
STATUTORY INSTRUMENTS

1972 No. 437

The Commons Registration (Disposal of Disputed Registrations) Regulations 1972

Title and commencement

1. These regulations may be cited as the Commons Registration (Disposal of Disputed Registrations) Regulations 1972, and shall come into operation on 18th April 1972.

Interpretation

2.—(1) The Interpretation Act 1889 applies for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(2) In these regulations, unless the context otherwise requires,—

“the Act” means the Commons Registration Act 1965;

“General Regulation” followed by a number means the regulation so numbered in the Commons Registration (General) Regulations 1966(1) as amended(2);

“Model Entry” followed by a number means the specimen entry so numbered and provided by way of example in Part 1 of the Schedule to these regulations;

“provisional registration” means a registration under section 4 of the Act which has not become final;

“register map” means any map, other than a supplemental map, which, by virtue of any regulation made under the Act, for the time being forms part of a register;

“register unit” bears the meaning assigned to that expression in General Regulation 10;

“supplemental map” bears the meaning assigned to that expression in General Regulation 20.

Amendment of registers

3. Where a registration authority is informed under section 6 of the Act that a registration has become final (with or without modifications) or has become void, the authority shall indicate that fact in the register in accordance with Model Entry 27, 28, 29, 30, 31 or 32 as appropriate, with such adaptations and modifications (if any) as the case may require, and shall make any necessary amendment to the register map and any supplemental map.

Transfer of certain entries

4.—(1) Where any land has been registered both as common land and as a town or village green, and the registration authority is informed under section 6 of the Act that one of the registrations of the land has become void, the authority shall cancel in each register the notes made pursuant to paragraph (1) of General Regulation 14 (Double registration of land), and shall transfer from the

(1) (1966 III, p. 3978).

(2) The amending instruments are not relevant to the subject matter of these regulations.

register wherein the registration of the land has been cancelled to the other register every entry to which this regulation applies, in the following manner:—

- (a) every entry shall be allotted a fresh number and shall be dated as of the date when so transferred, but in the left-hand column of the register sheet, below such number and date, shall appear “(Formerly No...dated ... in Register Unit No....)”;
- (b) references to land in column 4 of the rights and ownership sections of the original register containing expressions valid only in relation to that register shall be adapted as necessary; and
- (c) the register map shall be amended as necessary.

(2) This regulation applies to every entry mentioned in paragraph (2) of General Regulation 14 except a registration under section 4 of the Act which has become void or has not become final or a note relating to such a registration, and, in the case of a registration which has become final with modifications, applies to the registration with those modifications.

Noting of certain rights registrations

5. Where a registration of a right of common which has become final contains a statement, in whatever terms, that the right is exercisable also over land comprised in another register unit, and the registration of the right as exercisable over that land is cancelled or becomes void, or is modified so as to be exercisable over part only of that land, the registration authority shall enter a note to that effect in the register unit containing the first-mentioned registration, and a cross-reference between the note and the registration.

Area measurement

6.—(1) Where any registration of land, other than a provisional registration, contains no indication of the area of the land, the registration authority shall enter a note of the area in the land section of the register, and shall cancel that note and enter a fresh one whenever there is any alteration in the area.

(2) A note under this regulation shall state the area of the land in hectares to three places of decimals.

Foreshore boundaries

7. Where any land comprised in a registration, other than a provisional registration, was at the date of the registration bounded by the high water mark of medium tides for any distance which, in the opinion of the registration authority, it is practicable to show on the general scale of the register map, the authority may enter a note in the land section of the register substantially in accordance with Standard Entry 9 in Part 2 of the Schedule to these regulations, and, where the authority enters such a note, it shall mark the register map accordingly.

21st March 1972

Peter Walker
Secretary of State for the Environment

21st March 1972

Peter Thomas
Secretary of State for Wales