



Flood Risk Management (Scotland) Act 2009

2009 asp 6

PART 5 **S**

SEPA: OTHER FLOOD RISK MANAGEMENT FUNCTIONS

Flood warning

75 Assessment of whether flood warning system should be provided or altered **S**

- (1) SEPA may, and must where the Scottish Ministers direct, assess whether in its opinion—
 - (a) provision and operation by it of a flood warning system, or alteration of any flood warning system provided and operated by it, would assist in providing earlier or more accurate flood warning as respects an area, and
 - (b) the earlier or more accurate flood warning so provided would be likely to reduce the potential adverse consequences of flooding of the area for human health, the environment, cultural heritage and economic activity there.
- (2) Any assessment under subsection (1) is to be based on such information as SEPA possesses.
- (3) In carrying out any such assessment SEPA must consult in accordance with section 77(1).
- (4) In this section and section 76, “flood warning system” means a system by which, for the purpose of detecting, forecasting or providing warning of any flood which is occurring or likely to occur in the near future, information as respects any of the following matters is obtained and transmitted—
 - (a) rainfall,
 - (b) the level or flow of any surface water (within the meaning of section 3(3) of the 2003 Act),
 - (c) such other matters as appear to SEPA to be appropriate for that purpose.

Changes to legislation: *There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Section 75. (See end of Document for details)*

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Commencement Information

II S. 75 in force at 26.11.2009 by [S.S.I. 2009/393](#), art. 2, **Sch.**

Changes to legislation:

There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Section 75.