

SCHEDULE 1

FLUORIDATION OF WATER SUPPLIES: INDEMNITY

Conduct of cases

5. Where the Secretary of State for Health is, or may be, required to make any payment in respect of a claim under this indemnity, he shall have the right to conduct, or take over the conduct of#

- (a) the defence to any legal proceedings taken by a third party against the water undertaker (including the right to participate in any related proceedings); and
- (b) proceedings to recover a payment due from a third party;

and where he exercises this right the water undertaker shall provide such assistance to him as he may reasonably require.