



# Water Industry Act 1991

## 1991 CHAPTER 56

### PART III

#### WATER SUPPLY

#### CHAPTER IV

#### FLUORIDATION

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

- (1) Where a District Health Authority have applied in writing to a 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 the undertaker within that area.
- (2) For the purposes of subsection (1) above an application under this section shall remain in force until the Health Authority, after giving reasonable notice to the water undertaker, withdraw it.
- (3) The area specified in an application under this section may be the whole, or any part of, the 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, that is to say—
  - hexafluorosilicic acid ( $\text{H}_2\text{SiF}_6$ );
  - disodium hexafluorosilicate ( $\text{Na}_2\text{SiF}_6$ ).
- (5) Any District Health Authority making arrangements with a water undertaker in pursuance of an application under this section 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 reasonably practicable, maintained at one milligram per litre.

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*Status: Point in time view as at 01/12/1991. This version of this provision has been superseded.*

*Changes to legislation: Water Industry Act 1991, Section 87 is up to date with all changes known to be in force on or before 26 June 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)*

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- (6) Water to which fluoride has been added by a water undertaker in exercise of the power conferred by this section (with a view to its supply in any area) may be supplied by that or any other undertaker to consumers in any other area if the undertaker or undertakers concerned consider that it is necessary to do so—
- (a) for the purpose of dealing with any serious deficiency in supply; or
  - (b) in connection with the carrying out of any works (including cleaning and maintenance) by the undertaker concerned or, as the case may be, by any of the undertakers concerned.
- (7) In subsection (6) above—
- (a) the reference to water to which fluoride has been added by a water undertaker in exercise of the power conferred by this section includes a reference to water to which fluoride has been added by a water authority (within the meaning of the <sup>M1</sup>Water (Scotland) Act 1980) in exercise of the power conferred by section 1 of the <sup>M2</sup>Water (Fluoridation) Act 1985; and
  - (b) in relation to a supply of such water by a water undertaker, the reference to the water undertakers concerned shall have effect as references to the water undertaker and the water authority concerned.
- (8) In this section “serious deficiency in supply” means any existing or threatened serious deficiency in the supply of water (whether in quantity or quality) caused by an exceptional lack of rain or by any accident or unforeseen circumstances.
- (9) In this section and the following provisions of this Chapter references to a District Health Authority are references to any such authority within the meaning of the <sup>M3</sup>National Health Service Act 1977.

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**Marginal Citations**

- M1** 1980 c. 45.  
**M2** 1985 c. 63.  
**M3** 1977 c. 49.

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