



Countryside and Rights of Way Act 2000

2000 CHAPTER 37

PART I

ACCESS TO THE COUNTRYSIDE

CHAPTER IV

GENERAL

41 Compensation relating to powers under s. 40.

- (1) It is the duty of a body by which an authorisation may be given under section 40 to compensate any person who has sustained damage as a result of—
 - (a) the exercise of a power conferred by that section by a person authorised by that body to do so, or
 - (b) the failure of a person so authorised to perform the duty imposed on him by subsection (6) of that section,except where the damage is attributable to the fault of the person who sustained it.
- (2) Any dispute as to a person's entitlement to compensation under this section or as to its amount shall be referred to an arbitrator to be appointed, in default of agreement—
 - (a) as respects entry on land in England, by the Secretary of State, and
 - (b) as respects entry on land in Wales, by the National Assembly for Wales.

Modifications etc. (not altering text)

- C1 S. 41 modified (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(2)(d), [Sch. 20 para. 9\(4\)](#) (with s. 308)

Changes to legislation:

Countryside and Rights of Way Act 2000, Section 41 is up to date with all changes known to be in force on or before 06 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 15(1)(e) and word inserted by [2023 asc 3 Sch. 13 para. 179](#)
- s. 55A inserted by [2015 c. 20 s. 20](#)
- s. 56A inserted by [2015 c. 20 s. 21](#)
- s. 56B inserted by [2015 c. 20 s. 22\(1\)](#)