

*These notes relate to the Land Reform (Scotland) Act 2003
(asp 2) which received Royal Assent on 25 February 2003*

LAND REFORM (SCOTLAND) ACT 2003

EXPLANATORY NOTES

THE ACT – AN OVERVIEW

Part 1 Access Rights

Section 9: Conduct excluded from access rights

38. This section sets out the conduct which is outwith the scope of access rights. Any person purporting to exercise access rights who engages in the conduct listed in this section will, by virtue of section 2(2)(a), be treated as not exercising those rights responsibly
39. Paragraph (e) provides that persons on land for the purposes of carrying on an activity commercially or for profit are to be treated as conducting themselves irresponsibly if they take away anything in or on the land for that purpose.
40. Paragraph (g) provides that access rights are not exercisable on land which is a golf course for any of the purposes specified in section 1(3). In other words, the Act provides only for a right to cross golf courses.