

# Manx Museum and National Trust Act, 1951.

[14 & 15 GEO. VI]

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## ARRANGEMENT OF SECTIONS

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### SECTION

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Isle of Man }  
to wit }

Passed — 20th March, 1951

Received Royal Assent — 28th April, 1951

Announced to Tynwald — 15th May, 1951

An Act to amend the constitution of the Manx Museum and Ancient Monuments Trustees and to constitute them as the Manx Museum and National Trust for places of historic interest or natural beauty, and for other purposes.

**WE**, Your Majesty's most dutiful and loyal subjects, the Lieutenant-Governor, Council, Deemsters and Keys of the said Isle, do humbly beseech your Majesty that it may be enacted, and be it enacted, by the King's Most Excellent Majesty, by and with the advice and consent of the Lieutenant-Governor, Council, Deemsters, and Keys, in Tynwald assembled, and by the authority of the same, as follows (that is to say):

1. This Act may be cited as the Manx Museum and National Trust Act, 1951, and shall be construed as one with the Manx Museum Library and Art Gallery Acts, 1886 to 1947, and those Acts and this Act shall be together cited as the Manx Museum and National Trust Acts, 1886 to 1951.

Short title.

2. The designation of the Manx Museum and Ancient Monuments Trustees shall be and is hereby changed to the Manx Museum and National Trust and the Manx Museum and National Trust shall continue to be a body corporate with perpetual succession and a common seal; and in addition to the powers and duties conferred and imposed upon it by this Act and all Acts amending the same, it shall continue to exercise the powers and perform the duties conferred and imposed upon it by the Manx Museum Library and Art Gallery Acts, 1886 to 1947.

Change of designation of Manx Museum and Ancient Monuments Trustees.

References in any enactment or other document to the Manx Museum and Ancient Monuments Trustees shall be construed as references to the Manx Museum and National Trust.

3. The Manx Museum and National Trust in addition to its other powers and duties shall—

Powers and duties of Manx Museum and National Trust.

(a) promote the permanent preservation for the benefit of the people of the Isle of Man of lands and tenements (including buildings) of beauty or historic interest and, as regards

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lands, the preservation (so far as practicable) of their natural aspect, features and animal and plant life; the preservation of buildings of national interest or architectural, historic or artistic interest, and places of national interest or beauty, and the protection and augmentation of the amenities of such buildings and places and their surroundings;

- (b) preserve all furniture and pictures and chattels of any description having national or historic or artistic interest;
- (c) provide access to, and enjoyment of, such buildings, places and chattels by the public, whenever desirable.

Power to  
acquire  
real estate. etc.

4. The Manx Museum and National Trust shall have power—

- (a) to acquire land and personal estate by purchase, gift, devise, bequest or otherwise;
- (b) to hold land and personal estate;
- (c) to take land on lease or letting;
- (d) with the consent of Tynwald, to sell or exchange land;
- (e) to sell or exchange personal estate.

Amendment  
of constitution  
of Trustees.

5. For section 3 of the Museum and Ancient Monuments Act, 1886, as amended by the Manx Museum Library and Art Gallery Acts, 1922 and 1947, the following section shall be substituted:—

3. (1) A body of Trustees is established by this Act for carrying into effect the purposes thereof, which body shall consist of:—

- (a) one person to be nominated by the Governor by Warrant under his hand;
- (b) one person to be appointed by the Legislative Council;
- (c) the Speaker of the House of Keys;
- (d) one member of the House of Keys for each sheading, to be elected by the House of Keys;
- (e) one person to be appointed by the Council of the National Trust constituted by the National Trust Acts of the Imperial Parliament;
- (f) two persons to be from time to time appointed by the Mayor, Aldermen and Burgesses of the Borough of Douglas;

- (g) one person to be from time to time appointed by each of the following authorities, that is to say:— Ramsey Town Commissioners; Castletown Town Commissioners; Peel Town Commissioners.
- (h) one person to be from time to time appointed by the University of Liverpool;
- (i) one person to be from time to time appointed by the Isle of Man Education Authority;
- (j) one person to be from time to time appointed by the Government Property Trustees from amongst their own members;
- (k) one person to be appointed by each of five societies or institutions selected from time to time by the Trustees as representative of societies or institutions engaged in scientific, artistic, historical or kindred pursuits within this Isle;
- (l) five persons to be co-opted by the Trustees.

(2) With respect to the tenure of office of the Trustees, the following provisions shall take effect:—

- (a) The term during which the Trustees (other than the Speaker) shall from time to time hold office shall be five years;
- (b) The members of the Trustees when the Manx Museum and National Trust Act, 1951, comes into operation shall continue to be the Trustees until the 31st day of October, 1951, and shall then retire;
- (c) A retiring member of the Trustees shall on the expiry of his term of office continue to act as a member of the Trustees until his successor is nominated, appointed, elected or co-opted;
- (d) If any member of the Trustees appointed or elected by any of the various bodies referred to in sub-section (1) of this section ceases to be a member of that body or (except in the case of the representatives of the University of Liverpool and the Council of the National Trust) resides out of the Isle of Man for a continuous period of twelve months, he shall, *ipso facto*, cease to be a Trustee;
- (e) Any casual vacancy in the Trustees shall be filled in the same manner as the place vacated, but any person nominated, appointed, elected or co-opted to fill any casual vacancy shall hold office only so long as the person in whose place he is so nominated, appointed, elected or co-opted would have held office;

(f) A retiring member of the Trustees shall, if qualified, be eligible for re-election.

