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STATUTORY INSTRUMENTS

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**2005 No. 1901 (C.81)**

**COUNTRYSIDE, ENGLAND**

The Countryside and Rights of Way Act  
2000 (Commencement No. 8) Order 2005

Made - - - - 9th July 2005

The Secretary of State, in exercise of the powers conferred upon her by section 103(3) and (4) of the Countryside and Rights of Way Act 2000<sup>(1)</sup>, hereby makes the following Order:

**Citation, interpretation and extent**

1.—(1) This Order may be cited as the Countryside and Rights of Way Act 2000 (Commencement No.8) Order 2005.

(2) In this Order references to sections and Parts are references to sections and Parts of the Countryside and Rights of Way Act 2000.

(3) This Order applies in relation to England only<sup>(2)</sup>.

**Appointed days**

2.—(1) 28th August 2005 is the day appointed for the coming into force of section 2 (rights of public in relation to access land) in so far as it relates to any access land—

- (a) which is access land by virtue of section 1(1)(a) or (b); and
- (b) which lies within an area covered by the map in conclusive form issued by the Countryside Agency for the purposes of Part I on 9th May 2005.

(2) The day appointed for the coming into force of section 2 in so far as it relates to any access land—

- (a) which is access land solely by virtue of section 1(1)(e); and
- (b) which lies within an area covered by the map in conclusive form issued by the Countryside Agency for the purposes of Part I on 9th May 2005,

is 28th August 2005 or the end of a period of six months beginning with the day on which the land is dedicated for the purposes of Part I under section 16 (dedication of land as access land), whichever is the later.

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<sup>(1)</sup> 2000 c. 37.

<sup>(2)</sup> As to the exercise of the power to bring these provisions into force as regards Wales, see section 103(3) of the Countryside and Rights of Way Act 2000.

9th July 2005

*Jim Knight*  
Parliamentary Secretary  
Department for Environment, Food and Rural  
Affairs

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force, in relation to England only, section 2 of the Countryside and Rights of Way Act 2000 for certain purposes.

It brings into force on 28th August 2005 section 2 (which introduces a new right of access to access land) in so far as it relates to access land which is shown as open country or registered common land on a map in conclusive form and which lies within an area covered by the map in conclusive form issued by the Countryside Agency on 9th May 2005 (such map relates to the south west area of England).

The Order also brings into force section 2 in so far as it relates to access land which is dedicated as access land under section 16 of the Countryside and Rights of Way Act 2000, which is not shown as open country or registered common land on a map in conclusive form, but which lies within an area covered by the map in conclusive form issued on 9th May 2005. The day appointed for section 2 in relation to such land is 28th August 2005 or the end of a period of six months beginning with the day on which the land is dedicated under section 16, whichever is the later.

The electronic version of the map in conclusive form issued on 9th May 2005 may be inspected at the offices of the Countryside Agency at John Dower House, Crescent Place, Cheltenham GL50 3RA, 3rd Floor, Bridgewater House, Whitworth Street, Manchester M1 6LT, and 5th Floor, 1 Redcliff Street, Bristol BS1 6NP (telephone 0845 100 3298). Copies of the map at a reduced scale may be inspected on the Countryside Agency's website ([www.countryside.gov.uk/access/mapping](http://www.countryside.gov.uk/access/mapping)). For information about where printed copies of such a map can be inspected and obtained, telephone 0845 100 3298.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Countryside and Rights of Way Act 2000 have been brought into force in England by commencement order made before the date of this Order:

### ENGLAND

| <i>Provision</i>               | <i>Date of Commencement</i> | <i>S.I. No.</i>           |
|--------------------------------|-----------------------------|---------------------------|
| Section 2 (partially)          | 19.9.2004                   | <a href="#">2004/2173</a> |
| Section 2 (partially)          | 14.12.2004                  | <a href="#">2004/3088</a> |
| Section 2 (partially)          | 28.5.2005                   | <a href="#">2005/827</a>  |
| Sections 12, 13, 14, 18 and 20 | 19.9.2004                   | <a href="#">2004/2173</a> |
| Section 46(1)(b)               | 1.4.2001                    | <a href="#">2001/114</a>  |
| Section 46(3) (partially)      | 1.4.2001                    |                           |
| Section 46(3) (partially)      | 19.9.2004                   | <a href="#">2004/2173</a> |
| Section 57 (partially)         | 30.1.2001                   | <a href="#">2001/114</a>  |

