EXPLANATORY MEMORANDUM TO

THE COMMONS REGISTRATION (AMENDMENT AND MISCELLANEOUS REVOCATIONS) REGULATIONS 2010

2010 No. 2357

1. This explanatory memorandum has been prepared by the Department for Environment, Food and Rural Affairs and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 These Regulations revoke various regulations made under the Commons Registration Act 1965 ('the 1965 Act') which relate to the provisional registration of common land and town or village greens, of rights of common exercisable over such land, of the ownership of such land, and the determination of provisional registrations referred to the Commons Commissioners. These provisions are redundant because the time period for making applications for provisional registration under the 1965 Act has expired and all outstanding provisional registrations referred to the Commissioners have been determined. These Regulations also amend certain regulations made under the 1965 Act which continue to be of relevance, for the purposes of removing redundant provisions and making consequential amendments.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Legislative Context

4.1 The 1965 Act was intended to establish definitive registers of common land and town and village greens in England and Wales, and to record details of rights of common exercisable over such land and claims to ownership of the land. Commons registration authorities (generally county councils) were appointed to draw up the registers. Applications were invited between 2 January 1967 and 2 January 1970[1] for the provisional registration of common land, greens, and rights of common, and registration authorities were also able to register land on their own initiative[2]. The registers remained open for objection until 31 July 1972[3]. The 1965 Act provided that, where land was eligible for registration under the Act (whether as common land or a town or village green), a failure to register it resulted in the land being deemed not to be common land or a green (as the case may be) after 31 July 1970[4]. Similarly, a failure to register rights of common which were eligible for registration caused the rights to

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[1] Commons Registration (Time Limits) Order 1966 (SI 1966/1470), article 3.

[2] A later closing date of 31 July 1970 applied in relation to land registered on the initiative of the registration authority: see article 2 of the 1966 Order, as amended by the Commons Registration (Time Limits) (Amendment) Order 1970 (SI 1970/383).

[3] Regulation 4(2) of the Commons Registration (Objections and Maps) Regulations 1968 (SI 1968/989), as amended by the Commons Registration (Objections and Maps) (Amendment) Regulations 1970 (SI 1970/384). The Commons Registration (Objections and Maps) (Amendment) (England) Regulations 2007 (SI 2007/540) also amended the 1968 Regulations, to provide for a further objection period from 6 April 2007 to 6 August 2007, so as to enable the registration of certain land or rights, whose provisional registration in the register could not otherwise become final in consequence of a court order, either to be made final or be removed from the register (see the Explanatory Memorandum to those Regulations for further details).

[4] Section 1(2)(a) of the 1965 Act, as prescribed by the 1966 Order, as amended.

cease to be exercisable[5] after the same date. Further information about the registration process under the 1965 Act can be found in Defra's guidance note, *Guidance on the Commons Registration Act 1965*[6].

4.2 The 1965 Act provided for the establishment of independent Commons Commissioners[7]. The Commissioners, including a Chief Commons Commissioner, were appointed by the Lord Chancellor, and were required to be solicitors or barristers of seven years' standing[8]. Disputed provisional registrations were referred to a Commons Commissioner for determination, but unopposed provisional registrations became final automatically[9]. The Commissioners also inquired into the ownership of registered common land or greens where the ownership was unknown[10] or disputed.

4.3 The task of determining disputed registrations under the 1965 Act was far more complex and time-consuming than originally envisaged, and has involved well over 10,000 decisions[11]. In parts of South Wales, local Acts of Parliament[12] required the registers to be redrawn, so that the last cases, generally in relation to these areas, did not come before the Commissioners for decision until recently. However, now that the work of the Commissioners has been concluded, the office of the Commissioners has no further purpose and many of the regulations relating to provisional registration are no longer relevant. These Regulations therefore revoke seven statutory instruments in their entirety, and make amendments to regulations which have some continuing relevance by removing provisions which are obsolete.

