



Isle of Man

Ellan Vannin

SM 1 of 2010

**PAROCHIAL CHURCH COUNCILS AND
ACCOUNTS MEASURE (ISLE OF MAN) 2010**



Isle of Man

Ellan Vannin

PAROCHIAL CHURCH COUNCILS AND ACCOUNTS MEASURE (ISLE OF MAN) 2010

Index

Section	Page
1 Modifications of Parochial Church Councils (Powers) Measure 1956	5
2 [Repealed]	7
3 [Repealed]	7
4 Short title etc.	7
ENDNOTES	9
TABLE OF ENDNOTE REFERENCES	9



Isle of Man

Ellan Vannin

PAROCHIAL CHURCH COUNCILS AND ACCOUNTS MEASURE (ISLE OF MAN) 2010¹

<i>Approved by Sodor and Man Diocesan Synod:</i>	<i>11 May 2010</i>
<i>Approved by Tynwald:</i>	<i>13 July 2010</i>
<i>Received Royal Assent:</i>	<i>19 October 2010</i>
<i>Announced to Tynwald:</i>	<i>19 October 2010</i>

A **MEASURE** enacted pursuant to the *Church Legislation Procedure Act 1993* to make further provision for parochial church councils and certain parochial trusts; and for connected purposes.

1 **Modifications of Parochial Church Councils (Powers) Measure 1956**

- (1) The Parochial Church Councils (Powers) Measure 1956² shall extend to the Isle of Man subject to the following exceptions and modifications —
- (a) [Repealed]¹
 - (b) omit the following provisions —
 - (i) in section 2, the words “or the deanery synod”, “and the deanery synod” and “or deanery synod”;
 - (ii) section 4(1)(iii) and (4);
 - (iii) section 5(4) and (5);
 - (iv) section 6(5);
 - (v) in section 7(iii), the words “and sexton” and “or sexton”;
 - (c) for section 4(1)(ii)(c) substitute —
 - (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) . **(c)**;
 - (ca) in section 5 —
 - (i) in the heading, omit “: educational schemes”;
 - (ii) omit subsections (1)(b) and (3);

¹ SM 1 of 2010 (formerly SD 2010/0958)

² 1956 No.3

- (iii) in subsection (2), after “this Measure” insert **22** and Schedule 2 to the *Church Act 1992* (an Act of Tynwald) **22**;²
- (d) for section 6 substitute —

26 Notice to diocesan authority

- (1) Where a council holds, acquires or administers —
 - (a) an interest in land, or
 - (b) a fund held on trust for any ecclesiastical purpose which exceeds the prescribed amount in value,
 the council must inform the diocesan authority in writing of that interest or fund and, in the case of an interest or fund held on trust, of the terms of the trust.
- (2) In subsection (1)(b) “the prescribed amount” has the same meaning as in section 5 of the *Church Property Measure (Isle of Man) 2021*. **21**;³
- (e) for section 8 substitute —

28 Accounts of the council

- (1) Every council shall cause —
 - (a) its accounts, including the accounts of all trusts administered by it, for each year ending on 31st December, and
 - (b) a statement of the funds and property, if any, remaining in the hands of the council at that date,
 to be made up and examined in accordance with subsection (2).
- (2) The accounts and statement referred to in subsection (1) shall be examined by an independent person who —
 - (a) is an accountant (within the meaning of the *Interpretation Act 2015* (an Act of Tynwald));⁴
 - (b) holds a qualification prescribed by regulations under section 46 of the *Charities Registration and Regulation Act 2019* (an Act of Tynwald) ; or⁵
 - (c) is for the time being approved by the bishop for the purpose of examining the accounts and statement in question.
- (3) The council shall —
 - (a) present to the annual parochial church meeting of the parish —

- (i) its accounts, including the accounts of all trusts administered by it, for the year ending on the 31st December immediately preceding the meeting, and
 - (ii) a statement of the funds and property, if any, remaining in the hands of the council at that date; and
 - (b) not later than 7 days before the annual parochial church meeting cause a copy of the examined accounts and statement to be published and affixed for a period of at least 14 days on or near the principal door of every church and other building licensed for public worship in the parish, and
 - (c) not later than 14 days after the annual parochial church meeting send a copy of the examined accounts and statement to the diocesan authority. ~~22~~;
- (ea) omit section 9(4);⁶
- (f) omit section 10(2), (3) and (4).
- (2) [Repealed the following provisions —
- (a) the *Church Act 1960*
 - (b) in the *Church Act 1987*, section 1(4)
 - (c) in the *Statute Law Revision Measure (Isle of Man) 1994*, paragraph 2 of Schedule 1]

2 [Repealed]⁷

3 [Repealed]⁸

4 Short title etc.

- (1) This Measure may be cited as the Parochial Church Councils and Accounts Measure (Isle of Man) 2010.
- (2) Subject to subsection (3), this Measure shall come into operation on 1st January 2011.
- (3) Nothing in this Measure applies to accounts in respect of any period ending before 31st December 2010.
- (4) In relation to an interest or fund held or administered by a parochial church council immediately before 1st January 2011, the council shall comply with the obligation imposed by section 6(2A) of the Parochial Church Councils (Powers) Measure 1956³, as modified by section 1(1), before 1st January 2012.

³ 1956 No.3

- (5) In relation to an interest or fund held or administered by an incumbent or church-wardens immediately before 1st January 2011, the incumbent or churchwardens shall comply with any obligation imposed by section 3(1) or 5A of the Incumbents and Churchwardens (Trusts) Measure 1964⁴, as modified by section 2(1), before 1st January 2012.

⁴ 1964 No.2

ENDNOTES

Table of Endnote References

¹ Para (a) repealed by Church Property Measure (Isle of Man) 2021 s 8.

² Para (ca) inserted by Church Property Measure (Isle of Man) 2021 s 8.

³ Para (d) substituted by Church Property Measure (Isle of Man) 2021 s 8.

⁴ Inserted para (a) amended by Charities Registration and Regulation Act 2019 s 65.

⁵ Inserted para (b) amended by Charities Registration and Regulation Act 2019 s 65.

⁶ Para (ea) inserted by Mission and Pastoral (Amendment) Measure (Isle of Man) 2018 Sch 3.

⁷ S 2 repealed by Church Property Measure (Isle of Man) 2021 Sch 2.

⁸ S 3 repealed by Church Representation and Ministers Measure (Isle of Man) 2020 Sch 4.