



National Parks and Access to the Countryside Act 1949

1949 CHAPTER 97 12 13 and 14 Geo 6

PART VI

GENERAL, FINANCIAL AND SUPPLEMENTARY

Supplementary Provisions

108 Powers of entry.

- (1) For the purpose of surveying land in connection with—
- (a) the acquisition thereof or of any interest therein [^{F1}in relation to land in Scotland] , whether by agreement or compulsorily,
 - (b)^{F2}
 - (c) the making of an access order with respect thereto,

in the exercise of any power conferred by this Act, any person duly authorised in writing by the Minister or other authority having power so to acquire the land or to make the order, as the case may be, may enter upon the land.

[^{F3}(1A) A person may not be authorised under subsection (1) to enter and survey or value land in England and Wales in connection with a proposal to acquire an interest in or a right over land (but see section 172 of the Housing and Planning Act 2016).]

- (2) For the purpose of surveying land, or of estimating its value, in connection with any claim for compensation payable under this Act by a Minister or other authority in respect of that or any other land, any person being an officer of the Valuation Office or a person duly authorised in writing by the authority from whom the compensation is claimed may enter upon the land.
- (3) A person authorised under this section to enter upon any land shall, if so required, produce evidence of his authority before entering; and a person shall not under this

Changes to legislation: There are currently no known outstanding effects for the National Parks and Access to the Countryside Act 1949, Section 108. (See end of Document for details)

section demand admission as of right to any land which is occupied unless at least [^{F4}fourteen days'] notice in writing of the intended entry has been given to the occupier.

- (4) Any person who wilfully obstructs a person in the exercise of his powers under this section shall be liable on summary conviction to a fine not exceeding [^{F5}level 1 on the standard scale].

Textual Amendments

- F1** Words in s. 108(1)(a) inserted (13.7.2016) by Housing and Planning Act 2016 (c. 22), s. 216(3), **Sch. 14 para. 3(2)**; S.I. 2016/733, reg. 3(h) (with reg. 6)
- F2** S. 108(1)(b) repealed by Highways Act 1959 (c. 25), **Sch. 25** and London Government Act 1963 (c. 33, SIF 81:1), **Sch. 6 para. 70**
- F3** S. 108(1A) inserted (13.7.2016) by Housing and Planning Act 2016 (c. 22), s. 216(3), **Sch. 14 para. 3(3)**; S.I. 2016/733, reg. 3(h) (with reg. 6)
- F4** Words substituted by Countryside Act 1968 (c. 41, SIF 46:1), **s. 46(3)**
- F5** Words substituted by virtue of (E.W.) Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38, 46** and (S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **ss. 389F, 289G** (as inserted by Criminal Justice Act 1982 (c. 48, SIF 39:1), **s. 54**)

Modifications etc. (not altering text)

- C1** S. 108 extended by Countryside Act 1968 (c. 41, SIF 46:1), **s. 46(1)**
- C2** S. 108 restricted (S.) (1.4.1992) by Natural Heritage (Scotland) Act 1991 (c. 28, SIF 46:1), **s. 7(11)**; S.I. 1991/2633, **art.4**

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