4.4 The Commons Act 2006 ('the 2006 Act') repeals the 1965 Act[13], and Part 1 of the 2006 Act ('Part 1') effects new measures for updating and keeping up-to-date the registers established under the 1965 Act. It is intended that the repeal of the provisions of the 1965 Act establishing the system of provisional registration and the office of Commons Commissioners, as well as certain powers to make regulations for those purposes (with savings), will be brought into force on 1st December 2010 by the Commons Act 2006 (Commencement No. 1 and Savings (England and Wales) and Commencement No. 5 (England) (Amendment)) Order 2010[14] ('the Commencement Order'). The rationale for making these Regulations before such provisions are repealed is to confer greater certainty on commons registration authorities and other stakeholders as to which regulations cease to have effect: this is because some regulations made under the 1965 Act continue to have relevance in relation to registration authorities' functions in maintaining the registers under that Act, and in relation to applications to amend the registers under that Act. The Regulations make a small

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[5] Section 1(2)(b) of the 1965 Act states that such rights are rendered not 'exercisable'. In *Central Electricity Generating Board v. Clwyd County Council* [1976] 1 WLR 151, Goff J. concluded that the fact that rights of common were no longer exercisable meant that they were extinguished, and this finding is now generally accepted.

[6] www.defra.gov.uk/rural/protected/commonland/reg-authority.htm.

[7] Section 17 of the 1965 Act.

[8] Since 2008, persons who satisfy the judicial-appointment eligibility condition on a five-year basis.

[9] Section 5(6) and section 7(1) of the 1965 Act respectively.

[10] Section 8 of the 1965 Act, repealed on 1st October 2006 (England) and 6th September 2007 (Wales) by section 53 of, and Part 1 of Schedule 6 to, the Commons Act 2006, commenced in relation to England by article 2(h)(i) of the Commons Act 2006 (Commencement No. 1, Transitional Provisions and Savings) (England) Order 2006 (SI 2006/2504), and in relation to Wales by article 3(p)(i) of the Commons Act (Commencement No. 1, Transitional Provisions and Savings) (Wales) Order 2007 (SI 2007/2386).

[11] Copies of most decisions are available at: www.acraew.org.uk/index.php?page=commissioners-decisions.

[12] Commons Registration (Cardiganshire) Act 1978, Commons Registration (Glamorgan) Act 1983.

[13] Part 1 of Schedule 6 to the 2006 Act.

[14] SI 2010/2356 (C. 114).

number of consequential amendments to provisions which have continuing relevance until Part 1 is fully brought into force throughout England and Wales[15].

4.5 Many provisions of the 1965 Act have already been repealed (subject to certain savings)[16] in relation to the seven commons registration authority areas in England[17] pioneering implementation of Part 1, and regulations made under such provisions have lapsed (subject to the relevant savings). In respect of those areas, these Regulations only apply to the extent required for the purposes of the relevant savings provisions[18].

4.6 In relation to the areas in England outside of those pioneering implementation of Part 1, and in relation to Wales, section 13(a) and (b) of the 1965 Act (among other provisions) has been repealed subject to savings which preserve provision to make applications under section 13(a) and (b) for certain purposes. By virtue of the repeal, regulations made under section 13(a) and (b) have lapsed, subject to the savings provisions[19].

5. Territorial Extent and Application

5.1 This instrument applies to England and Wales, except as provided in regulation 2.

5.2 The majority of the regulations being revoked by these Regulations apply to England and Wales, but regulations made under the 1965 Act from 2003 onwards apply to England only or to Wales only, as the case may be. The regulations specified in Part 2 of the Schedule to the Regulations apply in relation to England only and the revocation of such regulations is made by the Secretary of State. The regulations specified in Part 3 of the Schedule apply in relation to Wales only and the revocation of such regulations is made by the Welsh Ministers.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

What is being done and why

7.1 The main purpose of these Regulations is to revoke a number of statutory instruments made under the 1965 Act which relate to provisional registration, the procedure for objecting to provisional registrations and the procedure for the determination of provisional registrations referred to the Commons Commissioners. The table annexed to this Explanatory Memorandum sets out details of all the statutory instruments made under the 1965 Act[20], notes which provisions have already been revoked, and notes which provisions are revoked or amended by these Regulations.

