



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—

Status: This is the original version (as it was originally enacted).

- (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.