



Statutory Document No. 2015/0236

CHURCH (MISCELLANEOUS PROVISIONS) MEASURE (ISLE OF MAN) 2015

<i>Approved by Sodor and Man Diocesan Synod</i>	<i>13th November 2014</i>
<i>Approved by Tynwald</i>	<i>18th February 2015</i>
<i>Royal Assent given</i>	<i>16th June 2015</i>
<i>Announced to Tynwald</i>	<i>16th June 2015</i>

A MEASURE enacted pursuant to the Church Legislation Procedure Act 1993 to extend to the Isle of Man certain provisions of the Church of England (Miscellaneous Provisions) Measure 2014; to amend the Mission and Pastoral Measure (Isle of Man) 2012; and to repeal certain obsolete enactments

1. Short title

The short title of this Measure is the Church (Miscellaneous Provisions) Measure (Isle of Man) 2015.

2. Commencement

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

3. Extension of certain provisions of 2014 Measure

The following provisions of the Church of England (Miscellaneous Provisions) Measure 2014¹ shall extend to the Isle of Man subject to the modifications specified in Schedule 1 —

- (a) section 5 (amendment of Parochial Church Councils (Powers) Measure 1956);
- (b) section 6 (amendment of Ecclesiastical Jurisdiction Measure 1963);
- (c) section 7 (amendment of Faculty Jurisdiction Measure 1964);
- (d) section 9 (amendment of Synodical Government Measure 1969);

¹ 2014 No.1

- (e) section 13 (amendment of Care of Churches and Ecclesiastical Jurisdiction Measure 1991);
- (f) section 15 (tenure of office of vicars general and surrogates);
- (g) section 17 (power for chancellor to determine fees);
- (h) paragraphs 5, 17 and 19 of Schedule 2, and section 20 so far as it relates to those paragraphs;
- (i) Schedule 3.

4. Amendments of 2012 Measure

- (1) The Mission and Pastoral Measure (Isle of Man) 2012² is amended as follows.
- (2) In section 3(4)(b), after "benefice" insert "or an extra-parochial place".
- (3) In section 7(1), at the end insert —
 - "(d) the incorporation in parishes of extra-parochial places."
- (4) In section 15(4)(c), at the end insert ", where the holder of the office is entitled to receive a stipend or other emoluments of office including the provision of accommodation".
- (5) In section 41, at the end insert —
 - "(4) Any reference in this section to serving, sending or giving a notice or other document includes a reference to sending it by electronic means."
- (6) In paragraph 1(2) of Schedule 2, omit the words from "and (b)" to "accommodation".
- (7) In paragraph 3(3) of Schedule 2, at the end of sub-paragraph (b) insert ", unless notice has already been given by the Bishop under section 29(1) of the suspension of the right of presentation to the benefice".
- (8) In paragraph 16 of Schedule 3, after sub-paragraph (5) insert —
 - "(5A) Manx National Heritage may, with the consent of the Commissioners, dispose of any fixtures, fittings or other contents of a church vested in it under this Schedule."
- (9) In Schedule 8, omit paragraphs 1 and 6.

5. Repeals etc.

- (1) The enactments specified in Schedule 2 are repealed to the extent specified in column 3 of that Schedule.
- (2) In the Schedule to the Ecclesiastical Offices (Terms of Service) Measure (Isle of Man) 2012³, for paragraph 12(5) substitute —
 - "(5) Omit section 11(5) to (11)."

² SD 654/12

³ SD 192/12

Section 3.

SCHEDULE 1

MODIFICATIONS SUBJECT TO WHICH PROVISIONS OF THE CHURCH OF ENGLAND (MISCELLANEOUS PROVISIONS) MEASURE 2014 EXTEND TO THE ISLE OF MAN

Amendment of Parochial Church Councils (Powers) Measure 1956

1. In subsection (3), for "subsection—" substitute " subsections—", and after the new section 7(2) insert —

"(3) Periodical payments made by standing order, direct debit or any other similar method of payment to a council in lieu of or in addition to money given in church, not being payments intended for a specific object, shall be treated for the purpose of subsection (1)(iv) as moneys given or collected in church."

