
STATUTORY INSTRUMENTS

2007 No. 456

The Commons Act 2006 (Commencement No. 2,
Transitional Provisions and Savings) (England) Order 2007

Transitional provisions and savings **E+W**

4.—(1) Where a commons registration authority grants an application under section 15 of the 2006 Act for the registration of land as a town or village green before section 1 of the 2006 Act has come into force in relation to the area in which the land is situated—

- (a) it shall register the land in the register of town or village greens maintained for that area under the 1965 Act; and
- (b) until the coming into force of section 1 of the 2006 Act in relation to that area, the 1965 Act shall apply in relation to the registration as if it had been made pursuant to section 13(b) of that Act.

(2) In relation to any area of England, references in section 24 of the 2006 Act, and in regulations made under that section, to a register of common land or town or village greens shall, until the coming into force of section 1 of the 2006 Act in relation to that area, be taken to be references to such a register maintained under the 1965 Act.

(3) In relation to any area of England, section 13(b) of the 1965 Act and regulations made under it⁽¹⁾ shall—

- (a) until the coming into force of section 6 of the 2006 Act in relation to that area, continue to have effect insofar as they relate to land which becomes common land other than by virtue of any instrument made under or pursuant to an enactment; and
- (b) until the coming into force of section 14 of the 2006 Act in relation to that area, continue to have effect insofar as they relate to land which becomes common land or a town or village green by virtue of any instrument made under or pursuant to an enactment.

(4) Where—

- (a) an application is made before 6th April 2007 to a registration authority, pursuant to section 13(b) of the 1965 Act, for the amendment of the register of town or village greens as a result of any land having become a town or village green, and
- (b) the registration authority does not determine the application before that date,

the registration authority shall continue to deal with the application on and after 6th April 2007 as if section 13(b) had not been repealed.

⁽¹⁾ Regulation 28 of the Commons Registration (General) Regulations 1966 (S.I. 1966/1471), amended by S.I. 1969/1843 (there are other amending instruments but none is relevant), and the Commons Registration (New Land) Regulations 1969 (S.I. 1969/1843) are made under section 13(b).

Changes to legislation:

There are currently no known outstanding effects for the The Commons Act 2006 (Commencement No. 2, Transitional Provisions and Savings) (England) Order 2007, Section 4.