These notes relate to the Flood Risk Management (Scotland) Act (asp 6) which received Royal Assent on 16 June 2009

FLOOD RISK MANAGEMENT (SCOTLAND) ACT

EXPLANATORY NOTES

THE ACT – SECTION BY SECTION

Part 2 – Principal Expressions

Section 5 – Responsible authorities

26. Section 5 identifies local authorities and Scottish Water as "responsible authorities" and allows the Scottish Ministers to designate other public bodies and office holders as responsible authorities by order. Responsible authorities have to comply with the general duty in Part 1 of the Act. They also have duties under Part 3 to assist SEPA in preparing the flood risk assessments, maps and plans required by the Directive and to assist local authorities in the preparation and completion of local flood risk management plans. Before designating new responsible authorities under this section, the Scottish Ministers must consult SEPA, existing responsible authorities, the proposed new responsible authorities and such other persons as are deemed appropriate. When designating responsible authorities the Scottish Ministers must also comply with their general duty under Part 1 of the Act.