



Occupiers' Liability Act 1957

1957 CHAPTER 31 5 and 6 Eliz 2

Liability in tort

1 Preliminary

- (1) The rules enacted by the two next following sections shall have effect, in place of the rules of the common law, to regulate the duty which an occupier of premises owes to his visitors in respect of dangers due to the state of the premises or to things done or omitted to be done on them.
- (2) The rules so enacted shall regulate the nature of the duty imposed by law in consequence of a person's occupation or control of premises and of any invitation or permission he gives (or is to be treated as giving) to another to enter or use the premises, but they shall not alter the rules of the common law as to the persons on whom a duty is so imposed or to whom it is owed; and accordingly for the purpose of the rules so enacted the persons who are to be treated as an occupier and as his visitors are the same (subject to subsection (4) of this section) as the persons who would at common law be treated as an occupier and as his invitees or licensees.
- (3) The rules so enacted in relation to an occupier of premises and his visitors shall also apply, in like manner and to the like extent as the principles applicable at common law to an occupier of premises and his invitees or licensees would apply, to regulate—
 - (a) the obligations of a person occupying or having control over any fixed or moveable structure, including any vessel, vehicle or aircraft; and
 - (b) the obligations of a person occupying or having control over any premises or structure in respect of damage to property, including the property of persons who are not themselves his visitors.
- [^{F1}(4) A person entering any premises in exercise of rights conferred by virtue of—
 - (a) section 2(1) of the Countryside and Rights of Way Act 2000, or
 - (b) an access agreement or order under the National Parks and Access to the Countryside Act 1949,is not, for the purposes of this Act, a visitor of the occupier of the premises.]

Changes to legislation: There are currently no known outstanding effects for the Occupiers' Liability Act 1957, Section 1. (See end of Document for details)

Textual Amendments

- F1** S. 1(4) substituted (19.9.2004 for E., 28.5.2005 for W.) by [Countryside and Rights of Way Act 2000](#) (c. 37), [ss. 13\(1\), 103\(3\)](#) (with s. 43); [S.I. 2004/2173](#), art. 2(1)(c); [S.I. 2005/423](#), art. 2(c)

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