



# Land Reform (Scotland) Act 2003

## 2003 asp 2

### PART 1

#### ACCESS RIGHTS

#### CHAPTER 1

##### NATURE AND EXTENT OF ACCESS RIGHTS

### 1 Access rights

- (1) Everyone has the statutory rights established by this Part of this Act.
- (2) Those rights (in this Part of this Act called “access rights”) are—
  - (a) the right to be, for any of the purposes set out in subsection (3) below, on land; and
  - (b) the right to cross land.
- (3) The right set out in subsection (2)(a) above may be exercised only—
  - (a) for recreational purposes;
  - (b) for the purposes of carrying on a relevant educational activity; or
  - (c) for the purposes of carrying on, commercially or for profit, an activity which the person exercising the right could carry on otherwise than commercially or for profit.
- (4) The reference—
  - (a) in subsection (2)(a) above to being on land for any of the purposes set out in subsection (3) above is a reference to—
    - (i) going into, passing over and remaining on it for any of those purposes and then leaving it; or
    - (ii) any combination of those;
  - (b) in subsection (2)(b) above to crossing land is a reference to going into it, passing over it and leaving it all for the purpose of getting from one place outside the land to another such place.

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**Changes to legislation:** *There are currently no known outstanding effects for the Land Reform (Scotland) Act 2003, Section 1. (See end of Document for details)*

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- (5) A “relevant educational activity” is, for the purposes of subsection (3) above, an activity which is carried on by a person for the purposes of—
- (a) furthering the person’s understanding of natural or cultural heritage; or
  - (b) enabling or assisting other persons to further their understanding of natural or cultural heritage.
- (6) Access rights are exercisable above and below (as well as on) the surface of the land.
- (7) The land in respect of which access rights are exercisable is all land except that specified in or under section 6 below.

**Modifications etc. (not altering text)**

- C1** S. 1 excluded (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), **ss. 131(1)(c)**, 178; [S.I. 2005/1521](#), **art. 3(n)**

**Changes to legislation:**

There are currently no known outstanding effects for the Land Reform (Scotland) Act 2003, Section 1.