STATUTORY INSTRUMENTS

1966 No. 1471

COMMON, ENGLAND

The Commons Registration (General) Regulations 1966

Made - - - -	23*rd November* 1966
Laid before Parliament	30*th November* 1966
Coming into Operation	2*nd January* 1967

LONDON

HER MAJESTY'S STATIONERY OFFICE

1966

Official stamp of registration authority

3.—(1) Every registration authority shall have an official stamp for the purposes of the Act, as follows:—

COMMONS REGISTRATION ACT 1965
(Name of registration authority)
REGISTRATION AUTHORITY
(Date)

(2) A requirement upon a registration authority to stamp any document is a requirement to cause an impression of the said official stamp to be affixed to it, and that the impression shall bear the date mentioned in the requirement or (where no date is mentioned) the date when it was affixed.

(3) An indication in any form in Schedule 1 to these Regulations that the form shall bear the official stamp of a registration authority is a requirement upon the authority to stamp it.

PART II

THE REGISTERS AND PROVISIONAL REGISTRATION

The registers

4.—(1) Every register, whether of common land or of town or village greens, shall consist of—

(*a*) a general part,

(*b*) a register map,

(*c*) as many register units as there are registrations of land in the register, and

(*d*) such supplemental maps (if any) as may be necessary.

(2) The general part of each register shall be in Form 1, and shall contain—

(*a*) particulars of any agreement under section 2 of the Act to which the registration authority is a party;

(*b*) particulars of any land situated in the area of the registration authority to which, by virtue of section 11 of the Act or of an order made thereunder, the registration provisions of the Act do not apply;

(*c*) particulars of any transfer, to or from the registration authority, of responsibility for maintaining any register or register unit, otherwise than under section 2 of the Act;

(*d*) such other information as may by any regulation made under the Act be required or authorized to be entered therein.

(3) Model Entries 1, 2 and 3 are provided for general guidance in complying with sub-paragraphs (*a*), (*b*) and (*c*) respectively of paragraph (2) above.

(4) The register map to be prepared under these Regulations shall be a provisional register map and shall be prepared in accordance with Part III thereof.

(5) The register units shall be prepared in accordance with regulation 10 below, and each register unit shall consist of three sections, called the land section, the rights section and the ownership section.

(6) The land section of each register unit shall be in Form 2, and shall contain the registrations of the common land, or of the town or village green, as the case may be, comprised therein, with a reference to the register map, and such other information as may by any regulation made under the Act be required or authorized to be entered therein.

(7) The rights section of each register unit shall be in Form 3, and shall contain the registrations, of the rights of common registered as exercisable over the land comprised in the land section of the register unit, or any part thereof, particulars of the persons on whose applications the rights were registered and the capacities in which they applied, descriptions of the land (if any) to which the rights are attached, and such other information as may by any regulation made under the Act be required or authorized to be entered therein.

(8) The ownership section of each register unit shall be in Form 4, and shall contain the registration of every person registered as owner of any part of the land comprised in the register unit, and such other information as may by any regulation made under the Act be required or authorized to be entered therein.

(9) Supplemental maps, where necessary, shall be prepared in accordance with Part III of these Regulations.

(10) Every register shall be bound, or otherwise held together and protected, in such manner as the Minister may approve.

Registration periods

5.—(1) There shall be two periods during which applications for registration may be made, called the first registration period and the second registration period.

(2) The first registration period shall begin on 2nd January 1967 and end on 30th June 1968, and the second shall begin on 1st July 1968 and end on 2nd January 1970.

Notice of intention to make application

6.—(1) Any person may, during the first registration period, give a registration authority notice in Form 5 of his intention to apply to the authority for registration during the second registration period, and the authority shall send him a written acknowledgment for that notice, and shall retain it until after the end of the second registration period.

(2) Form 6, if used for the purpose of an acknowledgment under this regulation, shall be sufficient.

Who may apply for registration

7.—(1) An application for the registration of any land as common land or as a town or village green may be made by any person.

(2) An application for the registration of a right of common may be made—

(*a*) by the owner of the right;

(*b*) where the right is attached to any land, and is comprised in a tenancy of the land, by the landlord, the tenant, or both of them jointly;

(*c*) where the right belongs to an ecclesiastical benefice of the Church of England which is vacant, by the Church Commissioners.

(*c*) where any part of the land, or any such right, belongs to an ecclesiastical benefice of the Church of England which is vacant, by the Church Commissioners.

