



Commons Act 2006

2006 CHAPTER 26

PART 1

REGISTRATION

Registration of rights of common

7 Variation

- (1) For the purposes of this section a right of common is varied if by virtue of any disposition—
 - (a) the right becomes exercisable over new land to which this Part applies instead of all or part of the land over which it was exercisable;
 - (b) the right becomes exercisable over new land to which this Part applies in addition to the land over which it is already exercisable;
 - (c) there is any other alteration in what can be done by virtue of the right.
- (2) A right of common which is registered in a register of common land or town or village greens cannot at any time after the commencement of this section be varied so as to become exercisable over new land if that land is at the time registered as a town or village green.
- (3) A right of common which is registered in a register of town or village greens cannot at any time after the commencement of this section be varied so as to extend what can be done by virtue of the right.
- (4) The variation of a right of common which is registered in a register of common land or town or village greens—
 - (a) only has effect if it complies with such requirements as to form and content as regulations may provide; and
 - (b) does not operate at law until, on an application under this section, the register is amended so as to record the variation.

Changes to legislation: There are currently no known outstanding effects for the Commons Act 2006, Section 7. (See end of Document for details)

- (5) An application under this section to record a variation of a right of common consisting of a right to graze any animal is to be refused if in the opinion of the commons registration authority the land over which the right is or is to be exercisable would, in consequence of the variation, be unable to sustain the exercise of—
- (a) that right; and
 - (b) if the land is already registered as common land, any other rights of common registered as exercisable over the land.

Commencement Information

- I1** S. 7 partly in force; s. 7 not in force at Royal Assent see s. 56(1); s. 7(4) in force for certain purposes for W. at 12.8.2007 by [S.I. 2007/2386](#), [art. 2](#)
- I2** S. 7 in force at 1.10.2008 for specified purposes for E. by [S.I. 2008/1960](#), [art. 2\(1\)\(b\)](#), [Sch.](#) (with [art. 3](#))
- I3** S. 7 in force at 15.12.2014 for specified purposes for E. by [S.I. 2014/3026](#), [art. 3\(1\)\(b\)](#) (with [art. 5](#))

Changes to legislation:

There are currently no known outstanding effects for the Commons Act 2006, Section 7.