



# Flood Risk Management (Scotland) Act 2009

2009 asp 6

## PART 6

### POWERS OF ENTRY AND COMPENSATION

#### *Compensation*

#### **82 Compensation**

- (1) SEPA must compensate any person who has sustained damage in consequence of—
  - (a) any exercise of the power in section 76(1)(c) or (d), or
  - (b) the exercise of a right of entry conferred by section 79(1) (including the ancillary rights mentioned in section 81(1) and (2)).
- (2) A local authority must compensate any person who has sustained damage in consequence of—
  - (a) scheme operations carried out by or on behalf of the local authority,
  - (b) the subsequent maintenance of any such operations by or on behalf of the local authority,
  - (c) any other exercise of the power in section 56(1),
  - (d) the carrying out of works under section 59,
  - (e) the variation or revocation of an improvement order under section 61, or
  - (f) the exercise of a right of entry conferred by section 79(2) (including the ancillary rights mentioned in section 81(1) and (2)).