



Dartford-Thurrock Crossing Act 1988

1988 CHAPTER 20

PART III

OPERATION OF THE CROSSING

*Power to levy tolls and management and maintenance,
etc., of the crossing and the approach roads*

12 Delegation of functions of Secretary of State in relation to the crossing and the approach roads.

- (1) Subject to the following provisions of this section, the Secretary of State may by agreement with any person delegate to that person all or any of his functions with respect to the maintenance and improvement of, or other dealing with, any trunk road or other land comprised in the crossing.
- (2) A delegation under subsection (1) above may only be made—
 - (a) if tolls are for the time being leviable by the person appointed under section 11 of this Act, to that person; or
 - (b) if tolls are for the time being leviable by the Secretary of State and he appoints any person to collect the tolls as his agent, to that person.
- (3) Without prejudice to the application of subsection (1) above and section 6(1) of the 1980 Act (delegation by Secretary of State of trunk road functions to local councils) in relation to functions of the Secretary of State under this Act, each of those provisions shall apply in relation to—
 - (a) any functions conferred by or under this Part of this Act on the crossing operator which are for the time being exercisable by the Secretary of State; and
 - (b) the power of the Secretary of State under section 23 of this Act to withdraw or suspend the restriction imposed by subsection (1) of that section;as it applies in relation to functions of his of a description mentioned in subsection (1) above.

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- (4) In this Act “the crossing operator” means the person appointed under section 11 of this Act to levy tolls, in relation to any time when tolls are for the time being leviable by that person, and otherwise means the Secretary of State.
- (5) No functions may be delegated under subsection (1) above to any council to whom the Secretary of State may under section 6(1) of the 1980 Act (including that provision as extended by subsection (3) above) delegate any of his functions.
- (6) Any person to whom any functions are delegated under this section shall, in the exercise of those functions, act as agent for the Secretary of State and in accordance with such conditions as he may attach to the delegation.
- (7) Any agreement made by the Secretary of State for delegating any of his functions under this section shall not prevent him from exercising any function delegated if he considers that it is necessary or expedient for him to do so—
 - (a) by reason of any emergency; or
 - (b) on the ground that, in his view, the delegate has failed or will be unable to carry out any works, or do any other thing, that appears to the Secretary of State to be necessary for the discharge of that function.
- (8) A delegation of any functions under this section may be terminated in such circumstances and in such manner as may be provided under the agreement providing for the delegation.
- (9) Nothing in this section limits the power of the Secretary of State to enter into and carry into effect agreements with any person for any purpose connected with the exercise of any function he has power to delegate under subsection (1) above.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2024/414 art. 5Sch. 1 para. 6](#)