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[15] Regulations 3 to 5.
[16] See footnotes (a) and (e) on page 1 of the Regulations for further information.
[17] Blackburn with Darwen Borough Council, Cornwall Council, Devon County Council, County of Herefordshire District Council, Hertfordshire County Council, Kent County Council, Lancashire County Council. See Schedule 1 to the Commons Registration (England) Regulations 2008 (SI 2008/1961).
[18] See footnote (e) on page 1 of the Regulations for further information.
[19] See footnotes (a) on pages 2 and 4 of the Regulations.
[20] Other than commencement orders.

7.2 The provisions being revoked are redundant because applications for provisional registration under the 1965 Act can no longer be made and the work of the Commons Commissioners in determining provisional registrations referred under that Act is now complete. The last decisions of the Commissioners in relation to provisional registrations referred to them were issued on 13th January 2010[21], and the last notices of decisions were given on 6th and 29th April 2010[22]. The powers of commons registration authorities to refer cases of unclaimed common land or town or village green to the Commissioners, so that the Commissioners may inquire into the ownership of such land have already been repealed[23]. Surveys and inquiries of commons registration authorities have confirmed that there are now no outstanding provisional registrations which have yet to be referred for determination by the Commissioners.

7.3 In addition, these Regulations amend three statutory instruments made under the 1965 Act which are still of some relevance[24]. The purposes of these amendments are:

(i) to remove provisions which are no longer required;
(ii) to take account of amendments made by subsequent enactments, where no specific textual amendments were made[25];
(iii) to take account of amendments made by instruments which are now being revoked[26] or which have lapsed[27]; and
(iv) to amend the notes to certain forms which remain in use but which have become misleading[28].

Consolidation[29]

7.4 Neither Defra nor the Welsh Assembly Government intends to produce instruments consolidating the relevant legislation, because the main purpose of these Regulations is the revocation of obsolete provisions.

8. Consultation outcome

8.1 No formal consultation has been undertaken about these Regulations, because their key purpose is to revoke redundant provisions made under the 1965 Act, and the repeal of the 1965 Act (which would cause regulations made under that Act to lapse) is already provided for in the 2006 Act. However, we have consulted informally with representatives of the Association of Commons Registration Authorities (England and Wales) on the purpose of the Regulations. They share our view that the provisions identified as redundant do indeed have no further utility, and we have taken account of their comments.

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[21] In relation to register units CL10 and CL11 in the register of common land maintained by the City and County of Swansea. Decisions are made under section 6 of the 1965 Act.
[22] In relation to register units CL10, CL11 (6 April) and CL2 (29 April, as regards decisions given at an earlier date, but not previously notified) in the register of common land maintained by the City and County of Swansea. Notices are given under regulation 32 of the Commons Commissioners Regulations 1971 (SI 1971/1727).
[23] See footnote 10.
[24] The Commons Registration (General) Regulations 1966 (SI 1966/1471), the Commons Registration (Objections and Maps) Regulations 1968 (SI 1968/989), and the Commons Registration (New Land) Regulations 1969 (SI 1969/1843).
[25] Regulations 3(c), (i)(ii)(bb), 4(a)(ii) and 5.
[26] Regulation 3(g).
[27] Regulation 4(c).
[28] Regulation 3(h)(ii), (iii) and (iv).
[29] See also paragraph 12.1 below.

9. Guidance

9.1 Defra will write to all commons registration authorities in England, and the Welsh Assembly Government will write to all commons registration authorities in Wales, to explain the effect of these Regulations taken together with the effect of the Commencement Order. Defra will write in similar terms to members of the National Common Land Stakeholder Group.

