



STATUTE LAW REVISION MEASURE (ISLE OF MAN) 1994

*Approved by the Sodor and
Man Diocesan Synod*

23rd November 1993

Approved by Tynwald

15th February 1994

Received Royal Assent

18th May 1994

Announced to Tynwald

21st June 1994

A MEASURE enacted pursuant to the Church Legislation Procedure Act 1993 to make minor modifications and amendments of statutory provisions, and to repeal spent and obsolete provisions, relating to the Church of England in the Isle of Man

Modifications of Church of England (Ecumenical Relations) Measure 1988

1. (1) The Church of England (Ecumenical Relations) Measure 1988 is modified in its application to the Island as follows.

(2) In section 5 (Churches to which Measure applies), at the end insert —

"(3) Except in the case of a Church nominated under paragraph (b) of subsection (2) above, this Measure does not apply to a Church by virtue of subsection (1) above unless the said Act of 1969, as it has effect in the Isle of Man, for the time being applies to it."

(3) In section 8 (saving regarding solemnization of marriage), for "Marriage Acts 1949 to 1986" substitute "Marriage Act 1984 (an Act of Tynwald)".

Amendment of enactments

2. The enactments specified in Schedule 1 are amended in accordance with that Schedule.

Repeals

3. (1) The enactments specified in Part 1 of Schedule 2 are repealed to the extent specified in column 3 of that Part.

(2) The transitional and saving provisions in Part 2 of Schedule 2 shall have effect.

Short title

4. This Measure may be cited as the Statute Law Revision Measure (Isle of Man) 1994.

Section 2.

SCHEDULE 1
AMENDMENT OF ENACTMENTS

The Church Act 1895 (VI p.648)

1. (1) In section 2A(3), for "certified to be true by the Bishop and the Secretary of the Synod" substitute "certified in accordance with section 2 of the Church Act 1987".
- (2) In section 4(7), for "by the Commissioners by order under their common seal" substitute "by resolution of the standing committee of the Sodor and Man Diocesan Synod".

The Church Act 1960 (XIX p.2)

2. For section 3 substitute —
 - "3. The Parochial Church Councils (Powers) Measure 1956 shall extend to the Isle of Man subject to the following exceptions and modifications —
 - (a) the following provisions shall be omitted —
 - (i) section 4(1)(iii) and (4);
 - (ii) section 6(5); and
 - (iii) in section 7(iii), the words "and sexton" and "or sexton";
 - (b) for section 4(1)(ii)(c) there shall be substituted —
 - (c) The care and maintenance of any churchyard, not being a parish burial ground within the meaning of the Burials Act 1986 (an Act of Tynwald);".

The Church Act 1969 (XXI p.94)

3. (1) Schedule 1 is amended as follows.
 - (2) In paragraph 2(c), in the substituted section 2(5), omit the words from "and (b)" onwards.
 - (3) After paragraph 3 insert —
 - "3A. In section 28 (conduct of trial) —
 - (a) in paragraphs (a) and (e), for "court of assize exercising criminal jurisdiction" substitute "Court of General Gaol Delivery";
 - (b) in paragraph (c), for "such a court of assize" substitute "such a Court".

The Marriage Act 1984 (c.13)

4. (1) In section 7(3), for "The churchwardens of every parish shall provide for every church or chapel in the parish" substitute "Every parochial church council shall provide for each church or chapel in its district".
- (2) In section 55, in the definition of "clergyman", at the end insert ", and includes a clerk in Holy Orders of the Church in Wales or the Church of Ireland".

The Sharing of Church Buildings Act 1986 (c.5)

5. (1) Schedule 1 is amended as follows.
- (2) In paragraph (1), after sub-paragraph (3) insert —
 - "(4) In section 1(6), for "1969" substitute "1983".
- (3) In paragraph 3, for sub-paragraph (b) substitute —
 - "(b) for the words from "provided" onwards substitute "provided by the Sharing of Church Buildings Measure 1970".
- (4) After paragraph 3 insert —
 - "4. (1) In section 5(1), for the words from "1969" to "Synod" substitute "1983".
 - (2) In section 5(4), for "1969" substitute "1983".
- (5) After paragraph 5 insert —
 - "6. In section 7(3), for the words from "1969" onwards substitute "1983".

The Church Act 1992 (c.5)

6. In Part 2 of Schedule 4, for paragraph 19 substitute —
 - "19. For paragraph 41 substitute —

Covenants

 41. (1) In section 62(1) —
 - (a) omit "the Commissioners or" (in the first place); and
 - (b) omit "Commissioners or" (in the second and third places).
 - (2) In section 62(2), for "Commissioners" (in both places) substitute "board".

The Care of Churches and Ecclesiastical Jurisdiction Measure (Isle of Man) 1992

(GC 485/92)

7. In paragraph 14(2) of the Schedule, in the substituted section 17(5), after "Protected Buildings Register" insert "or is in a conservation area".

SCHEDULE 2
REPEALS
PART 1
ENACTMENTS REPEALED

<i>Reference</i>	<i>Short title</i>	<i>Extent of repeal</i>
I p.46	The Churchwardens Ordinance.	The words "be appointed and sworn once a Yeare to", and the words from "their Church-yard Ditch" onwards.
II p.223	The Parish Registers Act 1849.	Section 7.
IV p.298	The Parochial Registers Act 1873.	Sections 1 to 3.
V p.58	The Church Act 1880.	In section 2, the definitions of "Diocesan Synod", "Ecclesiastical Committee", "Patron", "Seatholders", "Ecclesiastical district", "Registrar" and "Registry". Section 32. Section 34.
VII p.179	The Clergy Residence Act 1897.	Section 16.
VII p.443	The Public Notices (Amendment) Act 1903.	Section 3.
X p.384	The Civil Registration (Marriages) Amendment Act 1919.	Section 4. Section 9.
XVII p.1	The Church Act 1948.	In section 8, the words from the beginning to "insurance of", and the words from "shall absolutely" to "said Parish Churches". Section 15.
XIX p.2	The Church Act 1960.	Section 16.
XXI p.94	The Church Act 1969.	Section 12. Schedule 2.
1971 c.11	The Church (Miscellaneous Provisions) Act 1971.	Section 26. Sections 32 and 33.

1978 c.4	The St John's (Cronk-y-Voddy) Act 1978.	The whole Act.
1979 c.10	The Church Act 1979.	In paragraph 1 of Schedule 2, the words from "and wherever" onwards.
1983 c.22	The Church Act 1983.	In Schedule 1, paragraph 1.
1984 c.24	The Castletown Church Act 1984.	The whole Act.
1992 c.5	The Church Act 1992.	In Schedule 6, paragraph 5.

PART 2

TRANSITIONAL AND SAVING PROVISIONS

1. The repeal by this Act of section 26 of the Church (Miscellaneous Provisions) Act 1971 shall not come into operation until the repeal (by the Church Act 1992) of section 2 of the Diocesan Endowments Act 1929 comes into operation.
2. The repeal by this Act of paragraph 1 of Schedule 1 to the Church Act 1983 shall not come into operation until the repeal (by the Church Act 1992) of section 4 of the Church Act 1880 comes into operation.
3. The church of St Mary, Castletown shall, as from the 1st December 1989, be deemed for all purposes to have been the parish church of the parish of Castletown.