



Flood Risk Management (Scotland) Act 2009

2009 asp 6

PART 6

POWERS OF ENTRY AND COMPENSATION

Compensation

82 Compensation

- (1) SEPA must compensate any person who has sustained damage in consequence of—
- (a) any exercise of the power in section 76(1)(c) or (d), or
 - (b) the exercise of a right of entry conferred by section 79(1) (including the ancillary rights mentioned in section 81(1) and (2)).
- (2) A local authority must compensate any person who has sustained damage in consequence of—
- (a) scheme operations carried out by or on behalf of the local authority,
 - (b) the subsequent maintenance of any such operations by or on behalf of the local authority,
 - (c) any other exercise of the power in section 56(1),
 - (d) the carrying out of works under section 59,
 - (e) the variation or revocation of an improvement order under section 61, or
 - (f) the exercise of a right of entry conferred by section 79(2) (including the ancillary rights mentioned in section 81(1) and (2)).

Commencement Information

- I1** S. 82(1)(2)(f) in force at 26.11.2009 by [S.S.I. 2009/393](#), [art. 2](#), [Sch.](#)
- I2** S. 82(2)(a)-(e) in force at 24.12.2010 by [S.S.I. 2010/401](#), [art. 3\(e\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Section 82.