Amendment of Ecclesiastical Jurisdiction Measure 1963

2. (1) Omit section 6(2).
(2) In section 6(3), in the substituted section 3(4), omit "or chancellor".

Amendment of Care of Churches and Ecclesiastical Jurisdiction Measure 1991

3. In section 13(3)(b), in the substituted section 18(1)(a), for "a listed building" substitute "registered in the Protected Buildings Register".

Tenure of office of vicars general and surrogates

4. (1) In section 15(1), omit "or diocese" and "or diocesan".
(2) In section 15(2), for the words from "office of" onwards substitute "diocesan see".
(3) In section 15(4), after "subsection (1)" insert "or (2)", and omit "of the vicar general"

Power for chancellor to determine fees

5. (1) Omit section 17(2)(b).
(2) For section 17(3) substitute —

"(3) In this section "monument" has the same meaning as in Schedule 1 to the Church Fees Measure (Isle of Man) 2014."

Minor and consequential amendments

6. (1) In paragraph 5(2) of Schedule 2, in the substituted section 11 —
 - (a) in subsection (4), for "publish in the London Gazette" substitute "file in the General Registry of the Isle of Man", and for "publication" substitute "filing";
 - (b) in subsection (5), for "published in the London Gazette" substitute "filed in the General Registry of the Isle of Man", and for "coming into force" substitute "extension to the Isle of Man".
- (2) In paragraph 17(a) of Schedule 2, in the inserted paragraph (aa), omit "an archbishop or" and "or 4".
- (3) In paragraph 19 of Schedule 2 —
 - (a) omit sub-paragraphs (2) to (10);
 - (b) in sub-paragraph (12)(e), in the new paragraph 11(5A), for "mission and pastoral committee" substitute "diocesan board of finance for the diocese concerned", and

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after "paragraph 7" insert "of Schedule 6 to the Mission and Pastoral Measure (Isle of Man) 2012".

Section 5.

SCHEDULE 2

ENACTMENTS REPEALED

<i>Reference</i>	<i>Short title</i>	<i>Extent of repeal</i>
II p.124	St Jude's Chapel Act 1839.	Section 2.
II p.149	Ecclesiastical Persons Act 1843.	Sections 1 to 5. In section 6, the words from "and to assign" onwards. Section 7.
V p.14	Ecclesiastical Residences and Dilapidations Act 1879	The whole Act.
VI p.312	Bankruptcy Code 1892	In section 35(4), the words "the operation of the Ecclesiastical Residences and Dilapidations Act, 1879, or"
VI p.648	Church Act 1895	Section 11.
VII p.179	Clergy Residence Act 1897	The whole Act.
VII p.192	Ecclesiastical Residences and Dilapidations Amendment Act 1897	The whole Act.
1992 c.5	Church Act 1992	In Schedule 2 — (a) paragraph 3(1)(c); (b) in paragraph 6(2), the words "or the parsonage house of a benefice", "or the incumbent of the benefice, as the case may be," and "or parsonage house of the benefice"; (c) paragraph 6(3), (3A) and (3B); (d) paragraph 9. In Schedule 3, in paragraph 1(2)(a), the words "or in any parsonage house or glebe land of a benefice". In Schedule 6, paragraph 1.
SD 260/95	Incumbents (Disability) Measure (Isle of Man) 1995	The whole Measure.
SD 714/96	Incumbents (Pastoral Breakdown) Measure (Isle of Man) 1996	The whole Measure.
SD 339/01	Sale of Parsonages Measure (Isle of Man) 2000	The whole Measure.
2011 c.2	Civil Partnership Act 2011	In Schedule 14, paragraphs 4, 10 and 11.
SD 192/12	Ecclesiastical Offices (Terms of Service) Measure (Isle of Man) 2012	Section 2(1). In the Schedule, paragraph 12(4) and (6) to (8).