Groupings of Amendments for Stage 3

This document provides procedural information which will assist in preparing for and following proceedings on the above Bill. The information provided is as follows:

- the list of groupings (that is, the order in which amendments will be debated). Any procedural points relevant to each group are noted;
- the text of amendments to be debated during Stage 3 proceedings, set out in the order in which they will be debated. THIS LIST DOES NOT REPLACE THE MARSHALLED LIST, WHICH SETS OUT THE AMENDMENTS IN THE ORDER IN WHICH THEY WILL BE DISPOSED OF.

Groupings of amendments

Note: The time limit indicated is that set out in the timetabling motion to be considered by the Parliament before the Stage 3 proceedings begin. If that motion is agreed to, debate on all of the groups must be concluded by the time indicated, although the amendments in those groups may still be moved formally and disposed of later in the proceedings.

Group 1: Minor amendments
1, 2, 4, 13, 15, 20

Group 2: Risk designation appeals and stop notices – appointment of engineer to advise
3, 14

Group 3: Monitoring of measures for maintenance of reservoir
5, 10, 11, 12

Group 4: Interim inspection compliance certificates and inspection compliance certificates
6, 7, 8, 9

Group 5: Application of certain provisions to other qualified engineers
16, 18, 19

Group 6: General guidance on Part 1
17

Debate to end no later than 15 minutes after proceedings begin
Amendments in debating order

**Group 1: Minor amendments**

Richard Lochhead

1. In section 22A, page 12, line 29, leave out <Subject to subsection (5),>.

Richard Lochhead

2. In section 22A, page 12, line 30, leave out <despite the appeal> and insert <while the appeal is pending>.

Richard Lochhead

4. In section 26, page 14, line 7, leave out <(4)> and insert <(5)>

Richard Lochhead

13. In section 67, page 37, line 39, leave out <that section> and insert <section 69>

Richard Lochhead

15. In section 72, page 40, line 12, after <appeal> insert <to the Scottish Ministers>

Richard Lochhead

20. In section 105, page 60, line 23, leave out <Part> and insert <Act>

**Group 2: Risk designation appeals and stop notices – appointment of engineer to advise**

Richard Lochhead

3. In section 22A, page 12, line 31, leave out from <must> to <account> in line 33 and insert <—

   ( ) may, at their own expense, appoint to make recommendations about the risk designation an engineer who is a member of a panel of reservoir engineers established under section 25 who may (by virtue of an order under that section) be appointed under this subsection, and

   ( ) must take into account—

   (i) a recommendation by any engineer appointed under this subsection, and

   (ii)>  

Richard Lochhead

14. In section 71, page 40, line 1, leave out from <consult> to end of line 2 and insert <, before it exercises the power—

   ( ) at its own expense appoint an engineer who is a member of a panel of reservoir engineers established under section 25 who may (by virtue of an order under that section) be appointed under this subsection, and

   ( ) take into account recommendations made by that engineer about the stop notice,>
Group 3: Monitoring of measures for maintenance of reservoir

Richard Lochhead

5 In section 45, page 24, line 4, leave out <that any> and insert <—
   (i) that any measures specified in the inspection report for the maintenance of
       the reservoir are monitored by the supervising engineer, and
   (ii) that the other>

Richard Lochhead

10 In section 48, page 26, line 15, at end insert—
   <(ca) monitor compliance by the reservoir manager with the requirements of any
       direction given in the latest inspection report by virtue of section 45(3)(d)(i),>

Richard Lochhead

11 In section 48, page 26, line 20, at end insert—
   <( ) a direction referred to in paragraph (ca),>

Richard Lochhead

12 In section 48, page 27, line 14, at end insert—
   <( ) a direction referred to in subsection (2)(ca),>

Group 4: Interim inspection compliance certificates and inspection compliance certificates

Richard Lochhead

6 In section 46, page 25, line 1, leave out subsection (2A)

Richard Lochhead

7 In section 46, page 25, line 15, after <engineer> insert <or the other qualified engineer>

Richard Lochhead

8 In section 46, page 25, line 17, at end insert—
   <( ) The engineer giving an inspection compliance certificate must take an interim
       compliance certificate given by another engineer under this section to be conclusive of
       that measure having been taken.>

Richard Lochhead

9 In section 46, page 25, line 21, leave out <An inspecting> and insert <The inspecting engineer or
   the other qualified >
Group 5: Application of certain provisions to other qualified engineers

Richard Lochhead

16 In section 94, page 55, line 8, after first <engineer> insert <, an other qualified engineer>

Richard Lochhead

18 In section 97, page 56, line 11, at end insert—

<(  ) other qualified engineers,>

Richard Lochhead

19 In section 98, page 56, line 29, after second <engineer> insert <, an other qualified engineer>

Group 6: General guidance on Part 1

Richard Lochhead

17 Before section 96A, insert—

<Guidance

(1) The Scottish Ministers must publish guidance on the operation of this Part.

(2) Guidance under subsection (1) must in particular—

(a) include guidance on any orders or regulations which have been made under this Act and which affect the operation of this Part, and

(b) incorporate any guidance which has been issued or published under any other provision of this Part (whether by SEPA or the Scottish Ministers).

(3) The Scottish Ministers must keep the guidance under this section under review with a view to revising and re-publishing the guidance with such revisions as they think appropriate.

(4) Before publishing or re-publishing any guidance under this section, the Scottish Ministers must consult—

(a) SEPA,

(b) the Institution of Civil Engineers,

(c) such other persons as they consider appropriate.>