10. Impact

10.1 This instrument has no direct impact on business, charities or voluntary bodies, except in so far as the Regulations make some minor amendments to the notes to forms which are still in occasional use for the purposes of making applications to amend the registers held by commons registration authorities under the 1965 Act. Such applications are made by persons, typically farmers with the use of rights of common, who may be businesses, or very occasionally, charities or voluntary bodies.

10.2 The Regulations have no impact on the public sector, except in so far as the Regulations will clarify those statutory instruments which remain wholly or partly in force in relation to commons registration authorities' discharge of their remaining functions under the 1965 Act.

10.3 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

11.1 The legislation does not apply to small business, except in so far as the Regulations make minor amendments to the notes to forms, referred to in paragraph 10.1 above.

12. Monitoring & review

12.1 No specific monitoring of these Regulations will be undertaken. However, Defra will review the pioneer implementation of Part 1 in late 2010, and consider whether and how to implement Part 1 in the rest of England. The Welsh Assembly Government is currently reviewing plans to implement Part 1 in relation to Wales. The implementation of Part 1 in each country will enable the repeal of the whole of the 1965 Act, remove any remaining functions exercisable under that Act, and cause all outstanding regulations made under that Act (including these Regulations) to lapse.

13. Contact

13.1 Hugh Craddock at the Department for Environment, Food and Rural Affairs, Tel: 0207 238 5663 or email: hugh.craddock@defra.gsi.gov.uk, can answer any queries regarding the instrument.

Defra
September 2010

Revocation of statutory instruments made under Commons Registration Act 1965 ('the 1965 Act') by the Commons Registration (Amendment and Miscellaneous Revocations) Regulations 2010

In this document:

- 'The 2010 Regulations' means the Commons Registration (Amendment and Miscellaneous Revocations) Regulations 2010 (SI 2010/2357)
- 'Commencement order E1' means the Commons Act 2006 (Commencement No. 1, Transitional Provisions and Savings) (England) Order 2006 (SI 2006/2504) — This commencement order brought into force (*inter alia*) the repeal of ss.8, 9 and 13(a) of the 1965 Act, subject to savings
- 'Commencement order E2' means the Commons Act 2006 (Commencement No. 2, Transitional Provisions and Savings) (England) Order 2007 (SI 2007/456)
- 'Commencement order E4' means the Commons Act 2006 (Commencement No. 4 and Savings) (England) Order 2008 (SI 2008/1960)
- 'Commencement order EW1' means the Commons Act 2006 (Commencement No. 1 and Savings (England and Wales) and Commencement No. 5 (England) (Amendment)) Order 2010 (SI 2010/2356 (C. 114))

The table below sets out the statutory instruments made under the 1965 Act (other than commencement orders), and shows where provisions of those instruments have already been revoked (but not merely amended), or where they will be revoked or amended by the 2010 Regulations. The table sets out the position in relation to the areas in England outside of those pioneering implementation of Part 1 of the Commons Act 2006, and in relation to Wales.

Additional provisions of the 1965 Act have been repealed in relation to those commons registration authority areas in England pioneering implementation of Part 1 of the Commons Act 2006, subject to the savings within commencement orders E1 and E4[30]. This means that, in those areas, some of the statutory instruments listed below may have lapsed (subject to the relevant savings).

In relation to the areas in England outside of those pioneering implementation of Part 1, and in relation to Wales, section 13(a) and (b) of the 1965 Act (among other provisions) has been repealed subject to savings which preserve provision to make applications under section 13(a) and (b) for certain purposes. Consequently, regulations made under section 13(a) and (b) have lapsed, subject to the relevant savings provisions.

