



Severn Bridges Act 1992

1992 CHAPTER 3

PART II

OPERATION OF SEVERN BRIDGES

Tolls

6 Exercise of power to levy tolls by concessionaire

- (1) Where a concession agreement is subsisting on the appointed day, the power to levy tolls conferred on the Secretary of State by section 5 above shall be exercisable by the concessionaire (instead of by the Secretary of State) during the concession period.
- (2) The power shall be exercised by the concessionaire in accordance with the concession agreement.
- (3) In this Act “the concession period” means the period—
 - (a) beginning with the appointed day, and
 - (b) ending at the time specified in subsection (4) below.
- (4) The time referred to in subsection (3)(b) above is the earliest of—
 - (a) the end of the period of 30 years beginning with the appointed day,
 - (b) any time determined under subsection (5) below as that at which the right of the concessionaire to exercise the power to levy tolls is to end, and
 - (c) any earlier time at which, in accordance with the concession agreement, that right is to end.
- (5) Where it appears to the Secretary of State that the revenue requirement has been met on a day, the right of the concessionaire to exercise the power to levy tolls shall end at such time after that day as the Secretary of State may determine.
- (6) The time determined under subsection (5) above shall not be later than the end of the period of 120 days beginning with the day mentioned in that subsection; but (subject

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to that) the determination under that subsection shall be made in accordance with the concession agreement.

(7) For the purposes of this section—

- (a) the revenue requirement is met on a day if the aggregate amount of toll income received by the concessionaire on or before that day is equal to or greater than the amount which he is entitled to receive in accordance with the concession agreement, and
- (b) “toll income” means tolls and sums received in lieu of tolls which, in accordance with the concession agreement, are to be treated for the purposes of this section in the same way as tolls.

(8) Subject to the concession agreement—

- (a) in exercising the power to levy tolls in accordance with this section the concessionaire shall not be regarded for any purpose as acting as the agent of the Secretary of State, and
- (b) in accordance with paragraph (a) above, tolls levied by the concessionaire shall be payable to him and be his property.

(9) The concessionaire may appoint any person to collect tolls as his agent.

(10) A local authority may enter into an agreement with the concessionaire (on such terms and subject to such conditions, as to payment or otherwise, as they consider appropriate) to perform such services and provide such facilities as may be specified in the agreement in connection with the collection of tolls; and a local authority may perform services and provide facilities in accordance with such an agreement.