
STATUTORY INSTRUMENTS

2011 No. 2460 (C. 88)

COMMONS, ENGLAND

The Commons Act 2006 (Commencement
No. 6) (England) Order 2011

Made - - - - 10th October 2011

The Secretary of State, in exercise of the powers conferred by sections 56(1) and 59(1) of the Commons Act 2006⁽¹⁾, makes the following Order.

Citation, interpretation and application

1.—(1) This Order may be cited as the Commons Act 2006 (Commencement No. 6) (England) Order 2011.

(2) In this Order “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⁽²⁾.

(3) This Order applies in relation to England.

Commencement of provisions

2. The following provisions of the Commons Act 2006 come into force on 31st October 2011—

(a) in Schedule 5 (minor and consequential amendments) —

(i) the entries in paragraphs 1, 2 and 5; and

(ii) in relation to the pilot areas, the entries in paragraphs 3, 6(b), 7(2) to (4) (and 7(1) in so far as it relates to paragraph 7(2) to (4)), and 8; and

(b) section 52 in so far as it relates to those entries.

Transitional provision

3.—(1) Paragraph (2) applies in relation to any relevant land before the commencement of section 1 of the Commons Act 2006 in respect of the land in question.

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

(2) S.I. 2008/1960 (C. 94).

(2) In the provisions mentioned in paragraph (3), as they apply in relation to such land, the references to a register kept under Part 1 are to be read as referring to the appropriate register maintained under section 3(1) of the Commons Registration Act 1965(3).

(3) The provisions referred to in paragraph (2) are —

(a) the definitions of “common land” in —

(i) section 9(6) of the Countryside Act 1968(4);

(ii) section 11 of the Animals Act 1971(5); and

(iii) section 61(9) of the Criminal Justice and Public Order Act 1994(6); and

(b) the definition of “town or village green” in section 11 of the Animals Act 1971.

(4) In this article —

(a) “Part 1” means Part 1 of the Commons Act 2006; and

(b) “relevant land” means land in England to which Part 1 applies(7).

Richard Benyon
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

10th October 2011

(3) 1965 c. 64.

(4) 1968 c. 41; the definition of “common land” is substituted by paragraph 1 of Schedule 5 to the Commons Act 2006, which is brought into force by article 2(a)(i) of this Order.

(5) 1971 c. 22; the definition of “common land”, and that of “town or village green” referred to in paragraph (3)(b) of this article, are substituted by paragraph 2 of Schedule 5 to the Commons Act 2006, which is brought into force by article 2(a)(i) of this Order.

(6) 1994 c. 33; the definition of “common land” is substituted by paragraph 5 of Schedule 5 to the Commons Act 2006, which is brought into force by article 2(a)(i) of this Order. The definition of “land” was amended by paragraph 17 of Schedule 5 to the Countryside and Rights of Way Act 2000 (c. 37).

(7) Section 5 of the Commons Act 2006 defines the land to which Part 1 of the Act applies.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 31st October 2011—

- (a) in relation to England, the amendments made by paragraphs 1, 2 and 5 of Schedule 5 to the Commons Act 2006 (c. 26);
- (b) in relation to the pilot areas (as specified in the Schedule to S.I. 2008/1960) only, the amendments made by paragraphs 3, 6(b), 7(2) to (4), and 8 of Schedule 5.

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 in relation to England 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 26 to 37 (areas in respect of which section 1 has been commenced only)	20th January 2010	2010/61 (C. 10)
Sections 26 to 37 (areas in respect of which section 1 is not yet in force)	1st December 2010	2010/2356 (C. 114)
Sections 38 to 43	1st October 2007	2007/2584 (C. 98)
Sections 44(1) (partially)	1st October 2006	2006/2504 (C. 84)
Section 44 (remainder)	1st October 2007	2007/2584 (C. 98)
Section 45	1st October 2006	2006/2504 (C. 84)
Section 46	1st October 2008	2008/1960 (C. 94)

Changes to legislation: There are currently no known outstanding effects for the The Commons Act 2006 (Commencement No. 6) (England) Order 2011. (See end of Document for details)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 47	1st October 2006	2006/2504 (C. 84)
Section 48	1st October 2007	2007/2564 (C. 98)
Section 49	1st October 2006	2006/2504 (C. 84)
Section 51	1st October 2006	2006/2504 (C. 84)
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)
Ditto	6th April 2007	2007/456 (C. 17)
Ditto	1st October 2007	2007/2584 (C. 98)
Ditto (pilot areas only)	1st October 2008	2008/1960 (C. 94)
Ditto	1st December 2010	2010/2356 (C. 114)
Schedule 2 (pilot areas only)	1st October 2008	2008/1960 (C. 94)
Schedule 3, paragraph 9	1st October 2006	2006/2504 (C. 84)
Schedule 3 (remainder) (pilot areas only)	1st October 2008	2008/1960 (C. 94)
Schedule 4, paragraph 6	1st October 2006	2006/2504 (C. 84)
Schedule 4, (remainder)	1st October 2007	2007/2584 (C. 98)
Schedule 5, paragraph 4	20th February 2007	2007/456 (C. 17)
Schedule 5, paragraph 6 (partially)	20th February 2007	2007/456 (C. 17)
Schedule 5, paragraph 7 (partially)	1st October 2006	2006/2504 (C. 84)
Schedule 6, Part 1 (partially)	1st October 2006	2006/2504 (C. 84)
Ditto	6th April 2007	2007/456 (C. 17)
Ditto (pilot areas only)	1st October 2008	2008/1960 (C. 94)
Ditto	1st December 2010	2010/2356 (C. 114)
Schedule 6, Part 2 (partially)	1st October 2006	2006/2504 (C. 84)
Schedule 6, Part 2 (remainder)	1st October 2007	2007/2584 (C. 98)
Schedule 6, Part 3 (partially)	1st October 2006	2006/2504 (C. 84)
Schedule 6, Part 3 (remainder)	1st October 2007	2007/2584 (C. 98)
Schedule 6, Part 5	1st October 2007	2007/2584 (C. 98)

Changes to legislation:

There are currently no known outstanding effects for the The Commons Act 2006 (Commencement No. 6) (England) Order 2011.