
STATUTORY INSTRUMENTS

1993 No. 3160

The Roads (Northern Ireland) Order 1993

PART III

SPECIAL ROADS

Concession agreements relating to special roads

Transfer or termination of concession

27.—(1) The rights of a concessionaire under a concession agreement may be assigned with the consent of the Department and references in this Part to the concessionaire shall be construed as references to the person for the time being entitled to exercise those rights.

(2) On the termination of a concession agreement (by effluxion of time or otherwise) there shall be transferred to the Department by virtue of this Article all such property, rights and liabilities of the concessionaire as in accordance with the concession agreement fall to be so transferred in the circumstances.

Schedule 2 contains supplementary provisions with respect to that transfer.

(3) Where a concession agreement terminates or is terminated before the end of the toll period, the Department—

- (a) shall take reasonable steps to secure the appointment of a new concessionaire; and
- (b) may, for a period of not more than two years until a new appointment or an extension toll order takes effect or the toll period ends, charge and collect tolls in the same way as a concessionaire.

(4) A concession agreement may contain provision as to the circumstances in which, and extent to which, any sum received by the Department—

- (a) in consideration for the appointment of a new concessionaire; or
- (b) by way of tolls collected by virtue of paragraph (3)(b),

is to be applied for the benefit of the former concessionaire or his creditors, as the case may be.