



Infrastructure Act 2015

2015 CHAPTER 7

PART 1

STRATEGIC HIGHWAYS COMPANIES

Exercise of functions

7 Delegation of functions

- (1) A strategic highways company may authorise another person to exercise a function it has under any enactment, if the function is prescribed by regulations made by the Secretary of State.
- (2) An authorisation may authorise the exercise of a function—
 - (a) wholly or to any other extent;
 - (b) generally or only in some cases or areas;
 - (c) unconditionally or subject to conditions.
- (3) An authorisation—
 - (a) does not prevent the company or any other person from exercising the function to which the authorisation relates,
 - (b) may be for a period not exceeding ten years, and
 - (c) may be revoked at any time.
- (4) The strategic highways company may—
 - (a) enter into a contract with an authorised person in connection with the exercise by that person of a function;
 - (b) make payments to an authorised person in that connection.
- (5) Where an authorisation is revoked at a time when a contract in connection with the exercise of a function is subsisting, the authorised person is entitled to treat the contract as repudiated by the company (and not as frustrated by reason of the revocation).
- (6) Regulations under this section may not prescribe a function if it is—

Changes to legislation: There are currently no known outstanding effects for the Infrastructure Act 2015, Section 7. (See end of Document for details)

- (a) a power of entry, or
 - (b) a power or duty to make subordinate legislation.
- (7) Where a function of the Secretary of State is transferred to a strategic highways company under this Part and is, immediately before the transfer, authorised to be exercised by another person by an order under section 69 of the Deregulation and Contracting Out Act 1994—
 - (a) the authorisation is to have effect as if it had been given by the transferee company under this section, and
 - (b) if the function is not prescribed under subsection (1), it is to be regarded as having been so prescribed.
- (8) Where a function of a strategic highways company is transferred to another such company under this Part and is, immediately before the transfer, authorised to be exercised by another person under this section, the authorisation is to have effect as if it had been given by the transferee company under this section.

Commencement Information

- I1** [S. 7](#) partly in force; [s. 7](#) in force for specified purposes at Royal Assent, see [s. 57\(1\)\(a\)](#)
- I2** [S. 7](#) in force at 5.3.2015 in so far as not already in force by [S.I. 2015/481](#), [reg. 2\(a\)](#)

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