



# Water (Fluoridation) Act 1985

## 1985 CHAPTER 63

### 4 **Publicity and consultation.**

- (1) This section applies where a health authority propose [<sup>F1</sup>to make or withdraw an application]
- (2) At least three months before implementing their proposal, the health authority shall—
  - (a) publish details of the proposal in one or more newspapers circulating within the area affected by the proposal; and
  - [<sup>F2</sup>(b) give notice of the proposal to—
    - (i) the [<sup>F3</sup>Water Industry [<sup>F4</sup>Commission] for Scotland]; and
    - (ii) every local authority whose area falls wholly or partly within the area affected by the proposal.]
- (3) Before implementing the proposal the health authority shall consult [<sup>F5</sup>the [<sup>F6</sup>Commission] and each local authority to whom they are required by subsection (2) (b)] above to give notice of the proposal.
- (4) The health authority shall, not earlier than seven days after publishing details of the proposal in the manner required by subsection (2)(a) above, republish them in that manner.
- (5) Where a health authority have complied with this section in relation to the proposal they shall, in determining whether or not to proceed, have such regard as they consider appropriate—
  - (a) to any representations which have been made to them with respect to it; and
  - (b) to any consultations held under subsection (3) above.
- (6) The Secretary of State may direct that this section shall not apply in relation to any proposal of a health authority to withdraw an application <sup>F7</sup>. . . .
- (7) Where, at any meeting of a health authority, consideration is given to the question whether the authority should make or withdraw an application <sup>F7</sup>. . . , section 1(2) of the <sup>M1</sup>Public Bodies (Admission to Meetings) Act 1960 (which would have allowed the authority to exclude the public from the meeting in certain circumstances) shall not apply to any proceedings on that question.

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**Changes to legislation:** There are currently no known outstanding effects for the Water (Fluoridation) Act 1985, Section 4. (See end of Document for details)

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### Textual Amendments

- F1** Words in s. 4(1) substituted for s. 4(1)(a)(b) (S.) (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 140(4)(a)**; S.I. 1996/323, **art. 4(1)(b)(c)**
- F2** S. 4(2)(b) substituted (S.) (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 140(4)(b)**; S.I. 1996/323, **art. 4(1)(b)(c)**
- F3** Words in s. 4(2)(b)(i) substituted (S.) (1.11.1999) by 1999 c. 9, s. 15(1), **Sch. 3 Pt. II para. 6(2)(a)**; S.S.I. 1999/133, **art. 2(b)(e)**
- F4** Words in s. 4(2)(b)(i) substituted (1.7.2005) by Water Services etc. (Scotland) Act 2005 (asp 3), s. 37(2), **Sch. 5 para. 4** (with s. 36); S.S.I. 2005/351, art. 2, Sch. 2
- F5** Words in s. 4(3) substituted (S.) (1.11.1999) by 1999 c. 9, s. 15(1), **Sch. 3 Pt. II para. 6(2)(b)**; S.S.I. 1999/133, **art. 2(b)(e)**
- F6** Words in s. 4(3) substituted (1.7.2005) by Water Services etc. (Scotland) Act 2005 (asp 3), s. 37(2), **Sch. 5 para. 4** (with s. 36); S.S.I. 2005/351, art. 2, Sch. 2
- F7** Words in s. 4(6)(7) repealed (S.) (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 140(4)(d)**; S.I. 1996/323, art. 4(1)(b)(c)(d), **Sch. 2**

### Marginal Citations

- M1** 1960 c. 67.

**Changes to legislation:**

There are currently no known outstanding effects for the Water (Fluoridation) Act 1985, Section 4.