

Status: Point in time view as at 15/12/2014.

Changes to legislation: There are currently no known outstanding effects for the Commons Act 2006, SCHEDULE 5. (See end of Document for details)

SCHEDULES

SCHEDULE 5

Section 52

MINOR AND CONSEQUENTIAL AMENDMENTS

Countryside Act 1968 (c. 41)

- 1 (1) The Countryside Act 1968 is amended as follows.
- (2) In section 9(6), for the definition of “common land” substitute—
 - ““common land” means—
 - (a) land registered as common land in a register of common land kept under Part 1 of the Commons Act 2006;
 - (b) land to which Part 1 of that Act does not apply and which is subject to rights of common within the meaning of that Act;”.
- (3) In Schedule 2, in paragraph 7, for the words from “section 22(1)” to the end substitute “ the principal section ”.

Commencement Information

11 Sch. 5 para. 1 in force at 31.10.2011 for E. by S.I. 2011/2460, art. 2(a)(i) (with art. 3)

Animals Act 1971 (c. 22)

- 2 In section 11 of the Animals Act 1971, for the definitions of “common land” and “town or village green” substitute—
 - ““common land” means—
 - (a) land registered as common land in a register of common land kept under Part 1 of the Commons Act 2006;
 - (b) land to which Part 1 of that Act does not apply and which is subject to rights of common within the meaning of that Act;
 - “town or village green” means land registered as a town or village green in a register of town or village greens kept under Part 1 of the Commons Act 2006;”.

Commencement Information

12 Sch. 5 para. 2 in force at 31.10.2011 for E. by S.I. 2011/2460, art. 2(a)(i) (with art. 3)

Wildlife and Countryside Act 1981 (c. 69)

- 3 In section 52(2C) of the Wildlife and Countryside Act 1981—

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- (a) for “common land” (in the first place where it occurs) substitute “ subject to rights of common (within the meaning of the Commons Act 2006) ”;
- (b) for the words from “the commoners” to the end of the subsection substitute “ the persons with such rights or any of them and any commons council established under Part 2 of the Commons Act 2006 for that land ”.

Commencement Information

- I3** Sch. 5 para. 3 in force at 31.10.2011 for specified purposes for E. by [S.I. 2011/2460, art. 2\(b\)](#)
I4 [Sch. 5 para. 3](#) in force at 15.12.2014 for specified purposes for E. by [S.I. 2014/3026, art. 3\(1\)\(g\)](#) (with art. 5)

Norfolk and Suffolk Broads Act 1988 (c. 4)

- 4 In Schedule 3 to the Norfolk and Suffolk Broads Act 1988, in paragraph 38(1)(d), for “section 9 of the Commons Registration Act 1965” substitute “ section 45 of the Commons Act 2006 ”.

Commencement Information

- I5** Sch. 5 para. 4 wholly in force at 6.9.2007; Sch. 5 para. 4 not in force at Royal Assent see s. 56(1); Sch. 5 para. 4 in force for E. at 20.2.2007 by [S.I. 2007/456, art. 2](#); Sch. 5 para. 4 in force for W. at 6.9.2007 by [S.I. 2007/2386, art. 3](#)

Criminal Justice and Public Order Act 1994 (c. 33)

- 5 In section 61(9) of the Criminal Justice and Public Order Act 1994—
- (a) for the definition of “common land” substitute—
 - ““common land” means—
 - (a) land registered as common land in a register of common land kept under Part 1 of the Commons Act 2006; and
 - (b) land to which Part 1 of that Act does not apply and which is subject to rights of common as defined in that Act;”;
 - (b) in the definition of “commoner”, for the words from “as defined” to the end substitute “ as so defined; ”;
 - (c) in the definition of “the local authority”, for “section 9 of the Commons Registration Act 1965” substitute “ section 45 of the Commons Act 2006 ”.

