

20 No.000**

FLOOD RISK MANAGEMENT

**The Reservoirs (Commissioning of Panel Engineers) Order
(Northern Ireland) 20****

Made - - - -

*Date 20***

Coming into operation

*Date 20***

The Department for Infrastructure makes the following Order in exercise of the powers conferred by section 102(1)(c) of the Reservoirs Act (Northern Ireland) 2015(a).

In accordance with section 107(c) of that Act, the Department has consulted the President of the Institution of Civil Engineers (or a committee of that Institution appointed for the purpose of the consultation).

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Reservoirs (Commissioning of Panel Engineers) Order (Northern Ireland) 20** and comes into operation on <Date> 20**.

(2) In this order—

“impounding reservoir” means a controlled reservoir which is formed by impounding a watercourse in a natural valley by means of a dam;

“non-impounding reservoir” means a controlled reservoir which is not designed to obstruct or impede the flow of a watercourse;

“section” refers to a section of the Reservoirs Act (Northern Ireland) 2015;

“service reservoir” means a non-impounding reservoir which is constructed of brickwork, masonry, concrete or re-enforced concrete.

(3) References to a named panel are references to the panel of that name established under section 102(1)(a).

All Reservoirs (Northern Ireland) Panel

2. A member of the All Reservoirs (Northern Ireland) Panel may undertake roles and responsibilities on all types of reservoirs (impounding, non-impounding and service reservoirs) and may be commissioned under—

(a) section 20(3);

(b) section 25;

(c) section 29;

(d) section 33(2);

- (e) section 34;
- (f) section 36(2);
- (g) section 43;
- (h) section 56;
- (i) section 57;
- (j) section 63;
- (k) section 69;
- (l) section 71;
- (m) section 73;
- (n) section 75;
- (o) section 77; or
- (p) Schedule 1

Non-impounding Reservoirs (Northern Ireland) Panel

3. A member of the Non-impounding Reservoirs (Northern Ireland) Panel may be commissioned under—

- (a) section 20(3) for the purposes only of making recommendation regarding a review of risk designation in respect of a non-impounding reservoir;
- (b) section 25;
- (c) section 29;
- (d) section 33(2) for the purposes only of consultation regarding a pre-commencement report in respect of a non-impounding reservoir;
- (e) section 34 for the purposes only of an inspecting engineer in respect of a non-impounding reservoir;
- (f) section 36(2) for the purposes only of compliance with inspection report in respect of a non-impounding reservoir;
- (g) section 43 for the purposes only of a construction engineer in respect of a non-impounding reservoir;
- (h) section 56 for the purposes only of determining if an incident has occurred in respect of a non-impounding reservoir;
- (i) section 57 for the purposes only of approving flood plans in respect of a non-impounding reservoir;
- (j) section 63 for the purposes only of refereeing referrals under dispute referral in respect of a non-impounding reservoir;
- (k) section 69 for the purposes only of the Department commissioning an engineer for a non-impounding reservoir;
- (l) section 71 for the purposes only of an enforcement notice regarding safety measures in respect of a non-impounding reservoir;
- (m) section 73 for the purposes only of the Department arranging the taking of safety measures in respect of a non-impounding reservoir;
- (n) section 75 for the purposes only of emergency powers in respect of a non-impounding reservoir;
- (o) section 77 for the purposes only of stop notices in respect of a non-impounding reservoir; or
- (p) Schedule 1 for the purposes only of a review of a decision regarding a pre-commencement report in respect of a non-impounding reservoir.

Service Reservoirs (Northern Ireland) Panel

4. A member of the Service Reservoirs (Northern Ireland) Panel may be commissioned under—
- (a) section 20(3) for the purposes only of making recommendation regarding a review of risk designation in respect of a service reservoir;
 - (b) section 25;
 - (c) section 29;
 - (d) section 33(2) for the purposes only of consultation regarding a pre-commencement report in respect of a service reservoir;
 - (e) section 34 for the purposes only of an inspecting engineer in respect of a service reservoir;
 - (f) section 36(2) for the purposes only of compliance with inspection report in respect of a service reservoir;
 - (g) section 43 for the purposes only of a construction engineer in respect of a service reservoir;
 - (h) section 56 for the purposes only of determining if an incident has occurred in respect of a service reservoir;
 - (i) section 57 for the purposes only of approving flood plans in respect of a service reservoir;
 - (j) section 63 for the purposes only of refereeing referrals under dispute referral in respect of a service reservoir;
 - (k) section 69 for the purposes only of the Department commissioning an engineer for a service reservoir;
 - (l) section 71 for the purposes only of an enforcement notice regarding safety measures in respect of a service reservoir;
 - (m) section 73 for the purposes only of the Department arranging the taking of safety measures in respect of a service reservoir;
 - (n) section 75 for the purposes only of emergency powers in respect of a service reservoir;
 - (o) section 77 for the purposes only of stop notices in respect of a service reservoir; or
 - (p) Schedule 1 for the purposes only of a review of a decision regarding a pre-commencement report in respect of a service reservoir.

Supervising Engineers (Northern Ireland) Panel

5. A member of the Supervising Engineers (Northern Ireland) Panel may be commissioned under sections 25 or 29 for all types of reservoirs.

Sealed with the Official Seal of the Department for Infrastructure on <Date> <Month> 20**.

Insert name
A senior officer of the
Department for Infrastructure

EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies the sections of the Reservoirs Act (Northern Ireland) 2015 under which a member of a panel established under section 102(1)(a) of that Act may be commissioned to undertake a particular purpose as required by the Act.

The panels referred to in the Order were established under section 102(1) by the Department.

This Order does not introduce any new policy therefore no business and regulatory impact assessment has been prepared for this Order as no significant impact upon business, charities or voluntary organisations is foreseen in addition to the assessment prepared for the introduction of the reservoir safety policy provided for by the Reservoirs Act (Northern Ireland) 2015.