

*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**

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## **EXPLANATORY NOTES**

### **THE ACT – SECTION BY SECTION**

#### **Part 7 – Reservoirs**

##### ***Section 87 – Extension of enforcement authority’s reserve powers***

241. This section extends to Scotland amendments made to sections 8, 15 and 17 of the 1975 Act by section 75 of the Water Act 2003, which amended the 1975 Act for England and Wales. The effect of the amendments is to allow the enforcement authority to enter land under section 17 to determine whether measures recommended by engineers who were appointed by the enforcement authority under section 8 have been carried out. The enforcement authority can serve enforcement notices on undertakers who fail to implement such measures and if an undertaker fails to comply with an enforcement notice, the enforcement authority can also carry out the work itself and recover the costs under section 15.