



Government Circular No. 132/90

**THE LEGAL AID AND MISCELLANEOUS
PROVISIONS MEASURE (ISLE OF MAN) 1990**

<i>Approved by the Sodor and Man Diocesan Synod</i>	<i>24th November 1988</i>
<i>Approved by Tynwald</i>	<i>21st March 1989</i>
<i>Received Royal Assent</i>	<i>14th February 1990</i>
<i>Announced to Tynwald</i>	<i>11th April 1990</i>
<i>Passed</i>	<i>11th April 1990</i>

A MEASURE enacted pursuant to the Church (Application of
General Synod Measures) Act 1979 to extend
the Church of England (Legal Aid and Miscellaneous Provisions)
Measure 1988 to the Isle of Man



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A MEASURE enacted pursuant to the Church (Application of General Synod Measures) Act 1979 to extend the Church of England (Legal Aid and Miscellaneous Provisions) Measure 1988 to the Isle of Man

**Extension of the Church of England (Legal Aid and Miscellaneous Provisions)
Measure 1988**

1. The Church of England (Legal Aid and Miscellaneous Provisions) Measure 1988 (a Measure of the General Synod of the Church of England) shall extend to the Island subject to the exceptions, adaptations and modifications specified in the Schedule.

Short title and commencement

2. (1) This Measure may be cited as the Legal Aid and Miscellaneous Provisions Measure (Isle of Man) 1990.

(2) This Measure shall come into operation on such day as the Bishop may by order appoint.

Section 1.

SCHEDULE

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS SUBJECT TO WHICH
THE CHURCH OF ENGLAND (LEGAL AID AND MISCELLANEOUS
PROVISIONS) MEASURE 1988 HAS EFFECT IN THE ISLAND

Legal aid - supplementary provisions

1. (1) In section 3(1) and (2), for "solicitor" substitute "advocate".
 - (2) In section 3(3)(a) -
 - (a) for "counsel or a solicitor" substitute "an advocate"; and
 - (b) for "counsel, solicitor" substitute "advocate".

Legal aid - rules

2. (1) In section 4(1)(b), for "solicitor or counsel" substitute "advocate".
 - (2) In section 4(2), for "counsel or solicitor" substitute "an advocate".
 - (3) For section 4(4) to (6) substitute -

"(4) Rules made under this section as it has effect in England shall have effect in the Isle of Man subject to the modification that references to counsel or a solicitor shall be construed as references to an advocate, and to such further modifications (if any) as the Church Commissioners for the Isle of Man may by order prescribe.
 - (5) An order under subsection (4) shall not have effect unless it is approved by the Sodor and Man Diocesan Synod."

Marriages

3. Omit section 5.

Change of name of see

4. Omit section 6.

Licences of ministers etc.

5. Omit section 7(2).

Church land

6. Omit section 9.

Leasehold Reform Act 1967

7. Omit section 10.

Short title etc.

8. (1) For section 15(2) substitute -

"(2) References in this Measure to any provision of a Measure (including this Measure) are to that provision as it has effect in the Isle of Man."

- (2) Omit section 15(3).

Proceedings for which legal aid may be given

9. In Schedule 1, omit entries 2 and 4.

Amendments

10. (1) Schedule 2 is amended as follows.

(2) Omit paragraph 3.

- (3) For paragraph 4 substitute -

"4. In paragraph 16(1) of Schedule 4 to the Pastoral Measure 1983 (rules), for "and in proceedings" substitute "and also (except so far as it is regulated by rules made under Part I of the Church of England (Legal Aid and Miscellaneous Provisions) Measure 1988) the procedure in proceedings".

Repeals

11. In Schedule 3, omit the entries relating to the Pluralities Act 1838, the Clergy (Ordination and Miscellaneous Provisions) Measure 1964 and the Incumbents (Vacation of Benefices) Measure 1977.



At the Court of Saint James

THE 14th DAY OF FEBRUARY 1990

PRESENT.

THE COUNCELLORS OF STATE
IN COUNCIL

WHEREAS Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 18th day of January 1990 to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

AND WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of a Committee of Council in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 19th day of December 1989, to refer unto this Committee a Measure of the Sodor and Man Diocesan Synod, approved by Tynwald entitled “the Legal Aid and Miscellaneous Provisions Measure (Isle of Man) 1990”:

“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Measure into consideration and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to approve of and ratify the said Measure.”

NOW, THEREFORE, Her Majesty Queen Elizabeth, The Queen Mother and His Royal Highness The Prince Charles, Prince of Wales, being authorised thereto by the said Letters Patent, have taken the said Report into consideration, and do hereby, by and with the advice of Her Majesty's Privy Council, on Her Majesty's behalf, approve thereof and order, as it is hereby ordered, that the said Measure (a copy whereof is hereunto annexed) be, and the same is hereby, confirmed, finally enacted and ratified accordingly.

G. I. de Deney