



Commons Act 2006

2006 CHAPTER 26

PART 1

REGISTRATION

Conclusiveness and correction of the registers

18 Conclusiveness

- (1) This section applies to land registered as common land, or as a town or village green, which is registered as being subject to a right of common.
- (2) If the land would not otherwise have been subject to that right, it shall be deemed to have become subject to that right, as specified in the register, upon its registration.
- (3) If the right is registered as attached to any land, the right shall, if it would not otherwise have attached to that land, be deemed to have become so attached upon registration of its attachment.
- (4) If the right is not registered as attached to any land, the person registered as the owner of the right shall, if he would not otherwise have been its owner, be deemed to have become its owner upon his registration.
- (5) Nothing in subsection (2) affects any constraint on the exercise of a right of common where the constraint does not appear in the register.
- (6) It is immaterial whether the registration referred to in subsection (2), (3) or (4) occurred before or after the commencement of this section.

Commencement Information

- II** S. 18 in force at 1.10.2008 for specified purposes for E. by S.I. 2008/1960, art. 2(1)(d), Sch. (with art. 3)

Status: Point in time view as at 01/10/2008.

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

19 Correction

- (1) A commons registration authority may amend its register of common land or town or village greens for any purpose referred to in subsection (2).
- (2) Those purposes are—
 - (a) correcting a mistake made by the commons registration authority in making or amending an entry in the register;
 - (b) correcting any other mistake, where the amendment would not affect—
 - (i) the extent of any land registered as common land or as a town or village green; or
 - (ii) what can be done by virtue of a right of common;
 - (c) removing a duplicate entry from the register;
 - (d) updating the details of any name or address referred to in an entry;
 - (e) updating any entry in the register relating to land registered as common land or as a town or village green to take account of accretion or diluvion.
- (3) References in this section to a mistake include—
 - (a) a mistaken omission, and
 - (b) an unclear or ambiguous description,
 and it is immaterial for the purposes of this section whether a mistake was made before or after the commencement of this section.
- (4) An amendment may be made by a commons registration authority—
 - (a) on its own initiative; or
 - (b) on the application of any person.
- (5) A mistake in a register may not be corrected under this section if the authority considers that, by reason of reliance reasonably placed on the register by any person or for any other reason, it would in all the circumstances be unfair to do so.
- (6) Regulations may make further provision as to the criteria to be applied in determining an application or proposal under this section.
- (7) The High Court may order a commons registration authority to amend its register of common land or town or village greens if the High Court is satisfied that—
 - (a) any entry in the register, or any information in an entry, was at any time included in the register as a result of fraud; and
 - (b) it would be just to amend the register.

Commencement Information

- I2** S. 19 partly in force; s. 19 not in force at Royal Assent see s. 56(1); s. 19(6) in force for certain purposes for W. at 12.8.2007 by [S.I. 2007/2386](#), [art. 2](#)
- I3** S. 19 in force at 1.10.2008 for specified purposes for E. by [S.I. 2008/1960](#), [art. 2\(1\)\(d\)](#), [Sch.](#) (with [art. 3](#))

Status:

Point in time view as at 01/10/2008.

Changes to legislation:

There are currently no known outstanding effects for the Commons Act 2006, Cross Heading: Conclusiveness and correction of the registers.