S.I. 2014/348
Section 64(1)	1st January 2015	S.S.I. 2014/348
Section 69(7) and (8)	1st January 2015	S.S.I. 2014/348
Sections 73 to 76	1st January 2015	S.S.I. 2014/348
Sections 82 to 88	1st January 2015	S.S.I. 2014/348

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 89 except in so far as it applies in pursuance of section 69	1st January 2015	S.S.I. 2014/348
Section 90	1st January 2015	S.S.I. 2014/348
Section 91(1), and (2)(a) and (1)	1st April 2015	S.S.I. 2015/63
Section 92	1st April 2015	S.S.I. 2015/63
Section 93(2) to (5)	1st April 2015	S.S.I. 2015/63
Section 94	1st April 2015	S.S.I. 2015/63
Section 95(1) to (3)	1st April 2015	S.S.I. 2015/63
Section 96	1st April 2015	S.S.I. 2015/63
Section 98(1) and (2)(b)	1st April 2015	S.S.I. 2015/63
Section 99(1)(b), (2) and (3)	1st April 2015	S.S.I. 2015/63
Section 100	1st April 2015	S.S.I. 2015/63
Section 102	1st January 2015	S.S.I. 2014/348
Sections 104 and 105	1st January 2015	S.S.I. 2014/348
Section 106	1st April 2015	S.S.I. 2015/63
Section 107	1st January 2015	S.S.I. 2014/348
Section 108	1st April 2015	S.S.I. 2015/63
Section 109	1st January 2015	S.S.I. 2014/348
Section 110(1)	1st April 2015	S.S.I. 2015/63
Section 110(2)	1st January 2015	S.S.I. 2014/348
Section 110(3) to (9)	1st April 2015	S.S.I. 2015/63
Section 111	1st April 2015	S.S.I. 2015/63
Section 112(5)	1st January 2015	S.S.I. 2014/348
Section 113	1st January 2015	S.S.I. 2014/348
Schedule	1st January 2015	S.S.I. 2014/348