

*Status: Point in time view as at 02/08/2005.*

*Changes to legislation: There are currently no known outstanding effects for the Local Government etc. (Scotland) Act 1994, Cross Heading: The Water (Fluoridation) Act 1985 (c.63). (See end of Document for details)*

## SCHEDULE 13

### MINOR AND CONSEQUENTIAL AMENDMENTS

#### *The Water (Fluoridation) Act 1985 (c.63)*

- 140 (1) The Water (Fluoridation) Act 1985 shall be amended in accordance with this paragraph.
- (2) In section 1 (fluoridation of water supplies at request of health authority)—
- (a) in subsection (6), after “conferred by” insert “subsections (1) to (5) of”; and
  - (b) in subsection (7), for “water undertaker in exercise of the power conferred by section 87 of the <sup>M1</sup>Water Industry Act 1991” substitute “water undertaker (within the meaning of the Water Industry Act 1991) in exercise of the power conferred by section 87 of that Act; and where a water undertaker (within that meaning) is operating a fluoridation scheme by virtue of Schedule 7 to that Act, subsection (6) shall apply in relation to the scheme as that subsection applies, by virtue of the foregoing provisions of this subsection, to fluoridation in exercise of the power so conferred.”.
- (3) Section 3 (continuity of existing fluoridation schemes) shall cease to have effect.
- (4) In section 4 (publicity and consultation)—
- (a) in subsection (1), for paragraphs (a) and (b) substitute “to make or withdraw an application”;
  - (b) in subsection (2), for paragraph (b), substitute—
    - “(b) give notice of the proposal to—
    - (i) the Customers Council; and
    - (ii) every local authority whose area falls wholly or partly within the area affected by the proposal.”;
  - <sup>F1</sup>(c) .....
  - (d) in subsection (6), the words “or to terminate a preserved scheme” and in subsection (7) the words “or terminate a preserved scheme” shall cease to have effect.
- (5) In section 5 (interpretation)—
- <sup>F1</sup>(a) .....
  - (b) for the definition of “local authority” (and the word “and” immediately following that definition) substitute—
    - ““local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994;” and
  - (c) for the definition of “statutory water undertaker” substitute—
    - ““statutory water undertaker” means a water authority; and
    - “water authority” shall be construed in accordance with section 62 of the Local Government etc. (Scotland) Act 1994;”.

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**Textual Amendments**

**F1** Sch. 13 para. 140(4)(c)(5)(a) repealed (1.11.1999) by 1999 c. 9, s. 15(1)(2), Sch. 3 Pt. II para. 18, **Sch. 4 Pt. II**; S.S.I. 1999/133, **art. 2(b)(c)(e)(f)**

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**Marginal Citations**

**M1** 1991 c. 56.

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