Countryside and Rights of Way Act 2000

2000 CHAPTER 37

PART I

ACCESS TO THE COUNTRYSIDE

CHAPTER IV

GENERAL

41 Compensation relating to powers under s. 40

(1) It is the duty of a body by which an authorisation may be given under section 40 to compensate any person who has sustained damage as a result of—

(a) the exercise of a power conferred by that section by a person authorised by that body to do so, or

(b) the failure of a person so authorised to perform the duty imposed on him by subsection (6) of that section,

except where the damage is attributable to the fault of the person who sustained it.

(2) Any dispute as to a person's entitlement to compensation under this section or as to its amount shall be referred to an arbitrator to be appointed, in default of agreement—

(a) as respects entry on land in England, by the Secretary of State, and

(b) as respects entry on land in Wales, by the National Assembly for Wales.