

1970 No. 384

COMMON

**The Commons Registration (Objections and Maps)  
(Amendment) Regulations 1970**

<i>Made</i>	- - -	10th March 1970
<i>Laid before Parliament</i>		18th March 1970
<i>Coming into Operation</i>		25th March 1970

The Minister of Housing and Local Government and the Secretary of State, in exercise of their respective powers under section 5(2), paragraphs (a) and (b) of section 19(1), and section 19(4), of the Commons Registration Act 1965(a), as read with the Ministry of Land and Natural Resources (Dissolution) Order 1967(b), and of all other powers enabling them in that behalf, hereby make the following Regulations:—

1. These Regulations may be cited as the Commons Registration (Objections and Maps) (Amendment) Regulations 1970, and shall come into operation on 25th March 1970.

2.—(1) The Interpretation Act 1889(c) applies for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

(2) In these Regulations—

- (a) “the Act” means the Commons Registration Act 1965 ;  
 “Form 26” means the form so numbered in the principal regulations;  
 “the principal regulations” means the Commons Registration (Objections and Maps) Regulations 1968(d) as amended by the Commons Registration (New Land) Regulations 1969(e) ;
- (b) a regulation or form referred to by number in the Schedule to these Regulations is the regulation or form so numbered in the principal regulations.

3. The principal regulations shall be amended in the manner specified in the Schedule to these Regulations, but, where an objection to a registration is made in Form 26 as originally prescribed and not as amended by these Regulations, it shall not fall to be rejected merely on that account.

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(a) 1965 c. 64.  
 (c) 1889 c. 63.  
 (e) S.I. 1969/1843 (1969 III, p. 5733).

(b) S.I. 1967/156 (1967 I, p. 258).  
 (d) S.I. 1968/989 (1968 II, p. 2615).

## Regulation 3.

## SCHEDULE

## 1. In regulation 3—

## (a) the following shall be substituted for paragraph (2):—

“(2) Not later than 30th April 1970, every registration authority shall issue a notice which, unless paragraph (2A) below applies, shall be in Form 23A.”

## (b) the following shall be inserted after paragraph (2) as paragraphs (2A), (2B) and (2C):—

“(2A) Where a registration authority has no pending applications, and does not elect to issue a notice in Form 23A, the notice to be issued by it under paragraph (2) above shall, if the authority has in either of its registers any registration made after 30th June 1968, be in Form 24, and, if not, in Form 25.

(2B) A registration authority which has issued a notice in Form 23A under paragraph (2) above shall, not later than 31st October 1970, issue a further notice which, if the authority has in either of its registers any registration made after 30th June 1968, shall be in Form 24 (with such modifications as the date of issue may render necessary), and, if not, in Form 25.

(2C) For the purposes of this regulation a registration authority has no pending applications if it has either rejected or given effect to every application for registration made to it before 3rd January 1970.”

## 2. In regulation 4(2), for the words “30th April 1972” there shall be substituted the words “31st July 1972”.

## 3. In Forms 24 and 26 for the words “30th April 1972” wherever those words occur there shall be substituted the words “31st July 1972”.

## 4. After Form 23, the following shall be inserted as Form 23A:—

“FORM 23A

*(Name of registration authority)*

**COMMONS REGISTRATION ACT 1965****Common Land and Town or Village Greens :****Provisional Registrations and how to object to them***Registrations*

The second and last period for applications for the registration under the above Act of—

(a) land which is common land or a town or village green ;

(b) rights of common over such land, and

(c) persons claiming to be owners of such land

ended on 2nd January 1970, but the Council, as registration authority for the registration area of which particulars are given below, has until 31st July 1970 to complete the compilation of its registers. A further notice will be issued after this has been done, not later than 31st October 1970.

The Register of Common Land and the Register of Town or Village Greens for the registration area of the Council, containing all registrations and notes of objections so far made, are available for inspection free of charge at the Council's office at *(address where registers kept)*, between the hours of a.m. and p.m. on working days. In addition, each local authority other than the Council has available for inspection copies of all registrations so far made affecting land in its own area and copies of register entries of all objections so far made affecting such land.<sup>1</sup>

*Objections*

The period for objecting to registrations made after 30th June 1968 begins on 1st May 1970 and ends on 31st July 1972. The period for objecting to registrations made before 1st July 1968 is now running and will end on 30th September 1970.<sup>2</sup> Every objection must be made in writing on the special form of objection (C.R. Form No. 26) available free and post free from the Council at (*address*) and must reach the Council as registration authority at (the above address, or as the case may be)—

<sup>3</sup>(a) in the case of an objection to a registration made before 1st July 1968, not later than 30th September 1970, and

(b) in the case of an objection to a registration made after 30th June 1968<sup>3</sup>, not earlier than 1st May 1970 nor later than 31st July 1972.

Registrations are independent of each other, so that, for example, a registration of land as common land made before 1st July 1968 and not objected to before 1st October 1970 will become final and definitive on the latter date, but if registrations of rights over that land, or claims to ownership thereof, are made after 30th June 1968 objections to such registrations can be made in the second objection period.

Every objection which is not rejected is noted on the register as soon as possible after receipt, and particulars are sent by the registration authority to the person (if any) on whose application the registration was made, and to certain other persons directly interested in the registration. In addition copies of register entries of objections are sent to local authorities holding copies of the registrations to which they relate.<sup>1</sup>

The noting of an objection on the register does not mean that it is officially admitted to be correct, and it has no immediate effect on the registration. The effect is that, unless the registration is cancelled, or the objector withdraws his objection, the matter will be referred to a Commons Commissioner for decision.

Dated 1970.

(*Signature on behalf of registration authority*)

<sup>1</sup>Omit this sentence where the registration area is that of a county borough.

<sup>2</sup>Omit this sentence if there were no first period registrations.

<sup>3-3</sup>Omit this passage if there were no first period registrations.

**Particulars of Registration Area**  
(*See under Annex A of Form 22*)".

Given under the official seal of the Minister of Housing and Local Government on 10th March 1970.

(L.S.)

*Anthony Greenwood,*  
Minister of Housing and Local Government.

Given under my hand.

*George Thomas,*  
One of Her Majesty's Principal  
Secretaries of State,  
Welsh Office.

10th March 1970.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations provide for the "second objection period" for the purposes of the Commons Registration Act 1965 (that is, the period during which objections may be made to registrations under section 4 of that Act made after 30th June 1968) to run from 1st May 1970 to 31st July 1972, instead of from 1st May 1970 to 30th April 1972 as originally prescribed.

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