

*These notes relate to the Flood Risk Management (Scotland)
Act (asp 6) which received Royal Assent on 16 June 2009*

FLOOD RISK MANAGEMENT (SCOTLAND) ACT

EXPLANATORY NOTES

THE ACT – SECTION BY SECTION

Part 5 – Sepa: Other Flood Risk Management Functions

Section 78 – SEPA’s power to obtain information about land

218. This section applies section 27 of the Environment Act 1995 to this part of the Act. This allows SEPA to obtain information about land where it requires the information for the purposes of carrying out its functions in relation to flood risk assessment and flood warning. In order to obtain such information SEPA must serve a notice on the occupier of the land or any person with an interest in the land. That notice must specify the land concerned, and that it is served under the Act. Failure to comply with a notice is an offence under section 27(3) of the 1995 Act.