



Greenham and Crookham Commons Act 2002

2002 CHAPTER i

PART 6

MISCELLANEOUS AND SUPPLEMENTARY

33 Disposals of rights of common

- (1) Notwithstanding any enactment or rule of law, a right of common upon any part of the Common shall not be severable from any land or tenement with which it was held on the appointed day except as provided in this section.
- (2) A person entitled to exercise a right of common upon any part of the Common may transfer the right without the land or tenement to which it is appurtenant to another person if, and only if, the transferee holds the legal fee simple in a relevant residence; and the right shall attach to the relevant residence.
- (3) A person entitled to exercise a right of common upon any part of the Common may let or license the right on an annual basis (without the land or tenement to which it is appurtenant).
- (4) In the case of a transfer of a right of common under subsection (2) above—
 - (a) the transferor shall give notice of the transfer to the secretary of the Commission who shall record the name and address of the transferee, in place of the transferor, as the person entitled to exercise the right; and
 - (b) subject to section 26(7) and (8) (Register to be maintained by Commission) above, the transferee shall be entitled to vote for the purposes of Schedule 1 (Appointment and election of Commissioners) to this Act.
- (5) In the case of the letting or licensing of a right of common under subsection (3) above—
 - (a) the registered commoner shall give notice of the letting or licensing to the secretary of the Commission for noting in the register, and

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- (b) no changes shall be made to the name and address of the person shown in the register as entitled to graze or exercise any other right of common or to the name of the person recorded as the person entitled to vote for the purposes of Schedule 1 (Appointment and election of Commissioners) to this Act.
- (6) In this section “relevant residence” has the same meaning as in section 5 (Restoration of extinguished rights of common) above.