

GIBRALTAR GARRISON LIBRARY ACT**Repealed by Act 2011-17 as from 19.9.2011****Principal Act**

Act. No. 1920-01	<i>Commencement</i>	12.2.1920
	<i>Assent</i>	12.2.1920

Amending enactments	Relevant current provisions	Commencement date
Acts. 1973-04 s. 6		
1978-37 Sch.		
2007-17 Sch.		14.6.2007

English Source

None cited.

ARRANGEMENT OF SECTIONS.

Section

1. Short title.
2. Interpretation.
3. Gibraltar Garrison Library Committee to be a body corporate.
4. Library premises to vest in Committee.
5. Committee and its assigns not to be entitled to compensation for damage caused to premise, by blasting, etc.
6. Printing and publishing.

SCHEDULE

AN ACT TO PROVIDE A NEW TITLE TO CERTAIN PROPERTIES IN GIBRALTAR NOW OCCUPIED BY THE PRESIDENT AND COMMITTEE OF THE GIBRALTAR GARRISON LIBRARY.

Short title.

1. This Act may be cited as the Gibraltar Garrison Library Act.

Interpretation.

2. In this Act, unless the context otherwise requires—

“the Committee” means the President and Committee of the Gibraltar Garrison Library for the time being.

Gibraltar Garrison Library Committee to be a body corporate.

3. The Committee shall be a body corporate by the name of the Gibraltar Garrison Library Committee having a perpetual succession and a common seal with power to sue and be sued in their corporation name, and the secretary for the time being of such Committee and the office of such secretary in the Gibraltar Garrison Library premises hereinafter mentioned shall be the secretary and the office of such Corporation respectively.

Library premises to vest in Committee.

4. The premises described in the Schedule shall be vested in the Committee and its assigns in fee simple upon the trusts and subject to the provisos and conditions set out in the Schedule, subject to a monthly quit rent of one pence.

Committee and its assigns not to be entitled to compensation for damage caused to premises by blasting, etc.

5. The Committee and its assigns shall not be entitled to recover compensation or damages against any officer of Her Majesty’s Government of the United Kingdom or of the Government of Gibraltar for or in respect of any damages or injury that may be caused to any of the premises or any part thereof by blasting, excavating, boring, tunnelling or mining, or from floods or the fall of any body of water or the fall of any rocks or loose stones from any portion of the Rock, or by the firing of guns.

Printing and publishing.

6. The Committee may carry on the business of printing and publishing and without prejudice to the generality of the foregoing may own, print and publish newspapers.

SCHEDULE

PART I.—THE PREMISES.

All that piece or parcel of land situate near the Governor's Parade, commonly known as the Garrison Library, Racket Court and Garden, containing 69,454 superficial feet or thereabouts, numbered R. No. 138 and shown as Freehold Property No. 605 in the General Plan of Gibraltar.

PART II.—TRUSTS AND CONDITIONS.

1. The premises shall be used, occupied and enjoyed for the benefit and advantage of the Gibraltar Garrison Library in such manner and in such divisions or allotments as the Committee with the consent and approbation of the Minister responsible for heritage may direct or appoint.
2. The quit rent is to be paid quarterly on the last day of March, June, September and December in every year and if the same shall be unpaid for the space of eight days it shall be lawful for Her Majesty, Her Heirs and Successors to distrain for the same on any part of the premises.
3. The buildings erected or hereafter to be erected on the premises shall at all times be kept in a state of good repair so as to secure the quit rent, injuries or damages by the Act of God, fire, the Queen's enemies or unavoidable accident only excepted.
4. No part of the premises shall be sold, aliened, conveyed or assigned to any person or persons whatsoever without the special consent and approbation of Her Majesty, Her Heirs and Successors, such consent and approbation to be signified in writing under the hand of one of Her Majesty's Principal Secretaries of State:

Provided that the President and Committee for the time being or the majority of the Committee may lease any part of the premises subject to the following conditions—

- (a) such part of the premises as is now or may hereafter be used or occupied as the Gibraltar Garrison Library and reading rooms shall not nor shall any part thereof be leased, let or hired for any term to any person or persons whomsoever;
- (b) every lease to be made or granted of any other part or parts of the premises shall be for a term not in any case exceeding

ninety-nine years on such conditions as the President and Committee for the time being shall deem fit having regard to their position as trustees;

- (c) any such lease shall contain covenants and provisos preventing and restraining the person or persons to whom such Lease or Leases shall be respectively granted from carrying on or exercising any noisome or offensive trade or business and from keeping any Winehouse, Eatinghouse or Tavern on any part of the premises demised in or by such Lease or Leases and from erecting any building thereon within 116 feet, or thereabouts, from the buildings now occupied or hereafter to be occupied or used as the Garrison Library and reading rooms and from assigning or underletting the whole or any part of the premises in such Lease or Leases to be demised without the consent in writing of the President and Committee for the time being of the Gibraltar Garrison Library;
- (d) if at any time hereafter the society or establishment now known as the Gibraltar Garrison Library shall be dissolved or cease to exist or if the premises shall cease to be used, occupied or applied to and for the purposes, uses and benefit of such society or institution then and in such case and so soon as any or either of the above events shall happen the premises with their and every of their appurtenances shall be and be come absolutely vested in Her Majesty, Her Heirs and Successors, to and for her and their own proper use and behalf, subject nevertheless to any lease or leases which may have been granted by the Committee for the time being by virtue of the power vested in them of any part of the said premises.

6. The premises shall become forfeited to Her Majesty, Her Heirs and Successors, if—

- (a) the quit rent shall be in arrear for two successive quarterly days of payment and there shall not be any sufficient distress upon the premises to satisfy the same; or
- (b) the premises are not sufficiently kept in good repair, except as aforesaid, for six months after due notice in writing to repair the same,

and it shall be lawful in any such case for the Governor in the name and on behalf of Her Majesty to enter into and take possession of the premises to and for the use of Her Majesty, her Heirs and Successors for ever.