



# Forth Road Bridge Act 2013

## 2013 asp 8

**The Bill for this Act of the Scottish Parliament was passed by the Parliament on 23rd May 2013 and received Royal Assent on 28th June 2013**

An Act of the Scottish Parliament to make provision about the management and maintenance of the Forth Road Bridge.

### **1 Trunk roads**

- (1) The length of road described in the schedule becomes a trunk road on the date this subsection comes into force.
- (2) Any enactment that provides for property and liabilities to transfer to the Scottish Ministers on account of a road becoming a trunk road, does not apply to the extent that it would transfer property and liabilities from the Authority to the Scottish Ministers.
- (3) Nothing in this section prevents the Scottish Ministers from detrunking the road which becomes a trunk road by virtue of subsection (1), or any part of that road, by making an order to that effect under section 5 of the Roads (Scotland) Act 1984 (c.54).
- (4) In the definition of “trunk road” in section 151(1) of the Roads (Scotland) Act 1984, after “Forth Crossing Act 2011 (asp 2)” insert “or by virtue of section 1 of the Forth Road Bridge Act 2013 (asp 8)”.

### **2 Transfer of property and liabilities etc.**

- (1) All property (including rights) and liabilities of the Authority are transferred to, and vest in, the Scottish Ministers.
- (2) Anything done by, on behalf of or in relation to the Authority is to be treated as having instead been done by, on behalf of or in relation to the Scottish Ministers.
- (3) Any reference to the Authority in a contract, deed or other document giving rise to a legal obligation, is to be read as a reference to the Scottish Ministers.
- (4) Any legal proceedings raised by, or against, the Authority may be continued by, or against, the Scottish Ministers.

### **3 Transfer of staff**

- (1) On the date this subsection comes into force, any person employed by the Authority is transferred into the employment of the bridge operator.
- (2) In subsection (1), “the bridge operator” means the person appointed by the Scottish Ministers to manage and maintain the Forth Road Bridge.
- (3) The transfer effected by subsection (1) is a relevant transfer for the purposes of the Transfer of Undertakings (Protection of Employment) Regulations 2006 ([S.I. 2006/246](#)).

### **4 Dissolution of Forth Estuary Transport Authority**

- (1) The Authority is dissolved.
- (2) The 2002 Order is revoked.
- (3) The following enactments are repealed—
  - (a) [Forth Road Bridge Order Confirmation Act 1947 \(c.iv\)](#),
  - (b) [Forth Road Bridge Order Confirmation Act 1958 \(c.vi\)](#),
  - (c) [Forth Road Bridge Order Confirmation Act 1960 \(c.iii\)](#).

### **5 Byelaws**

- (1) Despite the revocation of the 2002 Order, any byelaw made under it, or which continued to have effect by virtue of it, continues to have effect by virtue of this subsection as it did immediately before the 2002 Order’s revocation.
- (2) In any byelaw which continues to have effect by virtue of subsection (1), references to the Authority are to be read as references to the Scottish Ministers.
- (3) The Scottish Ministers’ power to make a traffic regulation order under section 1 of the Road Traffic Regulation Act [1984 \(c.27\)](#) includes the power to revoke any byelaw which continues to have effect by virtue of subsection (1).

### **6 Interpretation**

- (1) In this Act—
  - “the 2002 Order” means the Forth Estuary Transport Authority Order 2002 ([S.S.I. 2002/178](#)),
  - “the Authority” means the Forth Estuary Transport Authority constituted by the 2002 Order,
  - “road” has the same meaning as in the Roads (Scotland) Act 1984.
- (2) References to the Authority in the following provisions are to be read as if immediately followed by the words “or the Forth Road Bridge Joint Board constituted in terms of the Forth Road Bridge Confirmation Order 1947 (however described)”—
  - (a) subsections (2) and (3) of section 2, and
  - (b) section 5(2).

## **7 Commencement**

- (1) Sections 6, 8 and this section come into force on the day after Royal Assent.
- (2) The other provisions of this Act come into force on such day as the Scottish Ministers may by order appoint.

## **8 Short title**

The short title of this Act is the Forth Road Bridge Act 2013.

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*Status: This is the original version (as it was originally enacted).*

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## SCHEDULE

*(introduced by section 1)*

### DESCRIPTION OF ROAD TO BECOME TRUNK ROAD

- 1 That length of road, of approximately 3.11 kilometres, partly within the boundary of the City of Edinburgh Council and partly within the boundary of Fife Council—
  - (a) from a point on the south side of the Forth Road Bridge on the A90, 296 metres or thereby north of the northmost face of the overbridge carrying the roundabout on which the B800 and A904 meet (at grid reference NT 312456, 678010),
  - (b) to a point on the north side of the Forth Road Bridge, 359 metres or thereby north of the northmost abutment of the Forth Road Bridge (at grid reference NT 312607, 681112).
- 2 In paragraph 1, “grid reference” means Ordnance Survey National Grid reference.