



Isle of Man

Ellan Vannin

AT 8 of 1993

**CHURCH LEGISLATION PROCEDURE ACT
1993**



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**Isle of Man***Ellan Vannin*

CHURCH LEGISLATION PROCEDURE ACT 1993

<i>Received Royal Assent:</i>	<i>7 July 1993</i>
<i>Passed:</i>	<i>8 July 1993</i>
<i>Commenced:</i>	<i>8 July 1993</i>

AN ACT to make new provision for legislation concerning the Church of England.

1 Ecclesiastical Committee and Legislative Committee

- (1) There shall continue to be an Ecclesiastical Committee of Tynwald and a Legislative Committee of the Diocesan Synod.
- (2) The Ecclesiastical Committee shall be constituted in such manner as Tynwald may determine.
- (3) The Legislative Committee shall be constituted in such manner as the Diocesan Synod may determine.

2 Church legislation

- (1) A Measure enacted in accordance with this Act may make provision with respect to any matter concerning the Church of England in the Island.
- (2) A Measure may —
 - (a) amend or repeal any enactment (other than this section) appearing to the Diocesan Synod to be inconsistent with, or to require amendment or to have become unnecessary in consequence of, the Measure, and
 - (b) make such incidental, supplemental, consequential and transitional provisions as the Diocesan Synod considers necessary or expedient for the purposes of the Measure.
- (2A) A Measure may provide that an act or other matter done before the coming into operation of the provision in question shall have effect, and be deemed always to have had effect, in accordance with that provision.¹
- (2B) Subsection (2A) applies to Measures passed before (as well as after) that subsection comes into operation.²

- (3) A Measure shall have the force and effect of an Act of Tynwald upon the Royal Assent thereto being announced to Tynwald.
- (4) Schedule 1 shall have effect with respect to the procedure for the preparation and enactment of a Measure.

3 General Synod Measures

- (1) Where a General Synod Measure contains a provision for the extension of that Measure, or of any provision thereof, to the Island by an Act of Tynwald or an instrument made under an Act of Tynwald, the General Synod Measure or provision may be extended to the Island by a Measure, subject to such exceptions or modifications as may be specified in the Measure.
- (2) Where —
 - (a) a General Synod Measure or a provision thereof extends to the Island otherwise than by virtue of a Measure, and
 - (b) it appears to the Diocesan Synod that the General Synod Measure or provision requires to be modified in its application to the Island in order to take account of differences between the law of the Island and the law of England, or otherwise to give full effect to the General Synod Measure or provision in the Island,the General Synod Measure or provision shall have effect in the Island subject to such modifications for the purpose mentioned in paragraph (b) as may be specified in a Measure.
- (3) A Measure which makes provision with respect to a General Synod Measure as mentioned in subsection (1) or (2) may do all or any of the following —
 - (a) set out the exceptions and modifications, or the modifications, as the case may be, subject to which the General Synod Measure or provision in question applies to the Island;
 - (b) set out that General Synod Measure or provision, incorporating those exceptions and modifications, or modifications, as the case may be;
 - (c) in the case of a Measure relating to a General Synod Measure which amends a previous General Synod Measure or provision thereof applied to the Island, set out the General Synod Measure or provision so applied as amended, incorporating the exceptions and modifications, or the modifications, as the case may be, subject to which that General Synod Measure or provision applies to the Island.
- (4) This section is without prejudice to the generality of section 2.

4 Interpretation

In this Act —

“**the Diocesan Synod**” means the Sodor and Man Diocesan Synod;

“**the Ecclesiastical Committee**” means the Ecclesiastical Committee of Tynwald;

“**General Synod Measure**” means a Measure of the General Synod of the Church of England, and includes a Measure of the National Assembly of the Church of England;

“**the Legislative Committee**” means the Legislative Committee of the Diocesan Synod;

“**Measure**” (without more) means a Measure enacted in accordance with this Act.

5 Transitional provisions and repeals

- (1) Anything done under or in pursuance of any enactment repealed by this Act, or having effect as if so done, shall have effect as if done under or in pursuance of this Act.
- (2) The Ecclesiastical Committee and the Legislative Committee as constituted immediately before the commencement of this Act shall continue to be so constituted until Tynwald or the Diocesan Synod otherwise determines under section 1(2) or (3), as the case may be.
- (3) The enactments specified in Schedule 2 are repealed to the extent specified in column 3 of that Schedule.

6 Short title

This Act may be cited as the Church Legislation Procedure Act 1993.

SCHEDULE 1

CHURCH LEGISLATION PROCEDURE

Section 2(4)

Consideration by Diocesan Synod

1. (1) The Diocesan Synod may by resolution request the Legislative Committee to consider any legislative matter, and to present to the Diocesan Synod a draft Measure to give legislative effect to such matter.

(2) The Legislative Committee may, and shall if so requested by the Diocesan Synod under sub-paragraph (1), present to the Diocesan Synod a draft Measure to give legislative effect to any legislative matter.

(3) The Diocesan Synod may by resolution approve a draft Measure presented under sub-paragraph (2), with or without amendments.

(4) In this paragraph “legislative matter” means any matter concerning the Church of England in the Island in respect of which the enactment of legislation is considered to be desirable.

Consideration by Ecclesiastical Committee

2. (1) The Legislative Committee shall present to the Ecclesiastical Committee a draft Measure approved under paragraph 1(3), and shall collect and prepare the evidence and other information required for the proper consideration of the draft Measure by the Ecclesiastical Committee.

(2) The Ecclesiastical Committee shall consider every draft Measure presented to it by the Legislative Committee, and shall communicate its report in draft to the Legislative Committee, but shall not present its report to Tynwald until the Legislative Committee signifies its desire that it be so presented.

(3) At any time before the presentation of the report to Tynwald, the Legislative Committee may, either of its own motion or by direction of the Diocesan Synod, withdraw a draft Measure from further consideration by the Ecclesiastical Committee.

(4) The Legislative Committee may, with the consent of the Diocesan Synod, make amendments to a draft Measure, either before or after a conference with the Ecclesiastical Committee.

Consideration by Tynwald

3. (1) Upon the Legislative Committee signifying its desire that the report be presented to Tynwald, the Ecclesiastical Committee shall present its report to Tynwald, with the text of the draft Measure (incorporating any amendments made under paragraph 2(4)).

(2) Tynwald may by resolution direct that the draft Measure in the form laid before Tynwald be presented to Her Majesty, and thereupon the Measure shall be presented to Her Majesty in the same manner as a Bill.

Procedure after Royal Assent

4. [Repealed]³

SCHEDULE 2

ENACTMENTS REPEALED

Section 5(3)

[Sch 2 repeals the following Act wholly —

Church (Application of General Synod Measures) Act 1979

and the following Acts in part —

Church (Miscellaneous Provisions) Act 1971

Constitution Act 1990.]

ENDNOTES**Table of Legislation History**

Legislation	Year and No	Commencement

Table of Renumbered Provisions

Original	Current

Table of Endnote References

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- ¹ Subs (2A) inserted by Statute Law Revision Act 2017 s 30.
² Subs (2B) inserted by Statute Law Revision Act 2017 s 30.
³ Para 4 repealed by Statute Law Revision Act 2017 s 30.