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WELSH STATUTORY INSTRUMENTS

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**2017 No. 566**

**The Commons Act 2006 (Correction, Non-Registration  
or Mistaken Registration) (Wales) Regulations 2017**

**PART 2**

**Applications and proposals to amend the Registers**

**Responsibility for determining applications and proposals**

**15.**—(1) Subject to paragraph (2)—

- (a) an application made in accordance with these Regulations must be determined by the registration authority with responsibility for the register in which the land to which the proposal relates is recorded, or a registration authority who has the power to determine applications on such a registration authority's behalf; and
- (b) a registration authority which has made a proposal in accordance with these Regulations must determine whether or not to amend its registers in accordance with the proposal.

(2) In the cases specified in paragraph (3), a registration authority must refer to the appointed person for determination by it—

- (a) any application made in accordance with these Regulations; and
- (b) any proposal made by the registration authority in accordance with these Regulations.

(3) The cases referred to in paragraph (2) above are where the registration authority has an interest in the outcome of the application or proposal such that there is unlikely to be confidence in the authority's ability impartially to determine it, or where a person having a legal interest in the land the subject of an application or proposal (or someone acting on behalf of such a person) has made (and not subsequently withdrawn) representations amounting to an objection in respect of the application or proposal, and—

- (a) the application or proposal is made under section 19(4) of the 2006 Act, and seeks—
  - (i) to add land to, or to remove land from, a register; or
  - (ii) to correct an error as to the quantification of rights of common in a register; or
- (b) the application or proposal is made under any of paragraphs 2 to 9 of Schedule 2 to the 2006 Act.

(4) Where the registration authority refers an application or proposal to an appointed person for determination—

- (a) the registration authority must inform the applicant that the application has been referred to an authorised person for determination;
- (b) the registration authority must send to the appointed person all material in its possession which is relevant to the determination of the application or proposal;
- (c) in the case of an application, the appointed person may direct the applicant to provide any further information or documents necessary to enable the application to be determined; and

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- (d) the appointed person may direct the registration authority to provide any further information or documents necessary to enable the application or proposal to be determined.
- (5) The appointed person may specify a time for complying with any direction given under this regulation.
- (6) If the applicant fails to comply with any direction given under this regulation or, where applicable, fails to comply within the time specified, the appointed person may treat the application as abandoned.