



Flood Risk Management (Scotland) Act 2009

2009 asp 6

PART 3

FLOOD RISK ASSESSMENT, MAPS AND PLANS

Regulations about plans

40 Regulations relating to flood risk management plans and local flood risk management plans

- (1) The Scottish Ministers may by regulations make further provision as to—
- (a) the form of flood risk management plans and local flood risk management plans,
 - (b) the matters to be taken into account in preparing such plans,
 - (c) the procedures to be followed in connection with the preparation, submission, approval, review and modification of such plans,
 - (d) consultation by SEPA in relation to its preparation of flood risk management plans,
 - (e) consultation by lead authorities in relation to their preparation of local flood risk management plans, and
 - (f) the form, content, preparation and publication of reports under sections 37 and 38.
- (2) Such regulations may, in particular, do any of the following—
- (a) provide for the notice to be given of, or the publicity to be given to—
 - (i) matters to be included or proposed to be included in any such plan,
 - (ii) the approval of any such plan, and
 - (iii) any other procedural step,
 - (b) provide for the publicity to be given to the procedures referred to in subsection (1)(c),
 - (c) make provision for documents and information relating to matters included in the plan to be made available to the public,

Changes to legislation: There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Section 40. (See end of Document for details)

- (d) make provision as to the making and consideration of representations with respect to any such plan,
- (e) require or authorise—
 - (i) in relation to a flood risk management plan, SEPA,
 - (ii) in relation to a local flood risk management plan, the lead authority,to consult, or consider the views of, other persons before taking any particular procedural step.

Commencement Information

II S. 40 in force at 26.11.2009 by [S.S.I. 2009/393](#), art. 2, [Sch.](#)

Changes to legislation:

There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Section 40.