



National Parks and Access to the Countryside Act 1949

1949 CHAPTER 97 12 13 and 14 Geo 6

PART IV

PUBLIC RIGHTS OF WAY

Minor Amendments of Law relating to Rights of Way

57 Penalty for displaying on footpaths notices deterring public use.

- (1) If any person places or maintains, on or near any way shown on a definitive map, or on a revised map prepared in definitive form, as a public path or [^{F1}restricted byway], a notice containing any false or misleading statement likely to deter the public from using the way, he shall be liable on summary conviction to a fine not exceeding [^{F2}level 1 on the standard scale].
- (2) The court before whom a person is convicted of an offence under the last foregoing subsection may, in addition to or in substitution for the imposition of a fine, order him to remove the notice in respect of which he is convicted within such period, not being less than four days, as may be specified in the order; and if he fails to comply with the order he shall be liable on summary conviction to a fine not exceeding two pounds for each day on which the failure continues.
- (3) It shall be the duty of a highway authority to enforce the provisions of this section as respects any public path, [^{F3}restricted byway or byway open to all traffic], for which they are the highway authority; and no proceedings in respect of an offence under those provisions shall be brought except by the authority required by this subsection to enforce those provisions as respects the path or road in question [^{F4}or by the council of the district [^{F5}or, where they are not the highway authority, the council of the Welsh county or county borough] in which the notice is placed or maintained].

[^{F6}(4) In this section—

Changes to legislation: There are currently no known outstanding effects for the National Parks and Access to the Countryside Act 1949, Section 57. (See end of Document for details)

“byway open to all traffic” has the same meaning as in Part III of the Wildlife and Countryside Act 1981;

“restricted byway” has the same meaning as in Part II of the Countryside and Rights of Way Act 2000.]

Textual Amendments

- F1** Words in s. 57(1) substituted (2.5.2006 for E. 11.5.2006 for W.) by Countryside and Rights of Way Act 2000 (c. 37), s. 103(3), **Sch. 5 para. 13(2)**; S.I. 2006/1172, **art. 2(g)(iv)**; S.I. 2006/1279, **art. 2(g)**
- F2** Words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38, 46**
- F3** Words in s. 57(3) substituted (2.5.2006 for E. 11.5.2006 for W.) by Countryside and Rights of Way Act 2000 (c. 37), s. 103(3), **Sch. 5 para. 13(3)**; S.I. 2006/1172, **art. 2(g)(iv)**; S.I. 2006/1279, **art. 2(g)**
- F4** Words added by Local Government Act 1972 (c. 70, SIF 81:1), **Sch. 21 para. 97**
- F5** Words in s. 57(3) inserted (1.4.1996) by 1994 c. 19, s. 20(4), **Sch. 6 para. 15(1)** (with ss. 54(5)(7), 55(5), Sch. 17 para. 22(1), 23(2)); S.I. 1996/396, art. 3, **Sch. 1**
- F6** S. 57(4) inserted (2.5.2006 for E. 11.5.2006 for W.) by Countryside and Rights of Way Act 2000 (c. 37), s. 103(3), **Sch. 5 para. 13(4)**; S.I. 2006/1172, **art. 2(g)(iv)**; S.I. 2006/1279, **art. 2(g)**

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