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STATUTORY INSTRUMENTS

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**2010 No. 61 (C. 10)**

**COMMONS, ENGLAND**

The Commons Act 2006 (Commencement  
No. 5) (England) Order 2010

Made - - - - 12th January 2010

The Secretary of State, in exercise of the powers conferred by section 56(1) of the Commons Act 2006<sup>(1)</sup>, makes the following Order.

**Citation and application**

1. This Order—
  - (a) may be cited as the Commons Act 2006 (Commencement No. 5) (England) Order 2010, and
  - (b) applies in relation to England.

**Commencement of provisions**

2. Sections 26 to 37 (management) of the Commons Act 2006 come into force on 20th January 2010.

*Huw Irranca-Davies*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural  
Affairs

12th January 2010

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<sup>(1)</sup> 2006 c. 26; section 61(1) defines the “appropriate national authority” as the Secretary of State, in relation to England.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Commons Act 2006 (Commencement No. 5) (England) Order 2010. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings sections 26 to 37 of the Commons Act 2006 into force in relation to England on 20th January 2010. Those sections comprise Part 2 of the Act, and allow for the management of registered common land, or of a registered town or village green that is subject to rights of common, by a commons council.

The sections being commenced provide for the establishment of commons councils, their status and constitution, and their functions, together with supplementary provisions.

Further information on the effect of these provisions may be found in the Explanatory Notes to the Act.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Commons Act 2006 have been brought into force by commencement orders made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 1, 2 and 3 (pilot areas only)	1st October 2008	2008/1960 (C.94)
Sections 4 and 5	6th April 2007	2007/456 (C.17)
Sections 6 to 8 (pilot areas only)	1st October 2008	2008/1960 (C.94)
Sections 10 to 14 (pilot areas only)	1st October 2008	2008/1960 (C.94)
Section 15	6th April 2007	2007/456 (C.17)
Sections 16 and 17	1st October 2007	2007/2584 (C.98)
Sections 18 to 22 (pilot areas only)	1st October 2008	2008/1960 (C.94)
Section 23 (partially)	1st October 2006	2006/2504 (C.84)
Section 23 (remainder) (pilot areas only)	1st October 2008	2008/1960 (C.94)
Section 24	6th April 2007	2007/456 (C.17)
Sections 38 to 43	1st October 2007	2007/2584 (C.98)
Sections 44(1) (partially), 45, 47, 49 and 51	1st October 2006	2006/2504 (C.84)
Section 44 (remainder)	1st October 2007	2007/2584 (C.98)
Section 46	1st October 2008	2008/1960 (C.94)
Section 48	1st October 2007	2007/2564 (C.98)
Section 52 (partially)	1st October 2006	2006/2504 (C.84)
Ditto	20th February 2007	2007/456 (C.17)
Section 53 (partially)	1st October 2006	2006/2504 (C.84)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Ditto	6th April 2007	<a href="#">2007/456 (C.17)</a>
Ditto	1st October 2007	<a href="#">2007/2584 (C.98)</a>
Ditto (pilot areas only)	1st October 2008	<a href="#">2008/1960 (C.94)</a>
Schedule 2 (pilot areas only)	1st October 2008	<a href="#">2008/1960 (C.94)</a>
Schedule 3, paragraph 9	1st October 2006	<a href="#">2006/2504 (C.84)</a>
Schedule 3 (remainder) (pilot areas only)	1st October 2008	<a href="#">2008/1960 (C.94)</a>
Schedule 4, paragraph 6	1st October 2006	<a href="#">2006/2504 (C.84)</a>
Schedule 4, remainder	1st October 2007	<a href="#">2007/2584 (C.98)</a>
Schedule 5, paragraph 4	20th February 2007	<a href="#">2007/456 (C.17)</a>
Schedule 5, paragraph 6 (partially)	20th February 2007	<a href="#">2007/456 (C.17)</a>
Schedule 5, paragraph 7 (partially)	1st October 2006	<a href="#">2006/2504 (C.84)</a>
Schedule 6, Part 1 (partially)	1st October 2006	<a href="#">2006/2504 (C.84)</a>
Ditto	6th April 2007	<a href="#">2007/456 (C.17)</a>
Ditto (pilot areas only)	1st October 2008	<a href="#">2008/1960 (C.94)</a>
Schedule 6, Part 2 (partially)	1st October 2006	<a href="#">2006/2504 (C.84)</a>
Schedule 6, Part 2 (remainder)	1st October 2007	<a href="#">2007/2584 (C.98)</a>
Schedule 6, Part 3 (partially)	1st October 2006	<a href="#">2006/2504 (C.84)</a>
Schedule 6, Part 3 (remainder)	1st October 2007	<a href="#">2007/2584 (C.98)</a>
Schedule 6, Part 5	1st October 2007	<a href="#">2007/2584 (C.98)</a>

The “pilot areas” means the registration areas in England, as at 1st October 2008, of the commons registration authorities specified in the Schedule to the Commons Act 2006 (Commencement No. 4 and Savings) (England) Order 2008 ([S.I. 2008/1960 \(C.94\)](#)).

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Commons Act 2006 (Commencement No. 5) (England) Order 2010. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- [art. 3 added by S.I. 2010/2356 art. 2\(2\)](#)