



Statutory Document No. 0436/13

CLERGY DISCIPLINE (AMENDMENT) MEASURE (ISLE OF MAN) 2013

<i>Approved by Sodor and Man Diocesan Synod</i>	<i>25th June 2013</i>
<i>Approved by Tynwald</i>	<i>15th October 2013</i>
<i>Royal Assent given</i>	<i>10th December 2013</i>
<i>Announced to Tynwald</i>	<i>10th December 2013</i>

A MEASURE enacted pursuant to the Church Legislation Procedure Act 1993 to extend to the Isle of Man the Clergy Discipline (Amendment) Measure 2013

1. Short title

The short title of this Measure is the Clergy Discipline (Amendment) Measure (Isle of Man) 2013.

2. Commencement

This Measure comes into operation on such day or days as the Bishop may by order appoint.

3. Extension of 2013 Measure to the Isle of Man

The Clergy Discipline (Amendment) Measure 2013¹ shall extend to the Isle of Man subject to the modifications specified in the Schedule.

¹ 2013 No.2

Section 3.

SCHEDULE

MODIFICATIONS OF 2013 MEASURE

1. *Misconduct*

In section 1(4), for "coming into force of this section" substitute "extension of this section to the Isle of Man".
2. *Penalty by consent*

In section 2(2), in the new section 16(3A), for "president of tribunals" substitute "appointed person".
3. *Right of appeal*
 - (1) In section 3(3), in the new section 20(1A), for "designated officer" substitute "appointed person or designated officer".
 - (2) In section 3(5), for "coming into force of those subsections" substitute "extension of those subsections to the Isle of Man".
 - (3) In section 3(6), for "coming into force of subsection (4) above" substitute "extension of subsection (4) above to the Isle of Man".
4. *Convictions and matrimonial orders*
 - (1) In section 4(2) —
 - (a) in paragraph (a), in the new section 30(1)(a) —
 - (i) in sub-paragraph (i), for "England" substitute "the Isle of Man", and after "sentence of" insert "custody or";
 - (ii) for sub-paragraph (ii) substitute —

"(ii) of an indictable offence committed in England and Wales, or
 - (iii) of an offence triable on information committed in the Isle of Man;"
 - (b) for paragraph (b) substitute —

"(b) in paragraph (b), for "divorce order, decree of divorce or an order of separation" substitute "divorce order, separation order, decree of divorce or order of judicial separation";".
 - (2) In section 4(5), in the new section 30(3A) —
 - (a) for "president of tribunals" substitute "chancellor";
 - (b) for "decree absolute or order" substitute "final divorce order, decree absolute, separation order or order of separation".
 - (3) In section 4(6), for "decree absolute of divorce or the date of the order of judicial separation" substitute "final divorce order, decree absolute of divorce, separation order or order of judicial separation".
 - (4) In section 4(8) —
 - (a) after "30(1)(a)(ii)" insert "or (iii)";
 - (b) for "coming into force of that provision " substitute "extension of that provision to the Isle of Man".
 - (5) In section 5(2) —

- (a) in paragraph (a), for "30(1)(a)(i) or (ii)" substitute "30(1)(a)(i), (ii) or (iii)";
 - (b) for paragraph (b) substitute —
 - "(b) in paragraph (b), for "divorce order, decree of divorce or an order of separation" substitute "divorce order, separation order, decree of divorce or order of judicial separation";".
- (6) In section 5(6) —
- (a) after "30(1)(a)(ii)" insert "or (iii)";
 - (b) for "coming into force of subsection (2)(a)" substitute "extension of subsection (2)(a) to the Isle of Man".
5. *Amendments and repeals*
- Omit section 9(8).
6. *Citation etc.*
- Omit section 10(2) and (3).
7. *Amendments of 2003 Measure*
- (1) The Schedule is modified as follows.
 - (2) Omit paragraphs 2 and 3.
 - (3) In paragraph 6, in the new section 34(1), for "a decree nisi of divorce has been made absolute or an order of judicial separation has been made" substitute "a final divorce order has been made, a decree nisi of divorce has been made absolute or a separation order or order of judicial separation has been made".
 - (4) In paragraphs 8 and 9, for "England" substitute "the Isle of Man".
 - (6) After paragraph 10 insert —
 - "10A. In section 42(1), omit the words from "Ministers" (in the second place) to "England".".
 - (7) Omit paragraphs 12 and 13.