



# Flood Risk Management (Scotland) Act 2009 2009 asp 6

## PART 3

### FLOOD RISK ASSESSMENT, MAPS AND PLANS

#### *Flood risk management plans*

#### **32 Flood risk management plans: approval and publication**

- (1) After considering a flood risk management plan submitted to them under section 27(1) or in pursuance of section 31(3)(b) or subsection (4) of this section, the Scottish Ministers may—
  - (a) approve it (in whole or in part and with or without modifications), or
  - (b) reject it.
- (2) Before determining whether or not to approve a plan, the Scottish Ministers may request such further information and carry out such further investigations and consultation as they consider appropriate.
- (3) The Scottish Ministers must advise SEPA in writing of their reasons for their determination under subsection (1) in relation to a plan.
- (4) Where the Scottish Ministers reject a plan, they must return the plan to SEPA and direct it to resubmit the plan with—
  - (a) such modifications as the direction may specify, and
  - (b) any further modifications which SEPA considers appropriate, by such date as the direction may specify.
- (5) Where the Scottish Ministers approve a plan, SEPA must—
  - (a) publish the approved plan in such manner as it considers appropriate,
  - (b) make copies of it available for public inspection,
  - (c) make copies of it available to the public, and
  - (d) publicise the publication of the approved plan.

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*Changes to legislation: There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Section 32. (See end of Document for details)*

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(6) In making copies of the plan available to the public under subsection (5)(c), SEPA may charge a reasonable price for each copy.

[<sup>F1</sup>(7) In relation to a Scottish cross border area, subsection (5) applies as if the duties on SEPA in relation to the plan in paragraphs (a), (b), (c) and (d) included similar duties in relation to the flood risk management plans prepared by the Environment Agency and the lead local flood authority under regulations 25 and 26 of the Flood Risk Regulations for an adjacent English cross border area.]

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**Textual Amendments**

**F1** S. 32(7) inserted (30.4.2010) by [Flood Risk \(Cross Border Areas\) Regulations 2010 \(S.I. 2010/1102\)](#), regs. 1(2), **32**

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**Commencement Information**

**I1** S. 32 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 32.