

*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 7 – Reservoirs

Section 88 – Incident reporting

242. This section inserts a new section 12ZA into the 1975 Act. This enables the Scottish Ministers to make provision in regulations for reporting incidents which may affect the safety of reservoirs. The power is not limited to large raised reservoirs under the 1975 Act and instead regulations can set criteria for determining which reservoirs will fall within the incident reporting regime.
243. Subsections 12ZA(2) and (4) set out what regulations may cover.
244. Section 12ZA(3) sets consultation requirements which the Scottish Ministers must comply with before making regulations and section 12ZA(5) provides for regulations to be subject to affirmative procedure in the Scottish Parliament.