



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.