



Dog Fouling (Scotland) Act 2003

2003 asp 12

2 Places to which Act applies

- (1) Subject to subsections (2) to (4), this Act applies to any public open place.
- (2) This Act does not apply to agricultural land.
- (3) In this Act—
 - “agricultural land” has the same meaning as in section 86(1) of the Agriculture (Scotland) Act 1948 (c. 45) except that it does not include land not in agricultural use and designated by the Scottish Ministers in pursuance of that section; and
 - “public open place” means—
 - (a) any place which is open to the air to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission; and
 - (b) any common passage, close, court, stair, back green, garden, yard or other similar common area.
- (4) For the purposes of this section any covered place open to the air on at least one side shall be treated as a place which is “open to the air”.