



Isle of Man

Ellan Vannin

AT 3 of 1895

**THE DOUGLAS MUNICIPAL
CORPORATION ACT 1895**



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**Isle of Man***Ellan Vannin*

THE DOUGLAS MUNICIPAL CORPORATION ACT 1895

Received Royal Assent: 12 December 1895
Promulgated: 7 January 1896
Commenced: 7 January 1896

AN ACT to provide for the Municipal Incorporation of the Town of Douglas.

PART I – PRELIMINARY

1 Short title

- (1) This Act may be cited as “The Douglas Municipal Corporation Act, 1895”.
- (2) and (3) [Repealed]¹

2 Division of Act into parts

This Act is divided into parts, as follows: —

- Part 1- Preliminary.
- Part 2- Constitution and Government of the Borough.
- Part 3- [Repealed]
- Part 4- Borough Fund.
- Part 5- [Repealed]
- Part 6- [Repealed]
- Part 7- General.

3 [Repealed]²**4 Interpretation**

(1) The following words and expressions in this Act shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction (that is to say): —

“**Borough**” means the town of Douglas:

“**Burgess**” means a person enrolled as such under this Act:

“**Corporation**” and “**Municipal corporation**” mean respectively the body corporate constituted by this Act:

“**Corporate seal**” means the common seal of the corporation:

“**Corporate office**” means the office of mayor and councillor respectively:³

“**Corporate land**” means land belonging to or held in trust for the corporation:

“**Mayor**” means the mayor of the borough for the time being, and includes a deputy-mayor:

“**Alderman**” [Repealed]⁴

“**Councillor**” means a councillor of the borough, but does not include a mayor:⁵

“**The Council**” includes the mayor, and councillors:⁶

“**Municipal election**” [Repealed]

“**Trustee**” [Repealed]⁷

“**Town Hall**” means the Municipal Offices, which shall be designated the Town Hall.

(2) [Repealed]⁸

5 to 7 [Repealed]⁹

PART II – CONSTITUTION AND GOVERNMENT OF THE BOROUGH

Corporate Name

8 Corporate name of borough

The town of Douglas within the limits thereof for the time being (hereinafter called “the town of Douglas”) is hereby created a municipal borough by the name of the “borough of Douglas”.



9 Name of municipal corporation

The inhabitants of the town of Douglas within the said limits, and their successors, shall be and are, hereby declared to be one body politic and corporate by the name of “the mayor, aldermen, and burgesses of the borough of Douglas”, with perpetual succession and a common seal, and may take and hold any lands, tenements, and hereditaments, or other real estate, easements, and rights which may be vested in the Commissioners at the time of the promulgation of this Act, and such other lands, tenements, and hereditaments, or other real estate, easements, and rights, as well without as within the borough, as may be necessary for the purposes of the Local Government Acts and of this Act.

Burgesses

10 Burgesses

A person shall be deemed to be a burgess for the purposes of this Act and to be enrolled as a burgess only if that person is registered as an elector in the register of electors for a ward of the borough under the provisions of the *Registration of Electors Act 2006*.¹⁰

11 [Repealed]¹¹

Council; Mayor and Councillors

12 Constitution of council

- (1) The municipal corporation of the borough shall be capable of acting by the council, and the council shall exercise all powers vested in the corporation by this Act or otherwise.
- (2) The council shall consist of the mayor and councillors.¹²

13 to 16 [Repealed]¹³

17 Remuneration and precedence of mayor

- (1) to (3) [Repealed]¹⁴
- (4) The mayor may receive such remuneration as the council think reasonable.¹⁵
- (5) The mayor shall, except in the administration of justice, have precedence in all places in the borough.¹⁶

18 [Repealed]¹⁷

19 and 20 [Repealed]¹⁸

21 to 29 [Repealed]¹⁹

30 [Repealed]²⁰

PART III

31 to 35 [Repealed]²¹

36 to 48 [Repealed]²²

49 [Repealed]²³

50 to 55 [Repealed]²⁴

56 [Repealed]²⁵

57 to 64 [Repealed]²⁶

PART IV – BOROUGH FUND

65 [Repealed]²⁷

66 Application of surplus borough funds

- (1) If the borough fund is more than sufficient for the purposes to which it is applicable under this Act, or otherwise by law, the surplus thereof shall be applied, under the direction of the council, for the public benefit of the inhabitants and improvement of the borough.
- (2) If the surplus arises from the rents and profits of the property of the municipal corporation, and not from a borough rate, then the municipal corporation may apply the surplus in payment of any expenses incurred by them before or after the commencement of this Act, in improving the borough, or any part thereof, by drainage, enlargement of streets, or otherwise, under any Act for the time being in force.

