



Water Industry Act 1991

1991 CHAPTER 56

PART III

WATER SUPPLY

CHAPTER IV

FLUORIDATION

[^{F1}88F Decision-making procedure: exercise of functions by committee

- (1) This section applies in relation to the exercise of functions under or by virtue of section 88E(2) to (5) (“the fluoridation functions”) except where the proposer is a single local authority and either—
 - (a) no other local authorities are affected by the proposal, or
 - (b) no other local authority which is affected by the proposal informs the proposer that it wishes to participate in the exercise of the fluoridation functions.
- (2) The local authorities affected by the proposal must—
 - (a) arrange for an existing joint committee of the authorities to exercise the fluoridation functions,
 - (b) establish a joint committee of the authorities for that purpose, or
 - (c) arrange for the Health and Wellbeing Boards established by them under section 194 of the Health and Social Care Act 2012 to exercise the fluoridation functions.
- (3) Where arrangements are made under subsection (2)(c) the Health and Wellbeing Boards in question must exercise the power conferred by section 198(b) of the Health and Social Care Act 2012 to establish a joint sub-committee of the Boards to exercise the fluoridation functions.
- (4) The Secretary of State may by regulations make provision—

Status: Point in time view as at 01/04/2013. This version of this provision has been superseded.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 88F is up to date with all changes known to be in force on or before 09 September 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)*

- (a) for subsection (2)(a) to apply only in relation to a joint committee which meets prescribed conditions as to its membership;
- (b) as to the membership of a joint committee established under subsection (2)(b) (including provision as to qualification and disqualification for membership and the holding and vacating of office as a member);
- (c) as to the membership of a joint sub-committee of Health and Wellbeing Boards established in accordance with subsection (3);
- (d) as to the procedure to be followed by any joint committee, or any joint sub-committee of Health and Wellbeing Boards, in exercising the fluoridation functions.]

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)

Status:

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