



# 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 as amended from time to time.

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*Status: This is the original version (as it was originally enacted).*

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- (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.