
STATUTORY INSTRUMENTS

1993 No. 3160

The Roads (Northern Ireland) Order 1993

PART III
SPECIAL ROADS

Toll orders

Application of statutory provisions relating to monopolies, etc.

32.—(1) For the purposes of—

- (a) the Fair Trading Act 1973⁽¹⁾;
- (b) the provisions of the Competition Act 1980⁽²⁾ relating to anti-competitive practices; and
- (c) the provisions of the Restrictive Trade Practices Act 1976⁽³⁾ relating to restrictive agreements,

a person authorised by a toll order to charge tolls shall be deemed to supply a service, namely, providing the facility to use the road in return for the toll charged.

(2) Where the toll charged is subject to a maximum specified by the toll order, the Fair Trading Act 1973 has effect—

- (a) as if the service deemed by paragraph (1) to be supplied were among those listed in Part I of Schedule 7 to that Act (services excluded from Director's power to make monopoly reference); and
- (b) as if, in relation to any such service, the Head of the Department were among the persons listed in section 51(3) of that Act (persons whose concurrence is required for monopoly reference by the Secretary of State).

(1) 1973 c. 41
(2) 1980 c. 21
(3) 1976 c. 34