

Changes to legislation: Water Industry Act 1991, SCHEDULE 7 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

^{F1} SCHEDULE 7

Section 91.

PRE-1985 FLUORIDATION SCHEMES

Textual Amendments

- F1** Sch. 7 repealed (26.3.2010 for E.) by [Water Act 2003 \(c. 37\)](#), ss. 58(9), 105(3), [Sch. 9 Pt. 3](#); S.I. 2010/975, art. 2

Operation of pre-1985 schemes

- 1 (1) Where in pursuance of any such arrangements entered into by a water authority or statutory water company before 20th December 1984 as have effect immediately before the coming into force of this Act as arrangements entered into by a water undertaker—
- (a) a scheme for increasing the fluoride content of water supplied by the authority or company in any part of England and Wales was in operation immediately before that date; or
 - (b) work had been begun by the authority or company before that date for enabling such a scheme to be brought into operation,
- that water undertaker may, while the conditions mentioned in sub-paragraph (2) below are satisfied, operate the scheme.
- (2) The conditions referred to in sub-paragraph (1) above are that the arrangements require—
- (a) fluoridation to be effected only by the addition of one or more of the compounds of fluorine mentioned in subsection (4) of section 87 of this Act; and
 - (b) the concentrations of fluoride in the water supplied to consumers to be maintained, so far as reasonably practicable, at one milligram per litre.

Supplies by other undertakers and revocation or variation of scheme

- 2 (1) Where a water undertaker is operating a fluoridation scheme by virtue of this Schedule—
- (a) subsections (6) and (7) of section 87 of this Act shall apply in relation to the scheme as they apply in relation to any scheme operated in exercise of the power conferred by that section or section 1 of the ^{M1}Water (Fluoridation) Act 1985;
 - (b) the scheme shall cease to have effect upon the appropriate authority giving to the undertaker reasonable notice of the authority's desire to terminate it; and
 - (c) the arrangements under which the scheme is operated may be varied to take account of any amendment of section 87(2) of this Act which is made under section 88 of this Act.

Changes to legislation: Water Industry Act 1991, SCHEDULE 7 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (2) In this paragraph “appropriate authority”, in relation to a fluoridation scheme which is operated under this Schedule, means the [^{F2}Strategic Health Authority or][^{F3}Health Authority] to which the water undertaker concerned is answerable in accordance with the arrangements under which the scheme is operated.

Textual Amendments

- F2** Words in Sch. 7 inserted (1.10.2002) by [The National Health Service Reform and Health Care Professions Act 2002 \(Supplementary, Consequential etc. Provisions\) Regulations 2002 \(S.I. 2002/2469\)](#), reg. 4, **Sch. 1 Pt. I para. 18(4)**
- F3** Words in Sch. 7 para. 2(2) substituted (1.4.1996) by [1995 c. 17 s. 2\(1\)\(3\)](#), Sch. 1 Pt. III para. 120(4)(a)

Marginal Citations

- M1** [1985 c. 63.](#)

Publicity and consultation

- 3 (1) Section 89 of this Act (including the power of the Secretary of State under subsection (6) of that section to dispense with the other requirements of that section) shall apply where a [^{F4}Strategic Health Authority or][^{F5}Health Authority] propose to terminate a scheme which may be operated by virtue of this Schedule as it applies where [^{F6}Strategic Health Authority or][^{F7}a Health Authority] propose to withdraw an application under section 87 of this Act.
- (2) Accordingly, in subsection (7) of section 89 of this Act, the reference to the question whether an application under section 87 of this Act should be withdrawn shall be treated by virtue of sub-paragraph (1) above as a reference to whether a scheme should be terminated under this Schedule.

Textual Amendments

- F4** Words in Sch. 7 inserted (1.10.2002) by [The National Health Service Reform and Health Care Professions Act 2002 \(Supplementary, Consequential etc. Provisions\) Regulations 2002 \(S.I. 2002/2469\)](#), reg. 4, **Sch. 1 Pt. I para. 18(4)**
- F5** Words in Sch. 7 para. 3(1) substituted (1.4.1996) by [1995 c. 17, s. 2\(1\)\(3\)](#), **Sch. 1 Pt. III para. 120(4)(b)(i)**
- F6** Words in Sch. 7 inserted (1.10.2002) by [The National Health Service Reform and Health Care Professions Act 2002 \(Supplementary, Consequential etc. Provisions\) Regulations 2002 \(S.I. 2002/2469\)](#), reg. 4, **Sch. 1 Pt. I para. 18(4)**
- F7** Words in Sch. 7 para. 3(1) substituted (1.4.1996) by [1995 c. 17, s. 2\(1\)\(3\)](#), **Sch. 1 Pt. III para. 120(4)(b)(ii)**

