



MISSION AND PASTORAL (AMENDMENT) MEASURE (ISLE OF MAN) 2018

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| <i>Approved by Sodor and Man Diocesan Synod</i> | <i>29 June 2017</i> |
| <i>Approved by Tynwald</i> | <i>17 October 2017</i> |
| <i>Royal Assent given</i> | <i>20 February 2018</i> |
| <i>Announced to Tynwald</i> | <i>20 February 2018</i> |

A MEASURE enacted pursuant to the Church Legislation Procedure Act 1993 to make provision for mission initiatives; to amend the provisions relating to pastoral reorganisation; to make minor amendments and repeals; and for connected purposes

1. Short title

The short title of this Measure is the Mission and Pastoral (Amendment) Measure (Isle of Man) 2018.

2. Commencement

- (1) This Measure comes into operation on such day or days as the Bishop may by order appoint.
- (2) An order under subsection (1) may include such transitional provisions as appear to the Bishop to be necessary or expedient for the purposes of the order.

3. Mission initiatives

- (1) After section 44 of the Mission and Pastoral Measure (Isle of Man) 2012¹ insert —

"44A Mission initiatives

Schedule 6A has effect to enable the Bishop by order to endorse and make provision for mission initiatives."

- (2) After Schedule 6 to that Measure insert (as Schedule 6A) the provisions set out in Schedule 1 to this Measure.

¹ SM 2 of 2012

4. Pastoral reorganisation

The Mission and Pastoral Measure (Isle of Man) 2012 is further amended in accordance with Schedule 2.

5. Minor and consequential amendments, modifications and repeals

- (1) The enactments specified in Schedule 3 are amended or modified in accordance with that Schedule.
- (2) The enactments specified in Schedule 4 are repealed to the extent specified in column 3 of that Schedule.

Section 3(2).

SCHEDULE 1

NEW SCHEDULE 6A TO THE 2012 MEASURE

"SCHEDULE 6A

MISSION INITIATIVES

1. *Interpretation*

In this Schedule —

"bishop's mission order" means an order under paragraph 2;

"the diocese" means the diocese of Sodor and Man;

"leader", in relation to a mission initiative, means the person or one of the persons or group of persons, specified under paragraph 2(3)(c) in the relevant bishop's mission order;

"mission initiative" means an initiative to promote or further the mission of the Church or any aspect of it;

"visitor", in relation to a mission initiative, means the person designated under paragraph 4 in the relevant bishop's mission order.

2. *Mission initiatives*

(1) This paragraph applies where —

(a) a person or group of persons is carrying out or is proposing or wishes to carry out a mission initiative in the diocese; and

(b) either —

(i) that person or group or any other person or body exercising ecclesiastical functions in the diocese requests the Bishop to make an order under this paragraph, or

(ii) the Bishop, without any such request being made, considers that it would be appropriate to make an order under this paragraph.

(2) If the Bishop is satisfied that the mission initiative would be likely, through fostering or developing a form of Christian community, to promote or further the mission of the Church or any aspect of it, he or she may make an order (a "bishop's mission order") endorsing the initiative and making provision for it in accordance with this Schedule.

(3) A bishop's mission order shall specify —

(a) the objectives of the mission initiative;

(b) the area or areas in which it is being or is to be carried out;

(c) a person or persons or a group of persons who or which is or are to lead the mission initiative and be responsible to the Bishop for the conduct of it (the "leader" or "leaders"); and

(d) the role of the leader or leaders.

(4) The Bishop shall make such provision in the order as he or she thinks fit for the administration of the Sacraments in accordance with the statutory provisions and other laws relating thereto.

- (5) Before making a bishop's mission order the Bishop shall—
 - (a) consult such other Churches and religious organisations as he or she thinks fit,
 - (b) consult any person or group of persons who or which appears to him or her to have a significant interest in or to be likely to be significantly affected by the order, including any body which he or she considers would adequately represent the interests of any such person or group,
 - (c) consult the Commissioners, and
 - (d) obtain the consent of the proposed leader or leaders.
 - (6) For the purposes of sub-paragraph (5)(b), the following shall be deemed to have an interest in the order—
 - (a) any person having or sharing the cure of souls in the area of any benefice affected by the order, and
 - (b) any other person or body, including a parochial church council or patron, who may have an interest in the cure of souls in any such area;and in considering whether a person or body has a significant interest in or would be likely to be significantly affected by the order, the Bishop shall have regard to the objectives of the initiative endorsed by the order and any other circumstances which he thinks relevant.
 - (7) The Bishop may authorise a person or body to carry out the consultation referred to in sub-paragraph (5) on his or her behalf.
3. *Exercise of ministry*
- (1) No person may officiate in any place in accordance with a bishop's mission order unless—
 - (a) if that person is ordained as a priest or deacon, he or she —
 - (i) has received authority from the Bishop by virtue of being instituted to a benefice or licensed by the Bishop to serve or having written permission to officiate in the diocese, or
 - (ii) may otherwise under any Canon of the Church of England officiate in that place without the authority of the Bishop, or
 - (b) if that person is a deaconess, reader or lay worker, he or she is authorised under any Canon to do so.
 - (2) Subject to sub-paragraphs (1) and (3), a bishop's mission order may include provision authorising a minister to exercise his or her ministry in any place for the purposes of or in connection with the mission initiative in any manner specified in the order and, where he or she is not the minister who has the cure of souls in that place, without obtaining the permission of the minister who has that cure.
 - (3) Before including any provision under sub-paragraph (2), the Bishop shall consult—
 - (a) if the order affects one parish only, the incumbent or priest in charge of that parish,