67 [Repealed]²⁸

68 [Repealed]²⁹

PART V

69 [Repealed]³⁰

PART VI

70 [Repealed]³¹

PART VII – GENERAL

71 [Repealed]³²

72 to 76 [Repealed]³³

77 [Repealed]³⁴

78 [Repealed]³⁵

Savings

79 Royal prerogative and precedence of Governor reserved

Nothing in this Act shall prejudicially affect Her Majesty's royal prerogative or the precedence of the Governor; and the enabling provisions of this Act shall be deemed to be in addition to, and not in derogation of, the powers exercisable by Her Majesty by virtue of her royal prerogative.

FIRST SCHEDULE³⁶

SECOND SCHEDULE³⁷

THIRD SCHEDULE³⁸

FOURTH SCHEDULE³⁹

ENDNOTES

Table of Endnote References

¹ Subss (2) and (3) repealed by Statute Law Revision Act 1997 Sch 2.

² S 3 repealed by Statute Law Revision Act 1997 Sch 2.

³ Definition of “Corporate office” amended by Douglas Corporation Act 1988 Sch.

⁴ Definition of “Alderman” repealed by Douglas Corporation Act 1988 Sch.

⁵ Definition of “Councillor” amended in effect by Douglas Corporation Act 1988 Sch.

⁶ Definition of “The Council” amended in effect by Douglas Corporation Act 1988 Sch.

⁷ Definitions of “Municipal election” and “Trustee” repealed by Statute Law Revision Act 1997 Sch 2.

⁸ Subs (2) repealed by Statute Law Revision Act 1997 Sch 2.

⁹ Ss 5 to 7 repealed by Local Government Act 1985 Sch 6.

¹⁰ S 10 substituted by Registration of Electors Act 2006 Sch 2.

¹¹ S 11 repealed by Representation of the People (Registration of Electors) Act 1961 Sch 2.

¹² Subs (2) substituted by Douglas Corporation Act 1988 Sch.

¹³ Ss 13 to 16 repealed by Local Elections Act 1986 Sch 4.

¹⁴ Subs (1) to (3) repealed by Local Elections Act 1986 Sch 4.

¹⁵ Subs (4) amended by Equality Act 2017 Sch 23.

¹⁶ Subs (5) amended by Equality Act 2017 Sch 23.

¹⁷ S18 repealed by Local Elections Act 1986 Sch 4.

¹⁸ Ss 19 and 20 repealed by Local Government Act 1985 Sch 6.

¹⁹ Ss 21 to 29 repealed by Local Elections Act 1986 Sch 4.

²⁰ S 30 repealed by Local Government Act 1985 Sch 6.

²¹ Ss 31 to 35 repealed by Representation of the People (Registration of Electors) Act 1961 Sch 2.

²² Ss 36 to 48 repealed by Local Elections Act 1986 Sch 4.

²³ S 49 repealed by Representation of the People (Registration of Electors) Act 1961 Sch 2.

²⁴ Ss 50 to 55 repealed by Local Elections Act 1986 Sch 4.

²⁵ S 56 repealed by Representation of the People (Registration of Electors) Act 1961 Sch 2.

²⁶ Ss 57 to 64 repealed by Local Elections Act 1986 Sch 4.

²⁷ S 65 repealed by Local Government Act 1985 Sch 6.

²⁸ S 67 repealed by Local Government Amendment Act 1929 Sch.

²⁹ S 68 repealed by Local Government Act 1985 Sch 6.

³⁰ S 69 repealed by Justices Act 1983 Sch 2.

³¹ S 70 repealed by Local Government Act 1985 Sch 6.

³² S 71 repealed by Statute Law Revision Act 1997 Sch 2.

³³ Ss 72 to 76 repealed by Local Government Act 1985 Sch 6.

³⁴ S 77 repealed by Local Elections Act 1986 Sch 4.

³⁵ S 78 repealed by Local Government Act 1985 Sch 6.

³⁶ Sch 1 repealed by Local Government Act 1985 Sch 6.

³⁷ Sch 2 repealed by Local Elections Act 1986 Sch 4.

³⁸ Sch 3 repealed by Local Government Act 1985 Sch 6.

³⁹ Sch 4 repealed by Local Elections Act 1986 Sch 4.

