

Status: Point in time view as at 20/02/2007. This version of this schedule contains provisions that are not valid for this point in time.
Changes to legislation: There are currently no known outstanding effects for the Commons Act 2006, SCHEDULE 5. (See end of Document for details)

SCHEDULES

SCHEDULE 5

Section 52

MINOR AND CONSEQUENTIAL AMENDMENTS

| VALID FROM 31/10/2011 | |
|-----------------------|---|
| 1 | <p><i>Countryside Act 1968 (c. 41)</i></p> <p>(1) The Countryside Act 1968 is amended as follows.</p> <p>(2) In section 9(6), for the definition of “common land” substitute—</p> <p>““common land” means—</p> <p>(a) land registered as common land in a register of common land kept under Part 1 of the Commons Act 2006;</p> <p>(b) land to which Part 1 of that Act does not apply and which is subject to rights of common within the meaning of that Act;”.</p> <p>(3) In Schedule 2, in paragraph 7, for the words from “section 22(1)” to the end substitute “the principal section”.</p> |
| VALID FROM 31/10/2011 | |
| 2 | <p><i>Animals Act 1971 (c. 22)</i></p> <p>In section 11 of the Animals Act 1971, for the definitions of “common land” and “town or village green” substitute—</p> <p>““common land” means—</p> <p>(a) land registered as common land in a register of common land kept under Part 1 of the Commons Act 2006;</p> <p>(b) land to which Part 1 of that Act does not apply and which is subject to rights of common within the meaning of that Act;</p> <p>“town or village green” means land registered as a town or village green in a register of town or village greens kept under Part 1 of the Commons Act 2006;”.</p> |

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Wildlife and Countryside Act 1981 (c. 69)

- 3 In section 52(2C) of the Wildlife and Countryside Act 1981—
- (a) for “common land” (in the first place where it occurs) substitute “subject to rights of common (within the meaning of the Commons Act 2006)”; and
 - (b) for the words from “the commoners” to the end of the subsection substitute “ the persons with such rights or any of them and any commons council established under Part 2 of the Commons Act 2006 for that land ”.

Norfolk and Suffolk Broads Act 1988 (c. 4)

- 4 In Schedule 3 to the Norfolk and Suffolk Broads Act 1988, in paragraph 38(1)(d), for “section 9 of the Commons Registration Act 1965” substitute “ section 45 of the Commons Act 2006 ”.

Commencement Information

- II** [Sch. 5 para. 4](#) wholly in force at 6.9.2007; [Sch. 5 para. 4](#) not in force at Royal Assent see [s. 56\(1\)](#); [Sch. 5 para. 4](#) in force for E. at 20.2.2007 by [S.I. 2007/456](#), [art. 2](#); [Sch. 5 para. 4](#) in force for W. at 6.9.2007 by [S.I. 2007/2386](#), [art. 3](#)

VALID FROM 31/10/2011

Criminal Justice and Public Order Act 1994 (c. 33)

- 5 In section 61(9) of the Criminal Justice and Public Order Act 1994—
- (a) for the definition of “common land” substitute—

““common land” means—

 - (a) land registered as common land in a register of common land kept under Part 1 of the Commons Act 2006; and
 - (b) land to which Part 1 of that Act does not apply and which is subject to rights of common as defined in that Act;”;
 - (b) in the definition of “commoner”, for the words from “as defined” to the end substitute “ as so defined; ”;
 - (c) in the definition of “the local authority”, for “section 9 of the Commons Registration Act 1965” substitute “ section 45 of the Commons Act 2006 ”.

Environment Act 1995 (c. 25)

- 6 In Schedule 9 to the Environment Act 1995, in paragraph 1—
- (a) in sub-paragraph (2)(d), for “section 9 of the Commons Registration Act 1965” substitute “ section 45 of the Commons Act 2006 ”;

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- (b) in sub-paragraph (6), for “the Commons Registration Act 1965” substitute “ Part 1 of the Commons Act 2006 ”.

Commencement Information

- I2** Sch. 5 para. 6 partly in force; Sch. 5 para. 6 not in force at Royal Assent see s. 56(1); Sch. 5 para. 6(a) in force for E. at 20.2.2007 by S.I. 2007/456, art. 2; Sch. 5 para. 6(a) in force for W. at 6.9.2007 by S.I. 2007/2386, art. 3

Countryside and Rights of Way Act 2000 (c. 37)

- 7 (1) The Countryside and Rights of Way Act 2000 is amended as follows.
- (2) In section 1, in subsection (3)—
- (a) for paragraph (a) substitute “ land which is registered as common land in a register of common land kept under Part 1 of the Commons Act 2006. ”;
- (b) omit paragraph (b).
- (3) In that section, omit subsection (4).
- (4) In section 45(1), in the definition of “rights of common”, for “the Commons Registration Act 1965” substitute “ the Commons Act 2006 ”.
- (5) In section 46(2), for “section” substitute “ subsection ”.

Commencement Information

- I3** Sch. 5 para. 7 partly in force; Sch. 5 para. 7 not in force at Royal Assent, see s. 56(1); Sch. 5 para. 7(1) in force for certain purposes for E. and Sch. 5 para. 7(5) in force for E. at 1.10.2006 by S.I. 2006/2504, art. 2(g); Sch. 5 para. 7(1) in force for certain purposes for W. and Sch. 5 para. 7(5) in force for W. at 6.9.2007 by S.I. 2007/2386, art. 3

VALID FROM 31/10/2011

Land Registration Act 2002 (c. 9)

- 8 (1) The Land Registration Act 2002 is amended as follows.
- (2) In section 27(2)(d), for “the Commons Registration Act 1965 (c. 64)” substitute “ Part 1 of the Commons Act 2006 ”.
- (3) In section 33(d), for “the Commons Registration Act 1965 (c. 64)” substitute “ Part 1 of the Commons Act 2006 ”.
- (4) In Schedule 3, in paragraph 3(1), for “the Commons Registration Act 1965 (c. 64)” substitute “ Part 1 of the Commons Act 2006 ”.

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