



# Severn Bridges Act 1992

## 1992 CHAPTER 3

### PART III

#### MISCELLANEOUS AND GENERAL

##### *General*

#### **36 Offences by bodies corporate**

- (1) Where a body corporate is guilty of an offence under this Act and the offence is proved to have been committed with the consent or connivance of, or to be attributable to neglect on the part of, a director, manager, secretary or other similar officer of the body corporate or a person who was purporting to act in such a capacity, he (as well as the body corporate) shall be guilty of that offence and liable to be proceeded against and punished accordingly.
- (2) Where the affairs of a body corporate are managed by its members, subsection (1) above shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

#### **37 Orders and regulations**

- (1) Any power conferred by this Act to make an order or regulations shall be exercisable by statutory instrument.
- (2) A statutory instrument containing an order under subsection (5) of section 9 above which substitutes a higher amount for an amount which would otherwise be specified in the table in subsection (3) of that section shall not be made unless a draft of it has been laid before Parliament and approved by a resolution of each House.
- (3) A statutory instrument containing—
  - (a) an order under section 8(4) or (5)(h), 10(4), 11(1) or 18(2)(b) above,
  - (b) an order under section 9(5) above to which subsection (2) above does not apply, or

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(c) regulations under section 14, 21, 24, 25 or 31 above, shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(4) If it appears to the Secretary of State that at the time when an order under section 8(4) or (5)(h) or 11(1) above is to come into force the power to levy tolls will be exercisable by the concessionaire, the order shall not be made except with the concessionaire's consent.

(5) Regulations under this Act may make different provision for different cases or classes of case to which they apply.

### **38 Financial provisions**

(1) There shall be paid out of money provided by Parliament—

- (a) expenditure of the Secretary of State under this Act, and
- (b) increases attributable to this Act in the sums payable out of such money under any other enactment.

(2) Sums received by the Secretary of State under or by virtue of this Act shall be paid into the Consolidated Fund.

### **39 Interpretation**

(1) In this Act, except where the context otherwise requires—

“the appointed day” means such day as the Secretary of State may by order appoint,

“appointed person” has the meaning given by section 23(1),

“the bridges” means the existing bridge and the new bridge,

“bridleway” has the same meaning as in the Highways Act 1980,

“concession agreement” has the meaning given by section 4(2)(b),

“the concessionaire” has the meaning given by section 4(2)(a),

“the concession period” has the meaning given by section 6,

“cycle track” has the same meaning as in the Highways Act 1980,

“the deposited plans” and “the deposited sections” mean respectively the plans and sections deposited in November 1990 in connection with the Severn Bridges Bill in the office of the Clerk of the Parliaments and the Private Bill Office of the House of Commons,

“exercise” includes performance and related expressions shall be construed accordingly,

“the existing bridge” means the bridges and viaduct shown as the existing bridge on the explanatory map,

“the existing toll plaza area” means the area shown as such on the explanatory map (including extensions to it),

“the explanatory map” means the map marked “Existing bridge and toll plaza area” deposited in November 1990 in connection with the Severn Bridges Bill in the office of the Clerk of the Parliaments and the Private Bill Office of the House of Commons,

“footpath” has the same meaning as in the Highways Act 1980,

“functions” includes powers, duties and obligations,

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“highway” has the same meaning it has for the purposes of the Highways Act 1980,

“the limits of deviation” mean the limits of deviation which are shown on the deposited plans,

“the limits of land for temporary occupation” means the limits of land of which temporary possession may be taken which are so shown,

“the limits of land to be acquired” means the limits of land to be acquired which are so shown,

“local authority” means a district council or a county council,

“maintenance” includes repair and related expressions shall be construed accordingly,

“modifications” includes omissions, additions and alterations and related expressions shall be construed accordingly,

“the new bridge” means the bridge mentioned in section 1(1) (Work No. 3),

“the new toll plaza area” means so much of Work No. 2 as lies within the area marked as such on the deposited plans (including extensions to it),

“owner” has the same meaning as in the Acquisition of Land Act 1981,

“relevant functions” has the meaning given by section 4(3),

“the relevant inward limit” means an imaginary straight line drawn from east to west through the Inward Rocks on the western bank of the river Severn at Ordnance Survey National Grid reference ST 56895 95270,

“retail prices index” shall be construed in accordance with section 10(3) and (4),

“the scheduled works” shall be construed in accordance with section 1(1),

“special road” has the same meaning as in the Highways Act 1980,

“toll” means a toll leviable under this Act,

“the toll plaza areas” means the existing toll plaza area and the new toll plaza area, and

“trunk road” has the same meaning as in the Highways Act 1980.

(2) In this Act—

- (a) a reference to a highway or any other place identified by letters and numbers or a real name is a reference to the highway or place shown as such on the deposited plans,
- (b) a reference to a work identified by a number (or a number and a letter) is a reference to the scheduled work of that number (or number and letter),
- (c) references to specified distances shall be construed as if the words “or thereabouts” were inserted after each such distance, and
- (d) distances between points on a highway shall be measured along the centre line of the highway.

#### **40 Repeals**

The enactments specified in Schedule 5 to this Act are repealed to the extent specified in the third column of that Schedule.

#### **41 Short title**

This Act may be cited as the Severn Bridges Act 1992.

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## **42 Commencement**

- (1) Sections 16, 22(1) and (2), 34 and 40 above shall not come into force until the appointed day.
- (2) No regulations made under section 21, 24 or 25 above, or by virtue of section 22(3) above, shall come into force before the appointed day.
- (3) Regulations made under section 5, 7, 9 or 18(3), or by virtue of section 8(3), of the Severn Bridge Tolls Act 1965 and in force immediately before the appointed day shall (unless revoked) have effect on and after that day, with any necessary modifications, as if made (respectively) under section 14, 21(1), 24 or 21(4), or by virtue of section 22(3), of this Act.