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**Status:** This version of this cross heading contains provisions that are prospective.  
**Changes to legislation:** Land Reform (Scotland) Act 2003, Cross Heading: Trespass (Scotland) Act 1865 (c. 56) is up to date with all changes known to be in force on or before 20 December 2018. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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PROSPECTIVE

SCHEDULE 2  
AMENDMENT AND REPEAL OF ENACTMENTS

*Trespass (Scotland) Act 1865 (c. 56)*

1 Section 3 (which creates the offence of occupying or camping on land without the consent of its owner or occupier) of the Trespass (Scotland) Act 1865 is renumbered as subsection (1) of that section and after that subsection there is added—

“(2) Subsection (1) above does not extend to anything done by a person in the exercise of the access rights created by the Land Reform (Scotland) Act 2003 (asp 2).”

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**Changes to legislation:**

Land Reform (Scotland) Act 2003, Cross Heading: Trespass (Scotland) Act 1865 (c. 56) is up to date with all changes known to be in force on or before 20 December 2018. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 74(1)(o)-(r) inserted by 2015 asp 6 s. 65(b)
- s. 81(1)(ba) (bb) inserted by 2015 asp 6 s. 68(a)
- s. 88(9A) (9B) inserted by 2015 asp 6 s. 69(a)
- s. 92(5)(a) (b) substituted for words by 2015 asp 6 s. 71(a)
- s. 92(5A) inserted by 2015 asp 6 s. 71(b)
- s. 92(6A)-(6C) inserted by 2015 asp 6 s. 71(d)
- s. 94(2)(aa) (ab) inserted by 2015 asp 6 s. 72(2)(b)
- s. 94(2A) (2B) inserted by 2015 asp 6 s. 72(3)
- s. 94(3A)-(3C) inserted by 2015 asp 6 s. 72(4)
- s. 97ZA inserted by 2015 asp 6 s. 73