



# Commons Act 2006

## 2006 CHAPTER 26

### PART 5 **E+W**

#### SUPPLEMENTARY AND GENERAL

##### *Amendments and repeals*

### 52 Minor and consequential amendments **E+W**

Schedule 5 (minor and consequential amendments) has effect.

#### Commencement Information

- I1** S. 52 partly in force; s. 52 not in force at Royal Assent see s. 56(1); s. 52 in force for certain purposes for E. at 1.10.2006 by S.I. 2006/2504, art. 2(g); s. 52 in force for certain purposes for E. at 20.2.2007 by S.I. 2007/456, art. 2; s. 52 in force for certain purposes for W. at 6.9.2007 by S.I. 2007/2386, art. 3
- I2** S. 52 in force at 15.12.2014 for specified purposes for E. by S.I. 2014/3026, art. 3(1)(g)(h) (with art. 5)
- I3** S. 52 in force at 30.9.2021 for specified purposes for W. by S.I. 2021/1015, art. 2(a)

### 53 Repeals **E+W**

Schedule 6 (repeals, including consequential repeals and repeals of spent and obsolete enactments) has effect.

#### Commencement Information

- I4** S. 53 partly in force; s. 53 not in force at Royal Assent see s. 56(1); s. 53 in force for certain purposes for E. at 1.10.2006 by S.I. 2006/2504, art. 2(h)-(j) (with art. 3)); s. 53 in force for certain purposes for E. at 6.4.2007 by S.I. 2007/456, art. 3; s. 53 in force for certain purposes for W. at 6.9.2007 by S.I. 2007/2386, art. 3; s. 53 in force for certain purposes for E. at 1.10.2007 by S.I. 2007/2584, art. 2

*Status: Point in time view as at 30/09/2021.*

*Changes to legislation: There are currently no known outstanding effects for the Commons Act 2006, Cross Heading: Amendments and repeals. (See end of Document for details)*

- 15** S. 53 in force at 1.10.2008 for specified purposes for E. by S.I. 2008/1960, art. 2(1)(h), **Sch.** (with art. 3)
- 16** S. 53 in force at 1.12.2010 for specified purposes by S.I. 2010/2356, **art. 3(2)** (with art. 4)
- 17** S. 53 in force at 1.12.2010 for specified purposes by S.I. 2010/2356, **art. 3(3)**
- 18** S. 53 in force at 1.4.2012 for specified purposes for W. by S.I. 2012/739, **art. 2(h)(ii)** (with art. 4(2)(4))
- 19** S. 53 in force at 15.12.2014 for specified purposes for E. by S.I. 2014/3026, **art. 3(1)(i)** (with art. 5)

#### **54 Power to amend enactments relating to common land or greens** **E+W**

- (1) The appropriate national authority may by order amend any relevant Act so as to secure that—
  - (a) a provision of that Act applying to common land does not apply to land to which Part 1 applies and which is not registered as common land;
  - (b) such a provision applies to either or both of the following—
    - (i) land registered as common land, or particular descriptions or areas of such land;
    - (ii) land to which Part 1 does not apply, or particular descriptions or areas of such land.
- (2) The appropriate national authority may by order amend any relevant Act so as to secure that—
  - (a) a provision of that Act which is expressed to apply to a town or village green does not apply to land to which Part 1 applies and which is not registered as a town or village green;
  - (b) such a provision applies to either or both of the following—
    - (i) land registered as a town or village green, or particular descriptions or areas of such land;
    - (ii) land to which Part 1 does not apply, or particular descriptions or areas of such land.
- (3) In this section, “relevant Act” means any public general Act passed before this Act.
- (4) For the purposes of subsection (1) a provision applies to common land if it is expressed to apply (generally) to common land, any common or commons, commonable land, land subject to inclosure under any enactment or other land of a similar description.

#### **55 Power to amend enactments conferring functions on national authorities** **E+W**

- (1) A national authority may by order amend or repeal any provision of a local or personal Act passed before this Act which applies to common land for any of the following purposes—
  - (a) to remove any function of the national authority which relates to the common land;
  - (b) to transfer such a function from the national authority to another person;
  - (c) to remove a requirement that the national authority be consulted, or that its consent be obtained, in respect of—
    - (i) any act or omission relating to the common land; or
    - (ii) any act or omission of a person concerned with the management of the common land;

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- (d) to substitute for a requirement referred to in paragraph (c) a requirement that a person other than the national authority be consulted, or his consent obtained, in relation to the act or omission.
- (2) In subsection (1), “common land” means—
- (a) any land registered as common land or as a town or village green;
  - (b) any land referred to in section 5(2); and
  - (c) any land not falling within paragraph (a) or (b) which is subject to a scheme under the Metropolitan Commons Act 1866 (c. 122) or the Commons Act 1899 (c. 30).
- (3) A national authority may by order amend or repeal any provision of an Act made under the Commons Act 1876 (c. 56) confirming a provisional order of the Inclosure Commissioners for any of the following purposes—
- (a) to remove any function of the national authority which relates to land to which the Act applies;
  - (b) to transfer such a function from the national authority to another person;
  - (c) to remove a requirement that the national authority be consulted, or that its consent be obtained, in respect of—
    - (i) any act or omission relating to land to which the Act applies; or
    - (ii) any act or omission of a person concerned with the management of such land;
  - (d) to substitute for a requirement referred to in paragraph (c) a requirement that a person other than the national authority be consulted, or his consent obtained, in relation to the act or omission.
- (4) In this section “national authority” means—
- (a) the Secretary of State; and
  - (b) the National Assembly for Wales.

**Status:**

Point in time view as at 30/09/2021.

**Changes to legislation:**

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