(4) Any note entered in a register under this regulation shall be in accordance with Model Entry 13 or 14 as applicable, and, where the entry is made pursuant to an application, the registration authority shall send the applicant a copy of the entry.

Charitable interests

23. Where any land registered under the Act is held for charitable purposes, the registration authority shall, on the application in writing of the owner or the charity trustees, enter a note to that effect in the land section of the register, in accordance with Model Entry 15, and shall send the applicant a copy of the entry.

Private rights and interests

24.—(1) Where any land is registered under the Act, the registration authority shall, upon application made in accordance with the following provisions of this regulation, enter a note in the land section of the register of the existence, in relation to that land, of a claim to any right or interest to which this regulation applies, unless it appears to the authority that the right or interest is of a trivial, obvious or transitory nature, or that an entry relating to it would be likely to cause confusion or inconvenience or unlikely to add substantially to the information obtainable from an inspection of the land.

(2) This regulation applies to the following rights and interests:—

(*a*) easements;

(*b*) profits *à prendre* other than rights of common;

(*c*) franchises;

(*d*) rights and interests of the lord of the manor (in that capacity) other than the ownership of the land;

(*e*) where the ownership of any minerals in or under the land is severed from the ownership of the surface, the ownership of those minerals and all rights incident thereto;

(*f*) rights of the lessee or licensee under any mineral lease or licence;

(*g*) rights acquired by statutory undertakers for the purposes of their undertakings.

(3) Every application under this regulation must be in Form 16 and be made by the person claiming to be entitled to the right or interest, or, where the right or interest belongs to an ecclesiastical benefice of the Church of England which is vacant, by the Church Commissioners.

(4) Where a registration authority accepts an application under this regulation, it shall make a note in the register in accordance with Model Entries 16 to 19 as applicable, and shall send written notice to the applicant of the making of the note together with a copy of the note as entered.

(5) No marking shall be made on the register map or any supplemental map in connexion with any note under this regulation.

(6) Where a registration authority rejects an application under this regulation it shall so inform the applicant in writing, giving the reasons for the rejection.

FORM 1

COMMONS REGISTRATION ACT 1965

Register of

GENERAL PART—Sheet No.

NOTE: This part of the register contains:

(*a*) particulars of any agreement under section 2 of the Act having the effect of adding land to, or taking land from, the registration area;

(*b*) particulars of any land situated in the area of the registration authority to which, by virtue of section 11 of the Act or of an order made thereunder, the registration provisions of the Act do not apply;

(*c*) particulars of any transfer, to or from the registration authority, of responsibility for maintaining any register or register unit, otherwise than under section 2 of the Act; and

(*d*) such other information as may be required or authorized to be entered therein.

Registration authority

No. and date of entry	*Entries*	*No. and date of entry*	*Entries*

FORM 2

COMMONS REGISTRATION ACT 1965

Register of

LAND SECTION—Sheet No.

NOTE: This section contains the registration of the land comprised in this register unit.

Registration authority

Register unit No.

Edition No.

See Overleaf for Notes

No. and date of entry	*Description of the land, reference to the register map, registration particulars, etc.*

FORM 3

COMMONS REGISTRATION ACT 1965

NOTE: This section contains the registration of every right of common registered under the Act as exercisable over the whole or any part of the land described in the land section of this register unit.

Registration authority

Register unit No.

Edition No.

See Overleaf for Notes

Register of

RIGHTS SECTION—Sheet No.

1 *No. and date of entry*	2 *No. and date of application*	3 *Name and address of every applicant for registration, and the capacity in which he applied*	4 *Particulars of the right of common, and of the land over which it is exercisable*	5 *Particulars of the land (if any) to which the right is attached*

FORM 4

COMMONS REGISTRATION ACT 1965

NOTE: This section contains the registration of every person registered under the Act as owner of any of the land described in the land section of this register unit. It does not contain any registration in respect of land of which the freehold is registered under the Land Registration Acts 1925 and 1936, but the absence from this section of a registration in respect of any land described in the land section does not necessarily indicate that the freehold of that land is registered under those Acts.

Registration authority

Register unit No.

Edition No.

See Overleaf for Notes

Register of

OWNERSHIP SECTION—Sheet No.

1 *No. and date of entry*	2 *No. and date of application*	3 *Name and Address of person registered as owner*	4 *Particulars of the land to which the registration applies*