

SCHEDULE 4

Making an application

Applications for the purposes of Schedule 3: creation of right of common

15.—(1) An application to amend a register in consequence of the creation of a right of common, which is a qualifying event by virtue of paragraph 2(2)(a) of Schedule 3 to the 2006 Act, may only be made by—

- (a) the owner of any part of the land over which the right of common is exercisable;
- (b) if the right of common is attached to land, the owner of any part of that land; or
- (c) if the right of common is not attached to land, the owner of the right of common.

(2) The application must include—

- (a) evidence of the applicant's capacity to make the application (as described in subparagraph (1));
- (b) a description of the right of common to be registered;
- (c) a description of the land over which the right of common is exercisable; and
- (d) if the right of common is attached to land, a description of the land to which it is attached.

(3) The application must be accompanied—

- (a) where the right of common was created by an instrument in writing, by a copy of that instrument;
- (b) in any other case, by evidence of the creation of the right.