



Commons Registration Act 1965

1965 CHAPTER 64

11 Exemption from registration

- (1) The foregoing provisions of this Act shall not apply to the New Forest or Epping Forest nor to any land exempted from those provisions by an order of the Minister, and shall not be taken to apply to the Forest of Dean.
- (2) The Minister shall not make an order under this section except on an application made to him before such date as may be prescribed.
- (3) The Minister shall not make an order under this section with respect to any land unless it appears to him—
 - (a) that the land is regulated by a scheme under the Commons Act 1899 or the Metropolitan Commons Acts 1866 to 1898 or is regulated under a local Act or under an Act confirming a provisional order made under the Commons Act 1876; and
 - (b) that no rights of common have been exercised over the land for at least thirty years and that the owner of the land is known.
- (4) The Minister shall, before dealing with any application under this section, send copies thereof to the registration authority and to such other local authorities as may be prescribed, and shall inform those authorities whether he has granted or refused the application; and those authorities shall take such steps as may be prescribed for informing the public of the application and its grant or refusal.
- (5) If any question arises under this Act whether any land is part of the forests mentioned in subsection (1) of this section it shall be referred to and decided by the Minister.