



Jersey

# **RESERVOIRS (ARBITRATORS) (JERSEY) REGULATIONS 1997**

## **Official Consolidated Version**

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## **RESERVOIRS (ARBITRATORS) (JERSEY) REGULATIONS 1997**

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## **RESERVOIRS (ARBITRATORS) (JERSEY) REGULATIONS 1997**

**THE STATES**, in pursuance of Article 19 of the [Reservoirs \(Jersey\) Law 1996](#), have made the following Regulations –

Commencement [[see endnotes](#)]

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### **1 Appointment of arbitrator**

- (1) An arbitrator may be appointed under Article 19 of the [Reservoirs \(Jersey\) Law 1996](#) by agreement between the undertakers and the engineer making the recommendation complained of within 40 days after the day on which the undertakers receive the report containing the recommendation or a copy of it.
- (2) In default of agreement, a request may be made to the Judicial Greffier to appoint a referee within 50 days after the day on which the undertakers receive the report or a copy of it.
- (3) A request for the Judicial Greffier to appoint an arbitrator shall be made in writing and shall be accompanied by a copy of the report and a statement indicating the recommendation in respect of which the appointment is requested.

### **2 Investigation of complaints**

- (1) Upon the arbitrator's appointment, he or she shall invite the undertakers to send him or her, within 28 days after the date of the arbitrator's appointment, a written statement of the grounds of their complaint, a copy of which the arbitrator shall send to the engineer who made the recommendation with a request for the engineer's written observations within 28 days after the date of that request.
- (2) The arbitrator shall refer the written observations of the engineer to the undertakers for comment and may if the arbitrator wishes arrange to meet them, or their representatives, to hear any observations either party may wish to make orally.

- (3) The arbitrator may, at any time during his or her investigation of the complaint, make an inspection of the reservoir with or without the undertakers and the engineer or their representatives.
- (4) Subject to the provisions of this Regulation, the manner in which the arbitrator conducts the investigation shall be such as the arbitrator, in his or her discretion, shall determine.
- (5) The arbitrator, after concluding the investigation of the complaint shall communicate the arbitrator's decision on the report, and reasons for it to the undertakers and the engineer as soon as practicable.

### **3 Costs**

The undertakers shall pay the costs of the proceedings before, and the investigation of their complaint by, the arbitrator (including the arbitrator's remuneration).

### **4 Citation**

These Regulations may be cited as the Reservoirs (Arbitrators) (Jersey) Regulations 1997.

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement
Reservoirs (Arbitrators) (Jersey) Regulations 1997	R&O.9055	1 March 1997

### Table of Endnote References

*There are currently no endnote references*