



Flood Risk Management (Scotland) Act 2009

2009 asp 6

PART 8

GENERAL

95 Interpretation: general

(1) In this Act—

- “the 1961 Act” means the Flood Prevention (Scotland) Act 1961 (c. 41),
- “the 2003 Act” means the Water Environment and Water Services (Scotland) Act 2003 (asp 3),
- “category 1 responder” means a person or body listed in Part 2 of Schedule 1 to the Civil Contingencies Act 2004 (c. 36),
- “flood protection work” means any operation on land for the purpose of protecting any land from flooding including—
- (a) any work of construction, alteration, restoration, enhancement, improvement, repair, maintenance, demolition or removal,
 - (b) any work that involves the alteration (including enhancement) or restoration of natural features and characteristics of any river basin or coastal area,
 - (c) the sowing or planting of vegetation or forestry,
 - (d) any work ancillary to an operation specified in paragraphs (a) to (c),
- “local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39), and “area” in relation to such an authority is to be construed accordingly,
- “scheme operation” means, in relation to a flood protection scheme, an operation described in that scheme in pursuance of section 60(2)(a).

- (2) In this Act, any reference to a Directive of the European Parliament and of the Council or, as the case may be, a Council Directive includes a reference to the Directive [^{F1}as it had effect immediately before IP completion day].

Changes to legislation: There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Section 95. (See end of Document for details)

- (3) The words and other expressions listed in schedule 4 are defined or otherwise explained for the purposes of this Act by the provisions indicated in that schedule.

Textual Amendments

- F1** Words in s. 95(2) substituted (1.6.2022) by [The Environment and Trade in Animals and Related Products \(EU Exit\) \(Scotland\) \(Miscellaneous Amendment\) Regulations 2022 \(S.S.I. 2022/138\)](#), regs. 1, **6(6)**

Changes to legislation:

There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Section 95.