Statutory Instrument	Effect
Commons Registration (Exempted Land) Regulations 1965 (SI 1965/2001) *Provide for the procedure for Ministerial exemption of land under s.11 from the registration*	Remain in force, to preserve the effect of the cut-off date in r.3 for an application for an exemption order under s.11 of the 1965 Act

[30] Art.2(1)(h) of Commencement order E4 commenced the repeal of ss.1–7, 10–12, 13 (insofar as not already commenced), 14–16 and 19 of the 1965 Act (subject to savings). The repeal of ss.8, 9 and 13(a) was commenced by Commencement order E1 (subject to savings) and Commencement order E2 commenced the repeal of s.13(b), again subject to savings. Ss.17, 18 and 20–25 of the 1965 Act remain in force in the pioneer areas.

requirements of the 1965 Act	
Commons Registration (General) Regulations 1966 (SI 1966/1471) *Part I of the Regulations deals with preliminary matters; Part II deals with the form of the registers and with provisional registration under s.4; Part III provides for the provisional register maps; Part IV provides for other information to be noted in the registers; Part V provides for amendment of the registers under s.13; Part VI provides for copies of the registers and for the correction of minor errors*	*Revocations already made:* • *r.9(2) revoked by SI 1994/2567, Sch* • *r.13 revoked by SI 1968/989, r.8(6)* • *r.14(4) partially revoked by SI 1968/989, r.8(7)* • *r.28(1) partially revoked by SI 1969/1843, r.9(2)* • *r.32 revoked by SI 2007/2404, r.2(a) (England) and SI 2007/2597, r.2(a) (Wales)* • *r.34 partially revoked by SI 2007/2404, r.4 (England) and SI 2007/2597, r.4 (Wales)* • *r.35 revoked by SI 1982/210, SI 2007/2404, r.2(b) (England) and SI 2007/2597, r.2(b) (Wales)* • *Sch.1, form 21 and 21 DUPLICATE revoked by SI 2007/2404, r.2(c) (England) and SI 2007/2597, r.2(c) (Wales)* • *Sch.3, first and second items in table revoked by SI 2007/2404, r.2(d) (England) and SI 2007/2597, r.2(d) (Wales)* The 2010 Regulations revoke: ✓ definition of “parcel of land” in r.2(2) (Interpretation) ✓ Part II (r.4–15), except r.4, r.7 (r.7(2) and (3), as amended, are relevant to r.27(2) and r.29(2)(b), as both amended), r.10(2)–(8) (applied by SI 1969/1843, r.7(2) and SI 2007/457, r.8(2)), r.13 (already revoked) and r.15 ✓ r.26(2)(a) — “and, where the registration of the land is provisional, the person (if any) on whose application it was made, and any person whose application has been noted under section 4(4) of the Act” ✓ r.26(2)(b) — “, and, where the registration is provisional, the person on whose application it was made and any person whose application is noted under regulation 9(5) above” ✓ r.27(5)(c) — “, and, where the registration is provisional, the person on whose application it was made and any person whose application is noted under regulation 9(5) above” ✓ r.29(5) — “, and, where the registration is provisional, upon the person on whose application it was made and any person whose application is noted under regulation 9(5) above” ✓ Form 16 — paragraph 3 of the Notes to

	Form 16, the words “and search of registers” in the heading and, in the main body of the paragraph, the words from and including “, or the copies of the register entries affecting land in their areas” to the end of that paragraph; and paragraph 4 (Double Registration) of Notes ✓ Form 17 — paragraph 2 of the Notes to Form 17, the words “and search of registers” in the heading and, in the main body of the paragraph, the words from and including “, or the copies of the register entries affecting land in their areas” to the end of that paragraph; paragraphs 3 (Double Registration) & 4 (Objections and removal applications contrasted) of the Notes, except in paragraph 4 the sentence beginning “An application for removal,…” becomes the opening sentence of paragraph 6 ✓ Form 19 — paragraph 4 of the Notes to Form 19, the words “and search of registers” in the heading and, in the main body of the paragraph, the words from and including “, or the copies of the register entries affecting land in their areas” to the end of that paragraph; paragraph 5 (Double Registration) & 6 (Objections and removal applications contrasted) of the Notes, except in paragraph 6 the sentence beginning “An application for amend-ment,…” becomes the opening sentence of paragraph 8 The 2010 Regulations amend: ✓ r.21 & Standard Entries 4 & 5 (in Part 2 of Schedule 2): references to the “Land Registration Acts 1925 and 1936” are replaced by references to the “register of title” (as defined in s.22(1) of the 1965 Act, as amended) ✓ r.34(1): re-enactment of this provision required as a result of revocation of r.4 of SI 2007/2404 (England) and SI 2007/2597 (Wales) (these instruments are revoked in their entirety) *Note*: r.36 appears to have some further relevance: if the tests in paras.(a)–(d) must all be satisfied, the tests can never be satisfied in respect of a registration under s.4, because all such registrations have become final. But it may be relevant to a registration under s.13