*Status: This is the original version (as it was originally made).*

| <i>Provision</i>   | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|--|-----------------------------|-----------------|
| Section 57 (partially)   | 12.2.2003                   | 2003/272        |
| Sections 60 to 62  | 21.11.2002                  | 2002/2833       |
| Section 63   | 13.2.2004                   | 2004/292        |
| Section 68   | 1.4.2001                    | 2001/114        |
| Section 70(1) and (3)  | 13.2.2004                   | 2004/292        |
| Section 70(2) and (4)  | 1.4.2001                    | 2001/114        |
| Section 72   | 30.1.2001                   |                 |
| Part IV (and Schedules 13, 14, and 15)   | 1.4.2001                    |                 |
| Section 96   | 1.4.2001                    |                 |
| Section 97   | 1.4.2001                    |                 |
| Section 100 (partially)  | 30.1.2001                   |                 |
| Section 100(3)   | 1.4.2001                    |                 |
| Section 102 (partially)  | 30.1.2001                   |                 |
| Section 102 (partially)  | 1.4.2001                    |                 |
| Schedule 2   | 19.9.2004                   | 2004/2173       |
| Schedule 4, paragraphs 1, 4, 5 and 6   | 1.4.2001                    | 2001/114        |
| Schedule 4, paragraphs 2 and 3   | 19.9.2004                   | 2004/2173       |
| Schedule 5, paragraphs 8, 10 and 11 (partially)  | 13.2.2004                   | 2004/292        |
| Schedule 6, paragraphs 1, 2, 5 (partially), 6, 8 (partially), 9 (partially), 11, 12 (partially), 13 (partially), 14 (partially), 17 (partially), 18 (partially), 19 (partially), 20, 21 (partially), 23 (partially), 24 (partially), 25 and 26 | 12.2.2003                   | 2003/272        |
| Schedule 6, paragraph 3 (partially)  | 13.2.2004                   | 2004/292        |
| Schedule 6, paragraph 18(a) (partially)  | 30.1.2001                   | 2001/114        |
| Schedule 6, paragraph 19 (partially)   | 30.1.2001                   |                 |
| Schedule 16, Part I (partially)  | 1.4.2001                    |                 |
| Schedule 16, Part II (partially)   | 30.1.2001                   |                 |
| Schedule 16, Part II (partially)   | 1.4.2001                    |                 |
| Schedule 16, Parts V and VI  | 1.4.2001                    |                 |

## WALES

The following commencement orders have been made—

the Countryside and Rights of Way Act 2000 (Commencement No.1) (Wales) Order 2001 (S.I. 2001/203 (W.9) (C.10));

the Countryside and Rights of Way Act 2000 (Commencement No.2) (Wales) Order 2001 (S.I. 2001/1410 (W.96) (C.50));

the Countryside and Rights of Way Act 2000 (Commencement No.3) (Wales) Order 2002 (S.I. 2002/2615 (W.253) (C.82));

the Countryside and Rights of Way Act 2000 (Commencement No.4) (Wales) Order 2004 (S.I. 2004/315 (W.33) (C.16));

the Countryside and Rights of Way Act 2000 (Commencement No.5) (Wales) Order 2004 (S.I. 2004/1489 (W.154) (C.59));

the Countryside and Rights of Way Act 2000 (Commencement No.6) (Wales) Order 2005 (S.I. 2005/423 (W.41) (C.19)); and

the Countryside and Rights of Way Act 2000 (Commencement No.7) (Wales) Order 2005 (S.I. 2005/1314 (W.96) (C.58)).