



Water Industry Act 1991

1991 CHAPTER 56

PART III

WATER SUPPLY

CHAPTER IV

FLUORIDATION

[^{F1}88E Decision on fluoridation proposal

- (1) This section applies where—
 - (a) a fluoridation proposal is made,
 - (b) the Secretary of State is of the opinion that the arrangements which would result from implementing the proposal would be operable and efficient,
 - (c) in a case where section 88D applies, the conditions prescribed under subsection (4)(b) of that section are satisfied, and
 - (d) the proposer wishes to take further steps in relation to the proposal.
- (2) The proposer must comply with such requirements as may be prescribed in regulations made by the Secretary of State as to the steps to be taken for the purposes of consulting and ascertaining opinion in relation to the proposal.
- (3) The proposer may (after any requirements imposed by regulations under subsection (2) have been complied with) modify the proposal.
- (4) But the proposal may not be modified so as to extend the boundary of any area to which it relates, or to add another area, except in circumstances prescribed in regulations by the Secretary of State.
- (5) The proposer must (after any requirements imposed by regulations under subsection (2) have been complied with) decide whether to request the Secretary of State to make such requests under section 87(1) as are necessary to implement the proposal.

Status: Point in time view as at 01/04/2013. This version of this provision has been superseded.

Changes to legislation: Water Industry Act 1991, Section 88E is up to date with all changes known to be in force on or before 18 July 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)

- (6) The Secretary of State may by regulations make provision—
- (a) as to factors which the proposer must or may take into account in making the decision mentioned in subsection (5);
 - (b) as to the procedure to be followed by the proposer in exercising functions under or by virtue of subsection (2) or (5).]

Textual Amendments

- F1** Ss. 88B-88O inserted (27.3.2012 for specified purposes, 1.4.2013 for E. in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 36**, 306(1)(d)(2)(3) (with s. 37(3)); S.I. 2013/160, art. 2(2) (with arts. 7-9)

Modifications etc. (not altering text)

- C1** Pt. 3 Ch. 4 modified (1.4.2013 for E.) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 37(1)**, 306(2)(3); S.I. 2013/160, art. 2(2) (with arts. 7-9)

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