

1986

CHAPTER No. 11

c.11

MANX MUSEUM AND NATIONAL TRUST (AMENDMENT) ACT 1986

Arrangement of Sections

Section

1. Amendment of constitution of Trust.
2. Insertion of new sections in 1959 Act.
3. Minor amendment.
4. Short title.

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Isle of Man
o Wit

Signed in Tynwald: 18th February 1986.
Received Royal Assent: 11th March 1986.
Announced to Tynwald: 18th March 1986.
Passed: 18th March 1986.

AN ACT

to amend the Manx Museum
and National Trust Act 1959.

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

1. (1) In section 3(1) of the Manx Museum and National Trust Act 1959 (constitution of the Trust)—

Amendment
of constitution
of Trust.

(a) for paragraph (b) there shall be substituted the following paragraph—

[XVIII p.1106]

“(b) one member of the Legislative Council, to be elected by the Legislative Council;”;

(b) for paragraph (d) there shall be substituted the following paragraph—

“(d) one member of the House of Keys, to be elected by the House of Keys;

(c) in paragraph (1) for the word “five” substitute “seven”.”

(2) In the Representation of the People Act 1985—

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- (a) in Schedule 2, paragraph 3 and the cross-heading relating to that paragraph are repealed;
- (b) in Schedule 3, paragraph 3 and the cross-heading relating to that paragraph are repealed.

(3) This section shall come into operation on the 23rd October 1986.

(4) The members of the Manx Museum and National Trust who, immediately before the 23rd October 1986, hold office by virtue of section 3(1)(b) and (d) of the Manx Museum and National Trust Act 1959 (as it then has effect) shall remain in office until the second sitting of Tynwald following that date.

Insertion of
new sections
in 1959 Act.

[XVIII p.1106]

2. In the Manx Museum and National Trust Act 1959, after section 25 there shall be inserted the following sections—

“Certain
property of
Trust to be
inalienable.

P1907/
CXXXVI/21

P1939/
LXXXVI/12

25A. (1) If, after the commencement of this section, the Calf of Man shall become vested in the Trust, it shall be held by the Trust for preservation for the benefit of the people of the Isle of Man in accordance with the objects of the Trust, and shall not be chargeable with any debts or liabilities of the Trust and shall be inalienable.

(2) The Trust may, in respect of any other lands or tenements (including buildings) which are vested in it (whether so vested before or after the commencement of this section), by order determine that such lands or tenements are proper to be held for the benefit of the people of the Isle of Man, and such lands or tenements shall thereupon be so held by the Trust and shall, while the order is in force, be inalienable.

(3) An order under subsection (2) above shall not come into operation until it has been approved by Tynwald.

(4) Subsections (1) and (2) above shall not prevent the exercise of the

powers contained in section 25(d) of this Act, in relation to any inalienable lands and tenements if Tynwald is satisfied that such exercise is consistent with the purposes of the Trust and has approved the exercise of those powers.

(5) Notwithstanding subsections (1) and (2) above, the Trust may grant any easement or right (not including a right to the exclusive possession of the surface) over or in respect of any inalienable lands and tenements, and if such grant be by way of lease the same shall be valid and effectual without the approval of Tynwald.

(6) For the avoidance of doubt, section 28 of the Interpretation Act 1976 (power to amend or revoke public documents) shall apply to subsection (2) of this section. [c. 20]

(7) This section shall not prejudice the operation of any enactment relating to the compulsory acquisition of land.

Power to enter into agreements restricting use of land.

P1937/LVII/8

25B. (1) Where any person is willing to agree with the Trust that any land or any part thereof shall, so far as his interest in the land enables him to bind it, be made subject either permanently or for a specified period to conditions restricting the planning development or use thereof in any manner, the Trust may, if it thinks fit, enter into an agreement with him or accept a covenant from him to that effect.

(2) The Trust shall have power to enforce such an agreement or covenant against persons deriving title under him in the like manner and to the like extent as if the Trust were possessed of, or entitled to, or interested in, adjacent land and as if the agreement or covenant had been and had been expressed to be entered into for the benefit of that adjacent land."

Minor
amendment.

[XVIII p.1106]

3. In section 25 of the Manx Museum and National Trust Act 1959, at the beginning there shall be inserted "Subject to section 25A,".

Short title.

4. This Act may be cited as the Manx Museum and National Trust (Amendment) Act 1986, and the Manx Museum and National Trust Acts 1959 and 1984 and this Act may be cited together as the Manx Museum and National Trust Acts 1959 to 1986.

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