



Flood Risk Management (Scotland) Act 2009

2009 asp 6

PART 3

FLOOD RISK ASSESSMENT, MAPS AND PLANS

Provision of information and assistance

44 Power of lead authorities to obtain information, documents and assistance

- (1) A person mentioned in subsection (2) must, on being requested by a lead authority, provide the authority with—
 - (a) such information in its possession or under its control, and
 - (b) such assistance,as the authority may reasonably seek in connection with its functions under sections 34 to 38.
- (2) Those persons are—
 - (a) SEPA, and
 - (b) any responsible authority which has flood risk related functions exercisable in or in relation to the local plan district.
- (3) A lead authority may serve a notice on any person (but not SEPA, a responsible authority or the Scottish Ministers) requiring the person to—
 - (a) provide the authority, or a person authorised by it, in the form and manner specified in the notice, with such information, or
 - (b) produce to the authority, or to a person authorised by it, such documents,as it may reasonably require in connection with the exercise of any of the functions under sections 34 to 38.
- (4) Where a responsible authority, SEPA or, as the case may be, a person on whom a notice is served under subsection (3) cannot agree with the lead authority on whether information or assistance is, or documents are, being sought reasonably under this

Changes to legislation: There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Section 44. (See end of Document for details)

section, either of them may refer the matter to the Scottish Ministers, whose decision is final.

Commencement Information

I1 S. 44 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 44.