



# Flood Risk Management (Scotland) Act 2009

2009 asp 6

## PART 2

### PRINCIPAL EXPRESSIONS

#### 3 “Flood” and “flood risk”

In this Act—

“flood” means the temporary covering by water from any source of land not normally covered by water, but does not include a flood solely from a sewerage system (and related expressions such as “flooding” are to be construed accordingly),

“flood risk” means the combination of the probability of a flood and of the potential adverse consequences, associated with a flood, for human health, the environment, cultural heritage and economic activity,

“flood solely from a sewerage system” means the temporary covering of land by sewage caused solely by a failure in or blockage of a sewerage system which is not connected with any loading on the system by external hydraulic factors (for example by heavier than usual rainfall or higher than usual river levels).

#### 4 SEPA

In this Act, “SEPA” means the Scottish Environment Protection Agency.

#### 5 Responsible authorities

(1) For the purposes of this Act, responsible authorities are—

- (a) local authorities,
- (b) Scottish Water, and
- (c) such other public bodies and office-holders (or public bodies or office-holders of such descriptions) as the Scottish Ministers may designate by order.

(2) Before making an order under subsection (1)(c), the Scottish Ministers must consult—

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*Status: Point in time view as at 16/06/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Part 2. (See end of Document for details)*

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- (a) SEPA,
- (b) every responsible authority,
- (c) the public bodies and office-holders who will be responsible authorities by virtue of the order being made, and
- (d) such other persons as they consider appropriate.

## 6 “The Directive”

In this Act, “the Directive” means Directive [2007/60/EC](#) of the European Parliament and of the Council on the assessment and management of flood risks.

**Status:**

Point in time view as at 16/06/2009.

**Changes to legislation:**

There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Part 2.