



# National Parks and Access to the Countryside Act 1949

1949 CHAPTER 97 12 13 and 14 Geo 6

## PART VI

GENERAL, FINANCIAL AND SUPPLEMENTARY

### *Supplementary Provisions*

#### **106 Supplementary provisions as to byelaws.**

- (1) [F<sup>1</sup>Sections 236 to 238 of the <sup>M<sup>1</sup></sup>Local Government Act 1972] shall apply to all byelaws under this Act as if any authority having power to make them were a local authority within the meaning of the said Act of [F<sup>1</sup>1972] so however, that in relation to byelaws made by [F<sup>2</sup>the appropriate conservation body][F<sup>3</sup>(as defined in section 15A of this Act)] the said sections shall apply subject to such adaptations as may be prescribed by regulations made by the Secretary of State.
- (2) In relation to byelaws made under this Act the confirming authority for the purposes of the said [F<sup>1</sup>section 236] shall be the Secretary of State.
- (3) Any authority having power under this Act to make byelaws shall have power to enforce byelaws made by them.
- (4) The following provisions shall have effect in the application of this section to Scotland:
  - (a) for references to [F<sup>1</sup>the <sup>M<sup>2</sup></sup>Local Government Act 1972 and to sections 236 to 238] thereof there shall be substituted references to the Local Government (Scotland) Act <sup>M<sup>3</sup></sup>[F<sup>4</sup>1973, and to sections 201 to 204] thereof; and
  - (b) nothing in the last foregoing subsection shall be construed as authorising any such authority as is mentioned therein to institute proceedings in Scotland for an offence.

---

*Changes to legislation:* There are currently no known outstanding effects for the National Parks and Access to the Countryside Act 1949, Section 106. (See end of Document for details)

---

[<sup>F5</sup>(5) This section does not apply to byelaws made under this Act by the [<sup>F6</sup>Natural Resources Body for Wales] .]

#### Subordinate Legislation Made

**P1** S. 106: for previous exercises of this power, see Index to Government Orders

#### Textual Amendments

- F1** Words substituted by virtue of [Local Government Act 1972 \(c. 70, SIF 81:1\)](#), [s. 272\(2\)](#)
- F2** Words in s. 106(1) substituted (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\)](#), [s. 107](#), [Sch. 11 para. 15\(h\)](#); S.I. 2006/2541, art. 2 (with Sch.)
- F3** Words in s. 106(1) inserted (1.4.1991) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), [s. 132](#), [Sch. 9 para. 1\(5\)](#); S.I. 1991/685, [art.3](#)
- F4** Words substituted by [Local Government \(Scotland\) Act 1973 \(c. 65, SIF 81:2\)](#), [Sch. 27 Pt. II para. 105](#)
- F5** S. 106(5) inserted (W.) (31.3.2015) by [Local Government Byelaws \(Wales\) Act 2012 \(anaw 2\)](#), [s. 22\(2\)](#), [Sch. 2 para. 5\(2\)](#); S.I. 2015/1025, art. 2(r) (with art. 3)
- F6** Words in s. 106(5) substituted (E.W.) (21.5.2016) by [Environment \(Wales\) Act 2016 \(anaw 3\)](#), [s. 88\(2\)\(g\)](#), [Sch. 2 para. 28\(2\)](#)

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

- C1** S. 106 extended by [Wildlife and Countryside Act 1981 \(c. 69, SIF 81:1\)](#), [s. 272\(2\)](#)  
s. 106 applied (30.1.2001) by [1981 c. 69](#), [s. 28R\(2\)\(b\)](#) (as substituted (30.1.2001) by [2000 c. 37](#), [ss. 75\(1\)](#), [103\(2\)](#), [Sch. 9 para. 1](#))

#### Marginal Citations

- M1** 1972 c. 70.  
**M2** 1972 c. 70.  
**M3** 1973 c. 65.

**Changes to legislation:**

There are currently no known outstanding effects for the National Parks and Access to the Countryside Act 1949, Section 106.