



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.