



# Commons Act 1876

1876 CHAPTER 56 39 and 40 Vict

## PART III

### *Miscellaneous*

34 .....<sup>F1</sup>

#### Textual Amendments

**F1** [S. 34](#) repealed by Statute Law Revision Act 1953 c. 5 (2 & 3 Eliz. 2)

35 **Act not to apply to metropolitan commons.**

This Act, save as herein expressly provided, shall not apply to any metropolitan common within the meaning of the<sup>M1</sup>Metropolitan Commons Acts 1866<sup>M2</sup> and 1869.

#### Marginal Citations

**M1** [1866 c. 122.](#)

**M2** [1869 c. 107.](#)

36 **A common regulated under Act not to be inclosed without sanction of Parliament.**

[<sup>F2</sup>Where an Act of Parliament has been passed confirming a provisional order under this Act for the regulation of a common, then, subject to and without prejudice to the provisions of that order, such common shall not, nor shall any part thereof, be inclosed without the sanction of Parliament subsequently obtained.]

*Status: Point in time view as at 01/10/2007.*

*Changes to legislation: There are currently no known outstanding effects for the Commons Act 1876, Part III. (See end of Document for details)*

**Textual Amendments**

- F2** S. 36 repealed (E.W.) (1.10.2007 for E.) by [Commons Act 2006 \(c. 26\)](#), s. 56, **Sch. 6 Pt. 2** (with s. 60); S.I. 2007/2584, art. 2(d)(ii)

*Definitions*

**37 Definitions.**

In this Act, unless the context otherwise requires,—

“A common” means any land subject to be inclosed under the Inclosure Acts 1845 to 1868:

“Waste land of a manor” means and includes any land consisting of waste land of any manor on which the tenants of such manor have rights of common, or of any land subject to any rights of common which may be exercised at all times of the year for cattle levant and couchant, or to any rights of common which may be exercised at all times of the year, and are not limited by number of stints:

“Person” includes a body corporate:

- ..... **F3**
- ..... **F4**
- ..... **F4**
- ..... **F4**

**Textual Amendments**

- F3** Words repealed by [Statute Law Revision Act 1894 \(c. 56\)](#)
- F4** Definitions of “municipal borough”, “improvement Act district” and “local government district” repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), **Sch. 1 Pt. IV**

**Status:**

Point in time view as at 01/10/2007.

**Changes to legislation:**

There are currently no known outstanding effects for the Commons Act 1876, Part III.