



# Flood Risk Management (Scotland) Act 2009 2009 asp 6

## PART 5

### SEPA: OTHER FLOOD RISK MANAGEMENT FUNCTIONS

#### *Flood warning*

#### **76 Provision, alteration etc. of flood warning system**

- (1) SEPA may—
- (a) provide and operate any flood warning system,
  - (b) alter any flood warning system provided and operated by it,
  - (c) for those purposes provide, install or alter apparatus and carry out any engineering or building operations, and
  - (d) maintain any such apparatus.
- (2) Before—
- (a) providing a flood warning system in pursuance of paragraph (a) of subsection (1),
  - (b) for that purpose doing any of the things referred to in paragraph (c) of that subsection, or
  - (c) for either of the purposes in paragraph (a) or (b) carrying out any engineering or building operations,

SEPA must consult in accordance with section 77(2).

- (3) Where SEPA considers—
- (a) the alteration of any flood warning system in pursuance of paragraph (b) of subsection (1), or
  - (b) for that purpose doing any of the things referred to in paragraph (c) of that subsection (“any related thing”),

would be material, it must consult in accordance with section 77(2) before carrying out the alteration of the system or for that purpose any related thing.

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*Status: Point in time view as at 26/11/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Section 76. (See end of Document for details)*

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**Commencement Information**

**II** [S. 76](#) in force at 26.11.2009 by [S.S.I. 2009/393](#), [art. 2](#), [Sch.](#)

**Status:**

Point in time view as at 26/11/2009.

**Changes to legislation:**

There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Section 76.