

*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 89 - Flood Plans***

245. This section inserts a new section 12C into the 1975 Act. This enables the Scottish Ministers to make provision in regulations for the preparation of reservoir flood plans. These plans would set out the action which the reservoir undertaker would take to control or mitigate the effects of flooding likely to result from any escape of water from the reservoir. As with the new incident reporting power, this power is not limited to large raised reservoirs and instead the regulations can set criteria for determining which reservoirs will require flood plans.
246. Subsections 12C(3) and (5) set out what regulations may cover.
247. Section 12C(4) sets consultation requirements which the Scottish Ministers must comply with before making regulations and section 12C(6) provides for regulations to be subject to affirmative procedure in the Scottish Parliament.