

Part 2 ACCESS RIGHTS

A summary of your access rights

- 1 Everyone, whatever their age or ability, has access rights established by the Land Reform (Scotland) Act 2003. You only have access rights if you exercise them responsibly.
- 2 You can exercise these rights, provided you do so responsibly, over most land and inland water in Scotland, including mountains, moorland, woods and forests, grassland, margins of fields in which crops are growing, paths and tracks, rivers and lochs, the coast and most parks and open spaces. Access rights can be exercised at any time of the day or night.
- 3 You can exercise access rights for recreational purposes (such as pastimes, family and social activities, and more active pursuits like horse riding, cycling, wild camping and taking part in events), educational purposes (concerned with furthering a person's understanding of the natural and cultural heritage), some commercial purposes (where the activities are the same as those done by the general public) and for crossing over land or water.
- 4 Existing rights, including public rights of way and navigation, and existing rights on the foreshore, continue.
- 5 The main places where access rights do not apply are:
 - houses and gardens, and non-residential buildings and associated land;
 - land in which crops are growing;
 - land next to a school and used by the school;
 - sports or playing fields when these are in use and where the exercise of access rights would interfere with such use;

- land developed and in use for recreation and where the exercise of access rights would interfere with such use;
- golf courses (but you can cross a golf course provided you don't interfere with any games of golf);
- places like airfields, railways, telecommunication sites, military bases and installations, working quarries and construction sites; and
- visitor attractions or other places which charge for entry.

6 Local authorities can formally exempt land from access rights for short periods. Local authorities and some other public bodies can introduce byelaws.

7 Access rights do not extend to:

- being on or crossing land for the purpose of doing anything which is an offence, such as theft, breach of the peace, nuisance, poaching, allowing a dog to worry livestock, dropping litter, polluting water or disturbing certain wild birds, animals and plants;
- hunting, shooting or fishing;
- any form of motorised recreation or passage (except by people with a disability using a vehicle or vessel adapted for their use);
- anyone responsible for a dog which is not under proper control; or to
- anyone taking away anything from the land for a commercial purpose.

8 Statutory access rights do not extend to some places or to some activities that the public have enjoyed on a customary basis, often over a long period of time. Such access is not affected by the Land Reform (Scotland) Act 2003 and will continue.