Commencement Information

- I6** Sch. 5 para. 5 in force at 31.10.2011 for E. by [S.I. 2011/2460, art. 2\(a\)\(i\)](#) (with art. 3)

Environment Act 1995 (c. 25)

- 6 In Schedule 9 to the Environment Act 1995, in paragraph 1—
- (a) in sub-paragraph (2)(d), for “section 9 of the Commons Registration Act 1965” substitute “ section 45 of the Commons Act 2006 ”;

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- (b) in sub-paragraph (6), for “the Commons Registration Act 1965” substitute “Part 1 of the Commons Act 2006”.

Commencement Information

- I7** Sch. 5 para. 6 partly in force; Sch. 5 para. 6 not in force at Royal Assent see s. 56(1); Sch. 5 para. 6(a) in force for E. at 20.2.2007 by [S.I. 2007/456](#), [art. 2](#); Sch. 5 para. 6(a) in force for W. at 6.9.2007 by [S.I. 2007/2386](#), [art. 3](#)
- I8** Sch. 5 para. 6(b) in force at 31.10.2011 for specified purposes for E. by [S.I. 2011/2460](#), [art. 2\(b\)](#)
- I9** [Sch. 5 para. 6\(b\)](#) in force at 15.12.2014 for specified purposes for E. by [S.I. 2014/3026](#), [art. 3\(1\)\(h\)](#) (with [art. 5](#))

Countryside and Rights of Way Act 2000 (c. 37)

- 7 (1) The Countryside and Rights of Way Act 2000 is amended as follows.
- (2) In section 1, in subsection (3)—
- (a) for paragraph (a) substitute “land which is registered as common land in a register of common land kept under Part 1 of the Commons Act 2006.”;
- (b) omit paragraph (b).
- (3) In that section, omit subsection (4).
- (4) In section 45(1), in the definition of “rights of common”, for “the Commons Registration Act 1965” substitute “the Commons Act 2006”.
- (5) In section 46(2), for “section” substitute “subsection”.

Commencement Information

- I10** Sch. 5 para. 7 partly in force; Sch. 5 para. 7 not in force at Royal Assent, see s. 56(1); Sch. 5 para. 7(1) in force for certain purposes for E. and Sch. 5 para. 7(5) in force for E. at 1.10.2006 by [S.I. 2006/2504](#), [art. 2\(g\)](#); Sch. 5 para. 7(1) in force for certain purposes for W. and Sch. 5 para. 7(5) in force for W. at 6.9.2007 by [S.I. 2007/2386](#), [art. 3](#)
- I11** Sch. 5 para. 7(1) in force at 31.10.2011 for specified purposes for E. by [S.I. 2011/2460](#), [art. 2\(b\)](#)
- I12** [Sch. 5 para. 7\(1\)-\(4\)](#) in force at 15.12.2014 for specified purposes for E. by [S.I. 2014/3026](#), [art. 3\(1\)\(h\)](#) (with [art. 5](#))
- I13** Sch. 5 para. 7(2)-(4) in force at 31.10.2011 for specified purposes for E. by [S.I. 2011/2460](#), [art. 2\(b\)](#)

Land Registration Act 2002 (c. 9)

- 8 (1) The Land Registration Act 2002 is amended as follows.
- (2) In section 27(2)(d), for “the Commons Registration Act 1965 (c. 64)” substitute “Part 1 of the Commons Act 2006”.
- (3) In section 33(d), for “the Commons Registration Act 1965 (c. 64)” substitute “Part 1 of the Commons Act 2006”.
- (4) In Schedule 3, in paragraph 3(1), for “the Commons Registration Act 1965 (c. 64)” substitute “Part 1 of the Commons Act 2006”.

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- I14** Sch. 5 para. 8 in force at 31.10.2011 for specified purposes for E. by [S.I. 2011/2460](#), **art. 2(b)**
- I15** [Sch. 5 para. 8](#) in force at 15.12.2014 for specified purposes for E. by [S.I. 2014/3026](#), **art. 3(1)(h)** (with [art. 5](#))

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