

*These notes refer to the Commons Act 2006 (c.26)
which received Royal Assent on 19 July 2006*

COMMONS ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 5: Supplementary and General

Amendments and repeals

Section 54 Power to amend enactments relating to common land or greens

231. **Section 54** enables the appropriate national authority to amend by order public Acts enacted before the Commons Act for the purposes of modifying their application to common land or town or village greens. In particular, an order may provide that an Act is no longer to apply to certain types of land, and is instead to apply to other land defined in the order. By way of illustration, some Acts are expressed to apply to any ‘common land’ (for example, section 82(4) of the Highways Act 1980 enables a highway authority to construct cattle-grids on “common or waste land...adjoining the highway”). An order might provide that the Act is instead to apply to registered common land, together with land excluded from registration under section 11 of the 1965 Act. The power may not be used to amend a local or personal Act. The section must be read with section 59(3), which provides that the Secretary of State may not make an order under section 54 unless a draft has been laid before and approved by a resolution of each House of Parliament.