

*Changes to legislation: There are currently no known outstanding effects for the Commons Act 2006, SCHEDULE 5. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 5 **E+W**

Section 52

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Countryside Act 1968 (c. 41)*

- 1 (1) The Countryside Act 1968 is amended as follows.
- (2) In section 9(6), for the definition of “common land” substitute—
  - ““common land” means—
    - (a) land registered as common land in a register of common land kept under Part 1 of the Commons Act 2006;
    - (b) land to which Part 1 of that Act does not apply and which is subject to rights of common within the meaning of that Act;”.
- (3) In Schedule 2, in paragraph 7, for the words from “section 22(1)” to the end substitute “the principal section”.

#### **Commencement Information**

**11** Sch. 5 para. 1 in force at 31.10.2011 for E. by S.I. 2011/2460, art. 2(a)(i) (with art. 3)

##### *Animals Act 1971 (c. 22)*

- 2 In section 11 of the Animals Act 1971, for the definitions of “common land” and “town or village green” substitute—
  - ““common land” means—
    - (a) land registered as common land in a register of common land kept under Part 1 of the Commons Act 2006;
    - (b) land to which Part 1 of that Act does not apply and which is subject to rights of common within the meaning of that Act;
  - “town or village green” means land registered as a town or village green in a register of town or village greens kept under Part 1 of the Commons Act 2006;”.

#### **Commencement Information**

**12** Sch. 5 para. 2 in force at 31.10.2011 for E. by S.I. 2011/2460, art. 2(a)(i) (with art. 3)

##### *Wildlife and Countryside Act 1981 (c. 69)*

- 3 In section 52(2C) of the Wildlife and Countryside Act 1981—

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- (a) for “common land” (in the first place where it occurs) substitute “ subject to rights of common (within the meaning of the Commons Act 2006) ”;
- (b) for the words from “the commoners” to the end of the subsection substitute “ the persons with such rights or any of them and any commons council established under Part 2 of the Commons Act 2006 for that land ”.

**Commencement Information**

- I3** Sch. 5 para. 3 in force at 31.10.2011 for specified purposes for E. by [S.I. 2011/2460, art. 2\(b\)](#)
- I4** Sch. 5 para. 3 in force at 15.12.2014 for specified purposes for E. by [S.I. 2014/3026, art. 3\(1\)\(g\)](#) (with [art. 5](#))

*Norfolk and Suffolk Broads Act 1988 (c. 4)*

- 4 In Schedule 3 to the Norfolk and Suffolk Broads Act 1988, in paragraph 38(1)(d), for “section 9 of the Commons Registration Act 1965” substitute “ section 45 of the Commons Act 2006 ”.

**Commencement Information**

- I5** Sch. 5 para. 4 wholly in force at 6.9.2007; Sch. 5 para. 4 not in force at Royal Assent see s. 56(1); Sch. 5 para. 4 in force for E. at 20.2.2007 by [S.I. 2007/456, art. 2](#); Sch. 5 para. 4 in force for W. at 6.9.2007 by [S.I. 2007/2386, art. 3](#)

*Criminal Justice and Public Order Act 1994 (c. 33)*

- 5 In section 61(9) of the Criminal Justice and Public Order Act 1994—
  - (a) for the definition of “common land” substitute—
    - ““common land” means—
    - (a) land registered as common land in a register of common land kept under Part 1 of the Commons Act 2006; and
    - (b) land to which Part 1 of that Act does not apply and which is subject to rights of common as defined in that Act;”;
  - (b) in the definition of “commoner”, for the words from “as defined” to the end substitute “ as so defined; ”;
  - (c) in the definition of “the local authority”, for “section 9 of the Commons Registration Act 1965” substitute “ section 45 of the Commons Act 2006 ”.