- (b) subject to paragraph (c), if the order affects more than one parish, either the incumbents or priests in charge of those parishes or the house of clergy of the Diocesan Synod, as the Bishop thinks fit,
 - (c) if the order affects all the parishes in the diocese, the house of clergy of the Diocesan Synod.
 - (4) Any alms collected in the course of or in connection with an office or service performed in accordance with the order shall be disposed of in such manner as the minister performing the office or service may, subject to the direction of the Bishop, determine.
 - (5) Subject to sub-paragraph (1), a bishop's mission order may include provision authorising the performance of divine service, including Holy Communion, if so specified, —
 - (a) in a parish church, parish centre of worship or place licensed for public worship in accordance with section 17(1), with the consent of any minister having the cure of souls in that church, parish centre of worship or place;
 - (b) in any other building, with the consent of the person who has the general management and control of the building.
4. *Visitor*
- (1) A bishop's mission order shall designate a person (the "visitor") who shall —
 - (a) on behalf of the Bishop exercise oversight of the mission initiative and advise and encourage and, so far as practicable, provide support for it; and
 - (b) make regularly a report in writing to the Bishop on the discharge of his or her duties and the progress of the mission initiative and send copies of the report to the leader or leaders.
 - (2) The visitor may take such other steps as the visitor thinks fit for ensuring the proper governance of the mission initiative.
 - (3) The leader or leaders shall—
 - (a) consult the visitor regularly about the general direction and development of the mission initiative, and
 - (b) supply the visitor with a copy of the annual accounts and any other information which the visitor requires in order to carry out his or her functions.
5. *Supplementary provisions*
- (1) Such supplementary provisions as the Bishop thinks fit, being provisions which, in his or her opinion, would further the objectives of the mission initiative, may be included in —
 - (a) the bishop's mission order, or
 - (b) a supplementary instrument.
 - (2) Without prejudice to the generality of sub-paragraph (1) the bishop's mission order or supplementary instrument may make provision—
 - (a) for the stipends, remuneration, pensions or housing and other expenses of any persons exercising functions under the bishop's mission order;

- (b) for any other offices or functions which such persons may hold or perform in conjunction with their functions under the order;
 - (c) for the replacement, where necessary, of any persons or bodies exercising functions under the order by other persons or bodies;
 - (d) for the organisation, governance and financing of the mission initiative including the management and control of any property used by those exercising functions under the order;
 - (e) for any measures required for —
 - (i) the protection of children, young persons and other vulnerable persons,
 - (ii) health and safety, or
 - (iii) insurance;
 - (f) for relationships —
 - (i) between persons involved with the mission initiative and persons who have the cure of souls within any area to which the bishop's mission order relates, and
 - (ii) with other Churches, institutions and religious organisations; and
 - (g) after consulting the visitor and such other persons or body as the Bishop thinks fit, for representation on the Diocesan Synod of persons to whom the order relates in accordance with a scheme under rule 32A of the Church Representation Rules.
- (3) The Bishop may amend a bishop's mission order or a supplementary instrument by a further order or instrument but, in the case of an order, shall not do so except after consulting —
- (a) the Commissioners,
 - (b) the leader or leaders,
 - (c) the visitor,
 - (d) any relevant person having the cure of souls, and
 - (e) any other person or body which he or she thinks fit;
- and paragraph 3(3) or 7(3) or (5) shall apply if any amendment relates to a provision referred to in any of those sub-paragraphs.
- (4) The Bishop may revoke a bishop's mission order and a supplementary instrument by a further order or instrument but, in the case of an order, shall not do so without carrying out the like consultation as is referred to in sub-paragraph (3).
- (5) Any leader shall have the right to make written or oral representations (or both) to the Bishop in respect of an order amending or revoking a bishop's mission order.
- (6) An order amending or revoking a bishop's mission order may include provision in respect of the management or disposal of property and of any other matters for which it is, in the opinion of the Bishop, expedient to make provision.