(3) With respect to the Trustees, the following provisions shall take effect:—

- (i) The Trustees shall continue to be a body corporate by the name of the Manx Museum and National Trust with perpetual succession and a common seal;
- (ii) No act or proceeding of the Trustees shall be questioned on account of any vacancy or vacancies in their body;
- (iii) Eight members of the Trustees shall be a quorum;
- (iv) The Trustees shall hold meetings at such times and places as they may determine;
- (v) The Trustees shall elect annually, by ballot, two of their number to be chairman and vice-chairman respectively;
- (vi) In the absence of the chairman and vice-chairman, the members of the Trustees present at the time appointed for the meeting shall appoint one of their number to be chairman at such meeting;
- (vii) All questions shall be decided by a majority of the votes of the members of the Trustees present at the meeting; and, in case of an equality of votes, the chairman shall have a second or casting vote;
- (viii) The Trustees shall cause minutes to be kept of their proceedings and any minute made of the proceedings at a meeting of the Trustees, if signed by any person purporting to be the chairman at the succeeding meeting at which such minutes be signed shall be receivable in evidence in all legal proceedings without further proof; and until the contrary be proved, every meeting of the Trustees in respect of the proceedings of which minutes have been so made, shall be deemed to have been duly convened and held;
- (ix) The Trustees may, from time to time, within the establishments approved by the Governor after consultation with the Legislative Council and representatives of the House of Keys, appoint such officers and servants as they may determine, and may dismiss such officers and servants, who shall hold their office at the pleasure of the Trustees. There shall be paid to such officers and servants out of

moneys provided by Tynwald such remuneration as shall be determined by the Trustees in accordance with scales of remuneration from time to time approved by the Governor;

- (x) The Trustees may, from time to time as they shall see occasion, make regulations for the summoning, notice, place, management and adjournment of their meetings, and generally with respect to the transaction and management of business;
- (xi) The Trustees may appoint Committees from among their number, to whom any of the powers, authorities, and duties of the Trustees may be delegated. The Chairman and Vice-Chairman shall be ex-officio members of every such Committee. No Committee shall be constituted with a quorum of less than four members.

6. The Manx Museum and National Trust may, with the approval of Tynwald, raise money by borrowing on the security of the trust property or any part thereof, by way of specific mortgage thereof and by charging or appropriating as security for money borrowed the rents, profits or income derivable from the trust property or any part thereof.

Power to raise money.

7. The Manx Museum and National Trust with respect to the trust property—

Powers exercisable over Trust property.

- (a) may plant, drain, level, and otherwise improve and alter, any part or parts of such property, so far as they deem necessary or desirable, and they may make enclosures for these purposes and for the purpose of protecting or renovating turf and for protecting trees and plantations;
- (b) may make and maintain roads, footpaths, and ways over such property, and may make and maintain ornamental ponds and waters on such property;
- (c) may, on such property, erect any necessary buildings and may maintain and repair such buildings;
- (d) shall, by all lawful means, prevent, resist and abate all enclosures and encroachments upon, and all attempts to enclose or encroach upon such property or any part thereof, or to appropriate or use the same, or the soil, timber or roads thereof, or any part thereof for any purpose inconsistent with this Act;
- (e) may set apart, from time to time, parts of such property

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upon which persons may play games or hold meetings or gatherings for athletic sports or may land from boats;

- (f) may make such reasonable charges for the admission of the public to such property, or any part thereof, or for the use by the public of any such property or any part thereof, as they may from time to time determine.

Power to make  
etc. bye-laws.

8. (1) The Manx Museum and National Trust may from time to time make, revoke and alter bye-laws for the regulation and protection of the trust property, for the prevention of nuisances upon the trust property, and for the preservation of order upon the trust property.

(2) Any such bye-law may impose penalties for any breach thereof.

(3) Any such penalties may be recovered, on summary conviction, at the suit of the Manx Museum and National Trust, or any Officer of Police, and shall be added to the General Revenue of the Manx Museum and National Trust.

(4) Any bye-laws made, revoked or altered by the Manx Museum and National Trust under this Section shall be subject to the approval of Tynwald.

Expenses of  
Manx Museum  
and National  
Trust.

9. Such expenses of the Manx Museum and National Trust as the Governor may, from time to time, approve, shall be paid by the Treasurer of this Isle out of moneys provided by Tynwald.

Manx Museum  
and National  
Trust to furnish  
estimate of  
expenditure  
to Governor  
annually.

10. The Manx Museum and National Trust shall yearly before the thirty-first day of March, furnish to the Governor, to be by him laid before Tynwald, an approximate estimate of the amount required for the purposes of the Manx Museum and National Trust.

Manx Museum  
and National  
Trust to report  
to Governor  
annually.

11. The Manx Museum and National Trust shall cause to be transmitted to the Governor, to be by him laid before Tynwald, a report of the work of the Manx Museum and National Trust, including an account of all moneys expended under their authority for the purposes of the Manx Museum and National Trust for each year ending on the thirty-first day of March, and shall supply such information with relation to the functions of the Manx Museum and National Trust as the Governor may, from time to time, determine.

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12. The accounts of the Manx Museum and National Trust shall be audited by the Government Auditors and the report of such Auditors shall be laid before Tynwald.

Audit of  
Accounts.

13. The income derived from any property of the Manx Museum and National Trust shall be exempt from the provisions of the Income Tax Acts, 1946 and 1948, and any Act amending the same.

Manx Museum  
and  
National Trust  
to be exempt  
from Income  
Tax.

14. Section 6 of the Manx Museum Library and Art Gallery Act, 1922 is hereby repealed.

Repeal.

15. This Act shall come into operation when the Royal Assent thereto has been by the Governor announced to Tynwald and a certificate thereof has been signed by the Governor and the Speaker of the House of Keys.

Commencement  
of Act.