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STATUTORY INSTRUMENTS

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**2008 No. 1961**

**The Commons Registration (England) Regulations 2008**

**PART 5**

Miscellaneous

**Operation at law of relevant instruments effecting statutory dispositions**

**45.**—(1) This regulation applies where a relevant instrument—

- (a) in relation to any registered land, extinguishes—
  - (i) a right of common; or
  - (ii) a right of access for open air recreation (however expressed);
- (b) in relation to any land registered as a town or village green, extinguishes a right to indulge in lawful sports or pastimes (however expressed);
- (c) confers, or vests in any person, a right over other land in exchange for a right which is extinguished as mentioned in sub-paragraph (a) or (b);
- (d) causes any registered land to cease to be common land or a town or village green; or
- (e) causes any land to become common land or a town or village green.

(2) The relevant instrument does not, to the extent that it has any of the effects mentioned in paragraph (1), operate at law until, further to the granting of an application made under paragraph 8 of Schedule 4, the disposition effected by that instrument is registered in the register of common land or the register of town or village greens.

(3) In paragraphs (1) and (2)—

- (a) “disposition” means a disposition to which paragraph 8 of Schedule 4 applies; and
- (b) “relevant instrument” means a relevant instrument (as defined in section 14(3) of the 2006 Act) to which that paragraph applies.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Commons Registration (England) Regulations 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- Regulations revoked by [S.I. 2014/3038 reg. 54\(1\)\(a\)](#)