Changes to legislation:

Water Industry Act 1991, SCHEDULE 7 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 3 Ch. 2B inserted by [2014 c. 21 s. 12](#)
- s. 17(2)(aa) inserted by S.I. 2019/93, Sch. 1 para. 4(4)(b) (as substituted) by S.I. [2019/1245 reg. 21](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 17A(c) repealed by [2014 c. 21 Sch. 5 para. 4\(2\)\(c\)](#)
- s. 17A(d) repealed by [2014 c. 21 Sch. 5 para. 4\(2\)\(c\)](#)
- s. 17A(2)(ba) and word inserted by [2014 c. 21 Sch. 5 para. 4\(2\)\(b\)](#)
- s. 17R(2)(aa) inserted by S.I. 2019/93, Sch. 1 para. 4(7)(b) (as substituted) by S.I. [2019/1245 reg. 21](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 17AA(1)(ba)(bb) inserted by [2014 c. 21 Sch. 5 para. 5\(2\)](#)
- s. 17BA(5A) inserted by [2014 c. 21 Sch. 5 para. 7\(3\)](#)
- s. 17HA(9)(b)(ia) inserted by [2014 c. 21 Sch. 5 para. 16\(2\)](#)
- s. 23(2AA) inserted by [2014 c. 21 Sch. 7 para. 35\(4\)](#)
- s. 23(8)(9) inserted by [2014 c. 21 Sch. 7 para. 35\(10\)](#)
- s. 39E-39H inserted by [2021 c. 30 s. 78\(7\)](#)
- s. 87(7C)-(7F) inserted by [2012 c. 7 s. 35\(6\)](#)
- s. 94A-94E inserted by [2021 c. 30 s. 79](#)
- s. 95ZA(6) inserted by [2014 c. 21 Sch. 5 para. 39\(4\)](#)
- s. 96ZA(2)-(5) substituted for s. 96ZA(2) by [2014 c. 21 Sch. 5 para. 40](#)
- s. 106B(3A) inserted by [2014 c. 21 Sch. 7 para. 94](#)
- s. 117G(2)(aa) inserted by [2014 c. 21 Sch. 5 para. 41\(2\)](#)
- s. 117G(4)-(4D) substituted for s. 117(4) by [2014 c. 21 Sch. 5 para. 41\(3\)](#)
- s. 117G(6)(aa) inserted by [2014 c. 21 Sch. 5 para. 41\(4\)](#)
- s. 117K(2)(aa) inserted by [2014 c. 21 Sch. 5 para. 42\(2\)](#)
- s. 117K(5)(5A) substituted for s. 117(5) by [2014 c. 21 Sch. 5 para. 42\(3\)](#)
- s. 117L(9) inserted by [2014 c. 21 Sch. 5 para. 43\(3\)](#)
- s. 117N(4)(aa) inserted by [2014 c. 21 Sch. 5 para. 45\(2\)](#)
- s. 117N(8)(aa) inserted by [2014 c. 21 Sch. 5 para. 45\(3\)](#)
- s. 117N(11)(aa) inserted by [2014 c. 21 Sch. 5 para. 45\(4\)](#)
- s. 117O(4)(aa) inserted by [2014 c. 21 Sch. 5 para. 46\(2\)](#)
- s. 117O(8)(aa) inserted by [2014 c. 21 Sch. 5 para. 46\(3\)](#)
- s. 117S(7)-(9) inserted by [2014 c. 21 Sch. 5 para. 49](#)
- s. 119(2)(ab) inserted by [2003 c. 37 s. 89\(1\)\(a\)](#)
- s. 119(3) inserted by [2003 c. 37 s. 89\(1\)\(b\)](#)
- s. 121(1)(ba) inserted by [2003 c. 37 s. 89\(2\)\(a\)](#)
- s. 141DA inserted by [2021 c. 30 s. 81](#)
- s. 141DC inserted by [2021 c. 30 s. 83](#)
- s. 177K(7)(aa) inserted by [2014 c. 21 Sch. 5 para. 42\(4\)](#)
- s. 207D and cross-heading inserted by [2014 c. 21 s. 39](#)
- s. 207D(5) word repealed by [2014 c. 21 Sch. 5 para. 52\(a\)](#)
- s. 207D(5) words inserted by [2014 c. 21 Sch. 5 para. 52\(b\)](#)

- s. 213(1ZA) inserted by [2014 c. 21 Sch. 7 para. 119\(3\)](#)
- s. 213(1ZA) repealed by [2014 c. 21 Sch. 5 para. 53](#)