

## EXPLANATORY NOTE

*(This note is not part of the Order)*

Section 9 of the Commons Act 2006, which is deemed, by section 9(7) of that Act, to have come into force on 28 June 2005, prevents, subject to exceptions, the severance of a right of common from the land to which it is attached.

This Order permits the temporary severance of a right of common to graze animals from the land to which the right is attached by enabling the leasing or licensing of the right to a third party for no more than three years (*article 2(1)(a)*) or by a lease or licence of the land without the right (*article 2(1)(b)*).

This Order comes into force on 1 March 2007, but has effect as from 28 June 2005 so that any lease or licence of a right of common to graze animals granted after that date for a period of three years or less is not void for those purposes by virtue of section 9(3) of the Act.