

National Assembly for Wales

Constitutional and Legislative Affairs Committee

CLA651 – The Reservoirs Act 1975 (Capacity, Registration, Prescribed Forms, etc.) (Wales) Regulations 2016

Background and Purpose

These Regulations aim to ensure the safety of the public from uncontrolled release of water from reservoirs.

These Regulations are made under the Reservoirs Act 1975, and provide for:

- how to calculate the capacity of a large raised reservoir;
- registering information about large raised reservoirs;
- NRBW reports about large raised reservoirs;
- records to be kept by the undertaker of a high risk reservoir;
- the form of engineer certificates, reports and directions;
- information to be provided by engineers when intending to construct, or bring back into use, a large raised reservoir;
- reports to be made by undertakers, and sent to NRBW, relating to incidents of uncontrolled release of water from a large raised reservoir where emergency measures are taken.

The current regulations relating to registration, reporting and recording etc. are revoked.

Procedure

Negative

Technical Scrutiny

One point is identified for reporting under Standing Order 21.2(vii) (in respect of this instrument, in that there appear to be inconsistencies between the meaning of its English and Welsh texts):

Schedule 5 prescribes the form of report for the purposes of carrying out a periodical inspection of a large raised reservoir.

The English text requires the report to include (among other things), any recommendations the engineer sees fit to make as to the time of the next inspection. The Welsh text does not include that requirement.

This means that a report under the Welsh text does not have to include as much information as a report under the English text.

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Committee Consideration

The Committee considered the instrument at its meeting on 8 February 2016. There was no Government response available at the time of the meeting. The Committee reports to the Assembly in line with the technical scrutiny above.

