



THE LEGAL AID MEASURE (ISLE OF MAN) 1995

*Approved by the Sodor and
Man Diocesan Synod*

9th May 1995

Approved by Tynwald

20th June 1995

Received Royal Assent

18th October 1995

Announced to Tynwald

19th October 1995

A MEASURE enacted pursuant to the Church Legislation Procedure Act 1993 to extend the Church of England (Legal Aid) Measure 1994 to the Isle of Man

Extension of the Church of England (Legal Aid) Measure 1994

1. The Church of England (Legal Aid) Measure 1994 (a Measure of the General Synod of the Church of England) shall extend to the Island subject to the exceptions, adaptations and modifications specified in Schedule 1.

Short title etc.

2. (1) This Measure may be cited as the Legal Aid Measure (Isle of Man) 1995.

(2) The enactments specified in Schedule 2 are repealed to the extent specified in column 3 of that Schedule.

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS SUBJECT TO WHICH
THE CHURCH OF ENGLAND (LEGAL AID) MEASURE 1994
HAS EFFECT IN THE ISLAND

Legal aid - supplementary provisions

1. (1) In section 3(1) and (2), for "solicitor" substitute "advocate".
- (2) In section 3(3)(a) -
 - (a) for "counsel or a solicitor" substitute "an advocate"; and
 - (b) for "counsel, solicitor" substitute "advocate".

Legal aid - rules

2. (1) In section 4(1)(b), for "solicitor or counsel" substitute "advocate".
- (2) In section 4(2), for "counsel or solicitor" substitute "an advocate".
- (3) For section 4(4) to (6) substitute -
 - "(4) Rules made under this section as it has effect in England shall have effect in the Isle of Man subject to the modification that references to counsel or a solicitor shall be construed as references to an advocate, and to such further modifications (if any) as the Rule Committee established under section 25 of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991 may by order prescribe.
 - (5) An order under subsection (4) shall not have effect unless it is approved by the Sodor and Man Diocesan Synod."

Transitional provisions

3. In section 5(1) and (3), for "coming into force of this Measure" substitute "extension of this Measure to the Isle of Man".

Extent

4. Omit section 6.

Short title etc.

5. For section 8(2) substitute -
 - "(2) References in this Measure to any provision of a Measure (including this Measure) are to that provision as it has effect in the Isle of Man."

Proceedings for which legal aid may be given

5. In Schedule 1 -

(a) for entry 2 substitute -

"2 Proceedings on an inquiry under the Incumbents (Disability) Measure (Isle of Man) 1995 conducted by a tribunal.

The incumbent concerned in the proceedings."

(b) in entry 3, for "a pastoral committee" substitute "the Church Commissioners for the Isle of Man";

(c) omit entry 4.

Section 2(2).

SCHEDULE 2

ENACTMENTS REPEALED

<i>Reference</i>	<i>Short title</i>	<i>Extent of repeal</i>
GC 132/90	The Legal Aid and Miscellaneous Provisions Measure (Isle of Man) 1990.	In the Schedule, paragraphs 1, 2, 9 and 10.
GC 485/92	The Care of Churches and Ecclesiastical Jurisdiction Measure (Isle of Man) 1992.	In the Schedule, paragraph 30(7).