	(perhaps to correct a wrongly transcribed name or address) The 2010 Regulations revoke: ✓ Sch.1, Forms 5,7–15 *Note:* Form 6 applied by SI 1969/1843, r.5(3) & r.2(2), and SI 2007/457, r.4(2) The 2010 Regulations revoke: ✓ Sch.2, Part I, model entries 5–6 *Note*: model entries 1–3 relate to the general part of the register under r.4(3) and remain current; model entries 4 and 7–12 are applied by SI 1969/1843, r.7(1) and model entry 4 is applied by SI 2007/457, r.8(1); model entries 13–19 relate to notes in the register under Part IV (r.22(4), 23, 24(4)) and remain current, model entries 20–21 relate to amendments to the register under r.29(6) and remain current The 2010 Regulations revoke: ✓ Sch.2, Part II, standard entry 2–3 *Note*: standard entry 1 (which relates to rights of common affecting minerals — see r.10(7)) is applied by SI 1969/1843, r.7(2), standard entries 4–5 relate to the ownership section of the register under r.21, standard entry 6 relates to deregistration under r.27(7) also applied by SI 1969/1843, r.9(1)(a), standard entry 7 relates to substituted land under r.28(3)
Commons Registration (Publicity) Regulations 1966 (SI 1966/972) *Provide for publicity about the opening of the registers to provisional registration under s.4*	✓ The 2010 Regulations revoke these regulations in their entirety
Commons Registration (Time Limits) Order 1966 (SI 1966/1470) *Gives effect to s.1(2), so that no land capable of being registered under the 1965 Act is deemed to be common land or town or village green, and no right of common is exercisable, unless it is registered under the Act before 31 March 1970 (subsequently amended to 31 July 1970 by SI 1970/383). Also gives effect to s. 4(6), so that no application for provisional registration to be accepted if made after 2 January 1970.*	Remains in force (until repeal of 1965 Act) to preserve the effect of s.1(2) and s.4(6) of the 1965 Act

