



# Flood Risk Management (Scotland) Act 2009

2009 asp 6

## PART 4

### FLOOD RISK MANAGEMENT: LOCAL AUTHORITY FUNCTIONS

#### *General power*

#### **57 Limits of general power**

- (1) The power under section 56 does not enable a local authority to do anything which it is, by virtue of a limiting provision, unable to do.
- (2) In subsection (1), a “limiting provision” is one which—
  - (a) prohibits or prevents the local authority from doing anything or limits its powers in that respect, and
  - (b) is expressed in an enactment (whenever passed or made).
- (3) The absence from an enactment of provision conferring any power does not of itself make that enactment a limiting provision.

#### **Commencement Information**

**II** S. 57 in force at 24.12.2010 by S.S.I. 2010/401, art. 3(a)

**Changes to legislation:**

There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Section 57.