**Commencement Information**

- I6** Sch. 5 para. 5 in force at 31.10.2011 for E. by [S.I. 2011/2460, art. 2\(a\)\(i\)](#) (with [art. 3](#))
- I7** [Sch. 5 para. 5\(c\)](#) in force at 30.9.2021 for W. by [S.I. 2021/1015, art. 2\(b\)](#)

*Environment Act 1995 (c. 25)*

- 6 In Schedule 9 to the Environment Act 1995, in paragraph 1—
  - (a) in sub-paragraph (2)(d), for “section 9 of the Commons Registration Act 1965” substitute “ section 45 of the Commons Act 2006 ”;

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- (b) in sub-paragraph (6), for “the Commons Registration Act 1965” substitute “Part 1 of the Commons Act 2006”.

#### Commencement Information

- I8** Sch. 5 para. 6 partly in force; Sch. 5 para. 6 not in force at Royal Assent see s. 56(1); Sch. 5 para. 6(a) in force for E. at 20.2.2007 by [S.I. 2007/456](#), [art. 2](#); Sch. 5 para. 6(a) in force for W. at 6.9.2007 by [S.I. 2007/2386](#), [art. 3](#)
- I9** Sch. 5 para. 6(b) in force at 31.10.2011 for specified purposes for E. by [S.I. 2011/2460](#), [art. 2\(b\)](#)
- I10** Sch. 5 para. 6(b) in force at 15.12.2014 for specified purposes for E. by [S.I. 2014/3026](#), [art. 3\(1\)\(h\)](#) (with [art. 5](#))

#### *Countryside and Rights of Way Act 2000 (c. 37)*

- 7 (1) The Countryside and Rights of Way Act 2000 is amended as follows.
- (2) In section 1, in subsection (3)—
- (a) for paragraph (a) substitute “land which is registered as common land in a register of common land kept under Part 1 of the Commons Act 2006.”;
- (b) omit paragraph (b).
- (3) In that section, omit subsection (4).
- (4) In section 45(1), in the definition of “rights of common”, for “the Commons Registration Act 1965” substitute “the Commons Act 2006”.
- (5) In section 46(2), for “section” substitute “subsection”.

#### Commencement Information

- I11** Sch. 5 para. 7 partly in force; Sch. 5 para. 7 not in force at Royal Assent, see s. 56(1); Sch. 5 para. 7(1) in force for certain purposes for E. and Sch. 5 para. 7(5) in force for E. at 1.10.2006 by [S.I. 2006/2504](#), [art. 2\(g\)](#); Sch. 5 para. 7(1) in force for certain purposes for W. and Sch. 5 para. 7(5) in force for W. at 6.9.2007 by [S.I. 2007/2386](#), [art. 3](#)
- I12** Sch. 5 para. 7(1) in force at 31.10.2011 for specified purposes for E. by [S.I. 2011/2460](#), [art. 2\(b\)](#)
- I13** Sch. 5 para. 7(1)-(4) in force at 15.12.2014 for specified purposes for E. by [S.I. 2014/3026](#), [art. 3\(1\)\(h\)](#) (with [art. 5](#))
- I14** Sch. 5 para. 7(2)-(4) in force at 31.10.2011 for specified purposes for E. by [S.I. 2011/2460](#), [art. 2\(b\)](#)

#### *Land Registration Act 2002 (c. 9)*

- 8 (1) The Land Registration Act 2002 is amended as follows.
- (2) In section 27(2)(d), for “the Commons Registration Act 1965 (c. 64)” substitute “Part 1 of the Commons Act 2006”.
- (3) In section 33(d), for “the Commons Registration Act 1965 (c. 64)” substitute “Part 1 of the Commons Act 2006”.
- (4) In Schedule 3, in paragraph 3(1), for “the Commons Registration Act 1965 (c. 64)” substitute “Part 1 of the Commons Act 2006”.

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**Commencement Information**

- I15** Sch. 5 para. 8 in force at 31.10.2011 for specified purposes for E. by [S.I. 2011/2460](#), **art. 2(b)**
- I16** Sch. 5 para. 8 in force at 15.12.2014 for specified purposes for E. by [S.I. 2014/3026](#), **art. 3(1)(h)** (with [art. 5](#))

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