Commons Registration (General) (Amendment) Regulations 1968 (SI 1968/658) *Amends SI 1966/1471 as regards the procedure for application and the application forms*	The 2010 Regulations revoke: ✓ r.4 ✓ Sch, paras.2, 6–9
The Commons Registration (Objections and Maps) Regulations 1968 (SI 1968/989) *Provide for publicity about objecting to provisional registrations under s.4 and the procedure for making such objections; introduce new colouring and symbols for new provisional register map sheets*	The 2010 Regulations revoke: ✓ the following definitions in r.2(2): 'concerned authority'; 'Form'; 'Model Entry'; 'objector'; 'supplemental map', and paragraphs (3)-(5) (inclusive) and (7) of r.2 ✓ r.3–8 ✓ Sch.1, 2 *Note*: r.9 refers to 'provisional register maps', which is defined in r.2(2) to have the same meaning as in SI 1966/1471. R.4(4) of SI 1966/1471 provides that "The register map to be prepared under these Regulations shall be a provisional register map", and despite the term, a provisional register map appears to be the correct expression for the map even when the registrations contained in it have ceased to be provisional *Note:* r.9 applied by SI 2007/457, r.8(3); paragraphs (4)–(8) of r.9 applied by SI 2007/2585, r.4(7); r.9 also applied by SI 1969/1843, r.7(3) The 2010 Regulations amend: ✓ the definition of "the General Regulations" in r.2(2) ✓ r.9(6)(d) to preserve the effect of the lapsed amendment made by SI 1990/311, r.27
Commons Registration (New Land) Regulations 1969 [SI 1969/1843] *Procedure for the amendment of the registers under s.13 to include new common land or town or village green, and for the registration of new rights of common over such land*	To the extent that these regulations rely upon s. 13(a) and (b), they have lapsed subject to the savings in commencement order E1 and E2. Extant regulations to remain in force (until repeal of 1965 Act) The 2010 Regulations amend: ✓ r.2(2): definition of "the General Regulations"
The Commons Registration (Time Limits) (Amendment) Order 1970 (SI 1970/383) *Extends until 31 July 1970 the deadline for provisional registrations specified in SI 1966/1470*	Remains in force (until repeal of 1965 Act) to preserve the effect of s.1(2) of the 1965 Act
The Commons Registration (Objections and Maps) (Amendment) Regulations 1970 (SI 1970/384)	✓ The 2010 Regulations revoke these regulations in their entirety

Provide for the extension of the second objection period during which objections may be made to provisional registrations made under s.4	
Commons Registration (Finality of Undisputed Registrations) Regulations 1970 (SI 1970/1371) *Provide for the manner in which provisional registrations which have become final (in the absence of any objection) are to be indicated as final in the registers*	Remain in force (until repeal of 1965 Act) to preserve a continuing duty on a registration authority to give effect to a Commons Commissioner's decision under s.7 of the 1965 Act *Note*: these regulations rely on the operation of s.7, saved by art.4(2)(c) of commencement order EW1
Commons Registration (General) (Amendment) Regulations 1970 [SI 1970/1996] *Amends SI 1966/1471 to convert to decimal equivalent the fee for searches of the register specified in Sch.3*	• *Revoked by SI 1980/1195*
Commons Commissioners Regulations 1971 (SI 1971/1727) *Part I prescribes periods for the withdrawal of objections to, or cancellation of, certain registrations made during the first registration period, and the procedure preliminary to references to the Commons Commissioners; Part II provides for hearings held by the Commissioners; Part III provides for the manner in which the Commissioners' decisions are to be made known*	• *r.11 and form 38 lapsed by virtue of repeal of s.8 and partial lapse of r.8 and Form 37* ✓ The 2010 Regulations revoke these regulations in their entirety *Note*: these regulations were made after consultation with the Council on Tribunals under s.10(1) of the Tribunals and Inquiries Act 1971. S.10(1) of the 1971 Act was replaced by s.8 of the Tribunal and Inquiries Act 1992, which was then repealed by the Tribunals, Courts and Enforcement Act 2007 (ss.48(1), 146, Sch.8 paras.23, 27, Sch.23). However, para.24 of Sch.7 to the 2007 Act still imposes a consultation obligation relating to certain procedural rules. Para.24 applies only to "Listed Tribunals", defined as "First-tier Tribunal" and "the Upper Tribunal" (para.25(1)). Additional tribunals were added to this by SI 2007/2951 and SI 2009/3040, but neither of these SIs refer to the Commons Commissioners. The Commons Commissioners do not form part of the First-tier Tribunal or the Upper Tribunal, and as such the duty of consultation in para.24 does not apply
Commons Registration (Disposal of Disputed Registration) Regulations 1972 (SI 1972/437) *Provide for the manner in which provisional registrations which have become determined by the Commons Commissioners are to be disposed of in the registers*	Remain in force (until repeal of 1965 Act) to preserve a continuing duty on a registration authority to give effect to a Commons Commissioner's decision under s.6 of the 1965 Act, and to preserve the effect of regulations relating to the commons registers (rr.5–7) *Note*: these regulations rely on the operation of

