
STATUTORY INSTRUMENTS

1969 No. 1843

The Commons Registration (New Land) Regulations 1969

Land becoming common land or a town or village green

3.—(1) Where, after 2nd January 1970, any land becomes common land or a town or village green, application may be made subject to and in accordance with the provisions of these Regulations for the inclusion of that land in the appropriate register and for the registration of rights of common thereover and of persons claiming to be owners thereof.

(2) Where any land is for the time being registered under the Act, no application shall be entertained for its registration under these Regulations, and, where any land is for the time being registered under section 4 of the Act (whether or not the registration has become final) no application shall be entertained for the registration of rights of common over it.

(3) No person shall be registered under these Regulations as the owner of any land which is registered under the Land Registration Acts 1925 to 1966(1) and no person shall be registered under these Regulations as the owner of any other land unless the land itself is registered under these Regulations.

(4) An application for the registration of any land as common land or as a town or village green may be made by any person, and a registration authority shall so register any land in any case where it registers rights over it under these Regulations.

(5) An application for the registration of a right of common over land which is registered, or which is capable of being registered, under these Regulations, may be made by the owner of the right, or by any person entitled by law to act, in relation to the right, on the owner's behalf or in his stead, or, where the right belongs to an ecclesiastical benefice of the Church of England which is vacant, by the Church Commissioners.

(6) An application for the registration of a claim to the ownership of any land registered under these Regulations may be made by the owner of the land, or by any person entitled by law to act, in relation to the land, on the owner's behalf or in his stead, or, where the land belongs to an ecclesiastical benefice of the Church of England which is vacant, by the Church Commissioners.

(7) An application must be—

- (a) in Form 29, 30, 31 or 32 as appropriate;
- (b) signed by or on behalf of every applicant who is an individual, and by the secretary or some other duly authorised officer of every applicant which is a body corporate or unincorporate;
- (c) accompanied by such documents (if any) as may be requisite under regulation 4 below;
- (d) supported—
 - (i) by a statutory declaration as set out in the appropriate form of application, with such adaptations as the case may require, to be made by the applicant, or by one of the applicants if there is more than one, or by his or their solicitor, or, if the applicant is a body corporate or unincorporate, or charity trustees, by its or their solicitor or by the person who signed the application; and

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(ii) by such further evidence, if any, as, at any time before finally disposing of the application, the registration authority may reasonably require.