



# Countryside and Rights of Way Act 2000

## 2000 CHAPTER 37

### PART I

#### ACCESS TO THE COUNTRYSIDE

#### CHAPTER IV

#### GENERAL

#### 45 Interpretation of Part I.

(1) In this Part, unless a contrary intention appears—

“access authority” has the meaning given by section 1(2);

“access land” has the meaning given by section 1(1);

“the appropriate countryside body” has the meaning given by section 1(2);

[<sup>F1</sup>“coastal margin” has the meaning given by section 1(2);]

“excepted land” has the meaning given by section 1(2);

“Inner London” means the area comprising the inner London boroughs, the City of London, the Inner Temple and the Middle Temple;

“interest”, in relation to land, includes any estate in land and any right over land, whether the right is exercisable by virtue of the ownership of an estate or interest in land or by virtue of a licence or agreement, and in particular includes rights of common and sporting rights, and references to a person interested in land shall be construed accordingly;

“livestock” means cattle, sheep, goats, swine, horses or poultry, and for the purposes of this definition “cattle” means bulls, cows, oxen, heifers or calves, “horses” include asses and mules, and “poultry” means domestic fowls, turkeys, geese or ducks;

“local highway authority” has the same meaning as in the <sup>M1</sup>Highways Act 1980;

“local or private Act” includes an Act confirming a provisional order;

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**Changes to legislation:** *Countryside and Rights of Way Act 2000, Section 45 is up to date with all changes known to be in force on or before 21 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. (See end of Document for details) View outstanding changes*

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“mountain” has the meaning given by section 1(2);

“open country” has the meaning given by section 1(2);

“owner”, in relation to any land, means, subject to subsection (2), any person, other than a mortgagee not in possession, who, whether in his own right or as trustee for another person, is entitled to receive the rack rent of the land, or, where the land is not let at a rack rent, would be so entitled if it were so let;

“prescribed” means prescribed by regulations;

“registered common land” has the meaning given by section 1(3);

“regulations” means regulations made by the Secretary of State (as respects England) or by the National Assembly for Wales (as respects Wales);

“rights of common” has the same meaning as in [F<sup>2</sup>the M<sup>2</sup>Commons Registration Act 1965][F<sup>2</sup>the Commons Act 2006];

F<sup>3</sup>

- .....
- (2) In relation to any land which is subject to a farm business tenancy within the meaning of the M<sup>3</sup>Agricultural Tenancies Act 1995 or a tenancy to which the M<sup>4</sup>Agricultural Holdings Act 1986 applies, the definition of “owner” in subsection (1) does not apply where it is excluded by section 2(5) or 21(4) or by paragraph 7(4) of Schedule 2.
- (3) For the purposes of this Part, the Broads are to be treated as a National Park and the Broads Authority as a National Park authority.
- (4) In subsection (3) “the Broads” has the same meaning as in the M<sup>5</sup>Norfolk and Suffolk Broads Act 1988.

#### Textual Amendments

- F1** Words in s. 45 inserted (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 303(9)**, 324(2) (d) (with s. 308)
- F2** Words in s. 45(1) substituted (31.10.2011 for E. in relation to the pilot areas, 12.11.2014 for E. for specified purposes, 15.12.2014 for E. for specified purposes) by [Commons Act 2006 \(c. 26\)](#), s. 56, **Sch. 5 para. 7(4)** (with s. 60); S.I. 2011/2460, art. 2(b); S.I. 2014/3026, art. 3(1)(h) (with art. 5)
- F3** Words in s. 45(1) repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 19(1)** Note 1 (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Schs. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

#### Marginal Citations

- M1** 1980 c. 66.
- M2** 1965 c. 64.
- M3** 1995 c. 8.
- M4** 1986 c. 5.
- M5** 1988 c. 4.

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**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\(1\)](#)