



Countryside and Rights of Way Act 2000

2000 CHAPTER 37

PART I

ACCESS TO THE COUNTRYSIDE

CHAPTER I

RIGHT OF ACCESS

Miscellaneous provisions relating to right of access

17 Byelaws.

- (1) An access authority may, as respects access land in their area, make byelaws—
 - (a) for the preservation of order,
 - (b) for the prevention of damage to the land or anything on or in it, and
 - (c) for securing that persons exercising the right conferred by section 2(1) so behave themselves as to avoid undue interference with the enjoyment of the land by other persons.
- (2) Byelaws under this section may relate to all the access land in the area of the access authority or only to particular land.
- (3) Before making byelaws under this section, the access authority shall consult—
 - (a) the appropriate countryside body, and
 - (b) any local access forum established for an area to which the byelaws relate.
- (4) Byelaws under this section shall not interfere—
 - (a) with the exercise of any public right of way,
 - (b) with any authority having under any enactment functions relating to the land to which the byelaws apply, or

Status: Point in time view as at 31/03/2015.

Changes to legislation: Countryside and Rights of Way Act 2000, Section 17 is up to date with all changes known to be in force on or before 09 April 2024. 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)

- [^{F1}(c) with the provision of an electronic communications code network or the exercise of any right conferred by or in accordance with the electronic communications code on the operator of any such network.]
- (5) Sections 236 to 238 of the ^{M1}Local Government Act 1972 (which relate to the procedure for making byelaws, authorise byelaws to impose fines not exceeding level 2 on the standard scale, and provide for the proof of byelaws in legal proceedings) apply to all byelaws under this section [^{F2}made by an access authority in England] whether or not the authority making them is a local authority within the meaning of that Act.
- [^{F3}(5A) Sections 7, 8, 10 and 19 of the Local Government Byelaws (Wales) Act 2012 apply to all byelaws under this section made by an access authority in Wales.]
- (6) The confirming authority in relation to byelaws made under this section is—
- (a) as respects England, the Secretary of State, and
 - (b) as respects Wales, the National Assembly for Wales.
- (7) Byelaws under this section relating to any land—
- (a) may not be made unless the land is access land or the access authority are satisfied that it is likely to become access land, and
 - (b) may not be confirmed unless the land is access land.
- (8) Any access authority having power under this section to make byelaws also have power to enforce byelaws made by them; and any county council or district or parish council may enforce byelaws made under this section by another authority as respects land in the area of the council.

Textual Amendments

- F1** S. 17(4)(c) substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 17 para. 165\(2\)](#) (with [Sch. 18](#)); S.I. 2003/1900, arts. 1(2), 2(1), [Schs. 1](#) (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)
- F2** Words in s. 17(5) inserted (31.3.2015) by [Local Government Byelaws \(Wales\) Act 2012 \(anaw 2\)](#), s. 22(2), [Sch. 2 para. 18\(2\)](#); S.I. 2015/1025, art. 2(r) (with art. 3)
- F3** S. 17(5A) inserted (31.3.2015) by [Local Government Byelaws \(Wales\) Act 2012 \(anaw 2\)](#), s. 22(2), [Sch. 2 para. 18\(3\)](#); S.I. 2015/1025, art. 2(r) (with art. 3)

Marginal Citations

- M1** 1972 c. 70.

Status:

Point in time view as at 31/03/2015.

Changes to legislation:

Countryside and Rights of Way Act 2000, Section 17 is up to date with all changes known to be in force on or before 09 April 2024. 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.