

*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 1: Registration

Registration of rights of common

Section 7 Variation

55. *Subsection (1)* provides that a right of common is to be regarded as varied if it is altered as specified in paragraphs (a) to (c). A variation includes an alteration in the quantification of the right (for example, the number of animals that may be grazed by virtue of a right), as well as an alteration in respect of the land over which the right is exercisable so as to introduce new land in addition to or in substitution for all or part of the land over which it was formerly exercisable. But *subsection (2)* provides that the right may be varied so as to become exercisable over new land only if that land is not already registered as a town or village green. *Subsection (5)* places a restriction on the power to vary a right of common consisting of the right to graze animals, similar to the restriction contained in section 6(6). A variation does not include a reduction in the land over which a right is exercisable (other than in the circumstances described in *subsection (1)(a)*) — it may be possible to effect such an alteration by means of surrender under section 13.