

Changes to legislation: There are currently no known outstanding effects for the Commons Act 2006, Cross Heading: Buildings registered as common land. (See end of Document for details)

SCHEDULES

SCHEDULE 2

NON-REGISTRATION OR MISTAKEN REGISTRATION UNDER THE 1965 ACT

Modifications etc. (not altering text)

- C1 Sch. 2 excluded (9.6.2009) by [Nottingham Express Transit System Order 2009 \(S.I. 2009/1300\)](#), arts. 1, **5(11)** (with [Sch. 13 para. 14\(2\)](#), [Sch. 14 para. 19](#))
- C1 Sch. 2 excluded (9.6.2009) by [Nottingham Express Transit System Order 2009 \(S.I. 2009/1300\)](#), arts. 1, **35(6)** (with [Sch. 13 para. 14\(2\)](#), [Sch. 14 para. 19](#))
- C1 Sch. 2 excluded (9.6.2009) by [Nottingham Express Transit System Order 2009 \(S.I. 2009/1300\)](#), arts. 1, **46(5)** (with [Sch. 13 para. 14\(2\)](#), [Sch. 14 para. 19](#), [Sch. 16](#))
- C1 Sch. 2 excluded (5.9.2017) by [The London Overground \(Barking Riverside Extension\) Order 2017 \(S.I. 2017/830\)](#), arts. 1, **4(10)** (with [Sch. 8 para. 20](#))
- C1 Sch. 2 excluded (2.1.2018) by [The Boston Barrier Order 2017 \(S.I. 2017/1329\)](#), arts. 1, **4(9)** (with arts. 55-57, [Sch. 8 para. 13](#))

Buildings registered as common land

- 6 (1) If a commons registration authority is satisfied that any land registered as common land is land to which this paragraph applies, the authority shall, subject to this paragraph, remove that land from its register of common land.
- (2) This paragraph applies to land where—
- (a) the land was provisionally registered as common land under section 4 of the 1965 Act;
 - (b) on the date of the provisional registration the land was covered by a building or was within the curtilage of a building;
 - (c) the provisional registration became final; and
 - (d) since the date of the provisional registration the land has at all times been, and still is, covered by a building or within the curtilage of a building.
- (3) A commons registration authority may only remove land under sub-paragraph (1) acting on—
- (a) the application of any person made before such date as regulations may specify; or
 - (b) a proposal made and published by the authority before such date as regulations may specify.

Modifications etc. (not altering text)

- C1 Sch. 2 para. 6 extended and modified (temp.) by [S.I. 2017/564](#), art. 4 (as added) (20.9.2017) by [The Commons Act 2006 \(Commencement No. 5 and Transitional Provisions \(Wales\) and Commencement No. 4 \(Wales\) \(Amendment\)\) Order 2017 \(S.I. 2017/933\)](#), art. 5(1)(2)

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Commencement Information

- I1** Sch. 2 para. 6 partly in force; Sch. 2 para. 6 not in force at Royal Assent see s. 56(1); Sch. 2 para. 6(3) in force for certain purposes for W. at 12.8.2007 by [S.I. 2007/2386](#), **art. 2**
- I2** Sch. 2 para. 6 in force at 1.10.2008 for specified purposes for E. by [S.I. 2008/1960](#), **art. 2(1)(f)**, **Sch.** (with **art. 3**)
- I3** Sch. 2 para. 6 in force at 15.12.2014 for specified purposes for E. by [S.I. 2014/3026](#), **art. 3** (with **arts. 4, 5**)
- I4** Sch. 2 para. 6(1)(2) in force at 10.4.2017 for W. by [S.I. 2017/564](#), **art. 2(b)**
- I5** Sch. 2 para. 6(3) in force at 10.4.2017 for W. in so far as not already in force by [S.I. 2017/564](#), **art. 3(c)**

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