	s.6(2), saved by art.4(2)(a) of commencement order EW1
Commons Registration (Second Period References) Regulations 1973 (SI 1973/815) *Provide for the disposal of certain outstanding disputed provisional registrations*	✓ The 2010 Regulations revoke these regulations in their entirety
Commons Registration (General) (Amendment) Regulations 1980 [SI 1980/1195] *Amends SI 1966/1471 to prescribe new fees for searches of the register specified in Sch.3, and to replace the form for searches specified in form 21 of Sch.1*	• *Revoked by SI 1989/2167, r.5*
Commons Registration (General) (Amendment) Regulations 1982 [SI 1982/210] *Enable forms to be used where not supplied by HMSO*	• *Revoked by SI 2007/2404, r.3(a) (England) and SI 2007/2597, r.3(a) (Wales)*
Commons Registration (General) (Amendment) Regulations 1989 [SI 1989/2167] *Amends SI 1966/1471 to prescribe new fees for searches of the register specified in Sch.3, and to replace the form for searches specified in form 21 of Sch.1*	• *Revoked by SI 2007/2404, r.3(b) (England) and SI 2007/2597, r.3(b) (Wales)*
Common Land (Rectification of Registers) Regulations 1990 [SI 1990/311] *Provide for the procedure and forms for objections seeking the deregistration of registered land under the Common Land (Rectification of Registers) Act 1989*	• *Lapsed by virtue of repeal of 1989 Act*
Commons Registration (Disposal of Disputed Registrations) (Amendment) Regulations 1993 [SI 1993/1771] *Amends SI 1972/437 to prescribe a new model entry for a registration which has become final with modifications*	Remain in force (until repeal of 1965 Act) to preserve a continuing duty on a registration authority to give effect to a Commons Commissioner's decision under s.6 of the 1965 Act *Note*: these regulations rely on the operation of s.6(2), saved by art.4(2)(a) of commencement order EW1
Commons Registration (General) (Amendment) (Wales) Regulations 2003 [SI 2003/994] *Amends SI 1966/1471 to prescribe new fees for searches of the register specified in Sch.3*	• *Revoked by SI 2007/2597, r.3(c) (Wales)*

Commons Registration (General) (Amendment) (England) Regulations 2003 [SI 2003/2260] *As per SI 2003/994 in Wales*	• *Revoked by SI 2007/2404, r.3(c) (England)*
Commons Registration (Objection and Maps) (Amendment) (England) Regulations 2007 [SI 2007/540] *Amends SI 1968/989 so as to enable the registration of certain land or rights, whose provisional registration in the registers could not otherwise become final in consequence of a court order, either to be made final or be removed from the register*	✓ The 2010 Regulations revoke these regulations in their entirety (England)
Commons Registration (General) (Amendment) (England) Regulations 2007 [SI 2007/1032] *Revoke provision in SI 1966/1471 for official searches of the registers under r.32 (alternative provision to be made using form CON29O)*	• *Revoked by SI 2007/1553, r.2 (England)*
Commons Registration (General) (Amendment) (England) (Revocation) Regulations 2007 [SI 2007/1553] *Revoke SI 2007/1032 before it takes effect, owing to delays to settlement of new arrangements for Home Information Packs*	• *Revoked by SI 2007/2404, r.3(d) (England)*
Commons Registration (General) (Amendment) (England) (No. 2) Regulations 2007 [SI 2007/2404] *Revoke provision in SI 1966/1471 for official searches of the registers under r.32 (alternative provision to be made using form CON29O) (makes provision to similar effect as in SI 2007/1032, which was revoked by 2007/1553 before it took effect)*	✓ The 2010 Regulations revoke these regulations in their entirety (England)
Commons Registration (General) (Amendment) (Wales) Regulations 2007 [SI 2007/2597] *As per SI 2007/2404 in relation to England*	✓ The 2010 Regulations revoke these regulations in their entirety (Wales)