



# Water (Fluoridation) Act 1985

## 1985 CHAPTER 63

### **1 Fluoridation of water supplies at request of health authorities.**

- (1) Where a health authority have applied in writing to a statutory water undertaker for the water supplied within an area specified in the application to be fluoridated, that undertaker may, while the application remains in force, increase the fluoride content of the water supplied by them within that area.
- (2) For the purposes of subsection (1) above, an application shall remain in force until the health authority, after giving reasonable notice to the statutory water undertaker in writing withdraw it.

[<sup>F1</sup>(2A) An application or the withdrawal of it may be made or done by electronic communication (within the meaning of section 15(1) of the Electronic Communications Act 2000 (c. 7) ), which has been recorded and is consequently capable of being reproduced. ]

- (3) The area specified in an application may be the whole, or any part, of the area or district of the authority making the application.
- (4) Where, in exercise of the power conferred by this section, the fluoride content of any water is increased, the increase may be effected only by the addition of one or more of the following compounds of fluorine—
  - hexafluorosilicic acid ( $\text{H}_2\text{SiF}_6$ );
  - disodium hexafluorosilicate ( $\text{Na}_2\text{SiF}_6$ ).
- (5) Any health authority making arrangements with a statutory water undertaker in pursuance of an application shall ensure that those arrangements include provisions designed to secure that the concentration of fluoride in the water supplied to consumers in the area in question is, so far as is reasonably practicable, maintained at one milligram per litre.
- (6) Water to which fluoride has been added by a statutory water undertaker in exercise of the power conferred by [<sup>F2</sup>subsections (1) to (5) of] this section (with a view to its supply in any area) may be supplied by that or any other statutory water undertaker to consumers in any other area if the undertaker or undertakers concerned consider that it is necessary to do so—

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**Changes to legislation:** There are currently no known outstanding effects for the Water (Fluoridation) Act 1985, Section 1. (See end of Document for details)

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- (a) for the purpose of dealing with an emergency, or
- (b) in connection with the carrying out of any works (including cleaning and maintenance) by any of them.

[<sup>F3</sup>(7) In subsection (6) above, the reference to water to which fluoride has been added by a statutory water undertaker in exercise of the power conferred by this section includes a reference to water to which fluoride has been added [<sup>F4</sup>pursuant to arrangements—

- (a) entered into under section 87(1) of the Water Industry Act 1991; or
- (b) treated, for the purposes of Chapter 4 of Part 3 of that Act, as if entered into under that section.]]

#### Textual Amendments

- F1** S. 1(2A) inserted (23.6.2006) by [Electronic Communications \(Scotland\) Order 2006 \(S.S.I. 2006/367\)](#), arts. 1(1), [6](#)
- F2** Words in s. 1(6) inserted (S.) (1.4.1996) by [1994 c. 39](#), s. 180(1), [Sch. 13 para. 140\(2\)\(a\)](#); S.I. [1996/323](#), [art. 4\(1\)\(b\)\(c\)](#)
- F3** S. 1(7) inserted (S.) (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 2, 4(2), [Sch. 1 para. 42](#)
- F4** Words in s. 1(7) substituted (25.2.2009) by [Water Act 2003 \(c. 37\)](#), ss. [58\(10\)](#), 105(3); S.I. 2009/359, art. 2(d)

**Changes to legislation:**

There are currently no known outstanding effects for the Water (Fluoridation) Act 1985, Section 1.