WELSH STATUTORY INSTRUMENTS

2007 No. 583 (W.55)

COMMONS, WALES

The Commons (Severance of Rights) (Wales) Order 2007

Made - - - - 27 February 2007

Coming into force - - 1 March 2007

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 9(2) and (7), 59(1) and 61(1)(**1**) of, and paragraph 2(1)(a) of Schedule 1 to, the Commons Act 2006(**2**), makes the following Order:

Title, commencement and application

1.—(1) The title of this Order is the Commons (Severance of Rights) (Wales) Order 2007.

(2) This Order comes into force on 1 March 2007, but has effect as from 28 June 2005.

(3) This Order applies in relation to Wales.

Temporary severance of right of common

2.—(1) A right of common to graze animals to which section 9(1) of the Commons Act 2006 applies may be temporarily severed from the land to which it is attached by leasing or licensing—

(a) the right of common on its own, provided that the period of the lease or licence does not exceed three years; or

(b) the land, or part of the land, to which the right of common is attached, without the right of common.

(2) Where a right of common is temporarily severed from any land pursuant to paragraph (1)(b), any disposal of the retained right of common on or after the grant of the lease or licence of the land and before its termination has no effect unless the disposal is made—

(a) to the grantee of the lease or licence of the land; and

(b) for a period expiring not more than three years from the expiry of that lease or licence.

(3) References in this article to a right of common, in relation to a right of common to graze more than one animal, include a right to graze a proportion of the number of animals that may be grazed by virtue of that right of common.

(**1**) The National Assembly for Wales is the "appropriate National authority" in relation to Wales.
(**2**) 2006 c. 26.