



# Countryside (Scotland) Act 1981

## 1981 CHAPTER 44

### 10 Extension of power to make byelaws.

(1) In section 54 of the Act of 1967 (which provides for the making of byelaws as respects country parks etc.), for subsection (1) there shall be substituted the following subsections—

“(1) A local authority may, as respects land in their area belonging to them and situated in the countryside, and a planning authority may, as respects—

- (a) a public path created—
  - (i) in accordance with a public path creation agreement to which they are party;
  - (ii) by a public path creation order made by them and confirmed where necessary by the Secretary of State; or
  - (iii) by a public path diversion order made by them and confirmed where necessary by the Secretary of State;
- (b) a long-distance route which passes through their area;
- (c) a public right of way in relation to which a duty is imposed on them by section 46(1) of this Act;
- (d) a country park provided by them under section 48 of this Act; or
- (e) land or a waterway—
  - (i) in relation to which an agreement or order has been made by them for the purpose of giving access to the public; or
  - (ii) to which the public are given access in consequence of acquisition by the authority,

make byelaws for the preservation of order, for the prevention of damage to the land, pathroute, right of way, park or waterway or anything thereon, therein, or adjacent thereto, and for securing that persons resorting thereto will so behave themselves as to avoid undue interference with the enjoyment of the land, path, route, right of way, park or waterway by other persons.

(1A) In subsection (1) above— “long-distance route” means a route in relation to which there are approved proposals under section 40 of this Act (or approved

---

*Changes to legislation: There are currently no known outstanding effects for the Countryside (Scotland) Act 1981, Section 10. (See end of Document for details)*

---

proposals having effect subject to the provisions of a report or direction under section 42 of this Act) and includes any road forming part of the route and any ferry, proposals for the provision and operation of which are included in the approved proposals; and “public path” has the meaning assigned to it in section 30 of this Act.”

(2) In subsection (2) of the said section, after the word “land”, in both places where it occurs, there shall be inserted the words “path, route, right of way,”.

(3) After subsection (5) of the said section there shall be added the following subsection—

“(5A) Byelaws made under this section in relation long-distance routes shall not come into operation in relation to any part of the route until—

- (a) the Secretary of State’s approval of the route under section 40 of this Act has been notified to the local authority or planning authority as the case may be; and
- (b) access over that part of the route is available to the public.”

---

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

- C1** The text of s. 10(1) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.
- C2** The text of s. 10(2) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.
- C3** The text of s. 10(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Changes to legislation:**

There are currently no known outstanding effects for the Countryside (Scotland) Act 1981, Section 10.