- (7) A bishop's mission order or supplementary instrument shall specify its duration (which may be defined or indefinite).
 - (8) A bishop's mission order, a supplementary instrument and an order or instrument under sub-paragraph (3) or (4) —
 - (a) shall be signed by the Bishop, and
 - (b) except in the case of an order or instrument under sub-paragraph (4), shall be signed by the leader or leaders and contain a declaration by the leader or leaders of acceptance of the terms of the order or instrument.
6. *Review of duration of mission initiatives and further provisions*
- (1) In the case of a bishop's mission order of defined duration, the visitor shall conduct a review of the mission initiative not less than 6 months before the expiry of the order, in consultation with —
 - (a) the leader or leaders,
 - (b) the Commissioners,
 - (c) such other persons or organisations referred to in paragraph 2(5)(a) and (b) as the visitor thinks fit, and
 - (d) where relevant, any authority referred to in paragraph 7(4).
 - (2) The visitor shall make a report in writing to the Bishop on the outcome of the review conducted under sub-paragraph (1), and the report shall contain the visitor's recommendations on whether the mission initiative should continue, and —
 - (a) if so, whether the bishop's mission order should be renewed and, if it should, on the duration of the renewal (which may be defined or indefinite), or
 - (b) if not, whether (and if so how) the objectives of the mission initiative should be continued.
 - (3) The visitor's report may contain such other recommendations or comments as the visitor may think fit and copies of the report shall be sent to such other persons or bodies as the Bishop may direct.
 - (4) The Bishop, after considering the report, may, if he or she considers that the mission initiative should continue, after consulting the Commissioners and after carrying out such further consultation as he or she thinks fit, make a further bishop's mission order continuing the mission initiative and, if he or she thinks fit, a further supplementary instrument.
 - (5) The further order and supplementary instrument, if any, shall specify the duration of the order and instrument (which may be defined or indefinite) and the order shall continue in force accordingly.
 - (6) If the Bishop makes a further order under sub-paragraph (4) which is of defined duration, the visitor shall be under the like duty to review and report on the mission initiative as is imposed on the visitor by sub-paragraphs (1), (2) and (3).
 - (7) The Bishop, after considering the report referred to in sub-paragraph (6), may, if he or she considers—
 - (a) that the mission initiative should continue, and

- (b) that there are no other suitable means by which the mission initiative or its objectives can be achieved,

and after consulting the Commissioners, make a further bishop's mission order and, if he or she thinks fit, a further supplementary instrument.

- (8) Any order or supplementary instrument made under sub-paragraph (7) shall continue without limit of time, unless revoked or amended by a further order or instrument.
- (9) Any order or supplementary instrument made under this paragraph shall, so far as appropriate, make provision for any of the matters mentioned in paragraphs 2 to 5 and those paragraphs shall apply accordingly.
- (10) Any order or supplementary instrument made under this paragraph may be amended or revoked by a further order or instrument and paragraph 5(3), (4) and (5) shall apply in relation to any such order or instrument as it applies to orders and instruments made under that paragraph.
- (12) Any order or instrument made under this paragraph shall be signed in like manner as is provided by paragraph 5(8) and shall include the like declaration of acceptance by the leader or leaders.

7. *Ecumenical co-operation*

- (1) In this paragraph —

"co-operation provision" means a provision made under sub-paragraph (2) by a bishop's mission order;

"ecumenical co-operation", in relation to two or more Churches, means co-operation in matters affecting the ministry, congregational life or buildings of the Churches concerned;

"local ecumenical project" has the same meaning as in the Church of England (Ecumenical Relations) Measure 1988².

- (2) A bishop's mission order may include provision —
 - (a) for participation in a local ecumenical project,
 - (b) for other ecumenical co-operation with other Churches, and
 - (c) for collaboration with any religious organisations.
- (3) Without prejudice to paragraph 2(5), where it is proposed to include a co-operation provision in a bishop's mission order, the Bishop shall, as well as carrying out such consultation as is referred to in that sub-paragraph, consult the appropriate authority of each Church or religious organisation which is to participate in the local ecumenical project, or which is otherwise concerned.
- (4) The Bishop may authorise a person or body to carry out the consultation referred to in sub-paragraph (3) on his or her behalf.
- (5) Where a co-operation provision is included or is to be included in a bishop's mission order, and without prejudice to paragraph 2(5), the Bishop and the visitor shall discharge all their functions under this Schedule after consultation with the appropriate authority of each Church or religious

² 1988 No.3

organisation which is to participate in the local ecumenical project, or which is otherwise concerned.

- (6) Where a bishop's mission order of defined duration contains or is to contain a provision for participation in a local ecumenical project, the order or supplementary instrument may, with the agreement of the appropriate authority of each Church which is to participate in the project, provide that —
- (a) the reports referred to in paragraph 6(2) and (6) shall be made to a body of persons designated or constituted by the order or instrument, and
 - (b) the functions of the Bishop under paragraph 6(3) to (5) and (7) to (11) shall be performed by or on behalf of that body.
- (7) A body referred to in sub-paragraph (6) —
- (a) shall include the Bishop and one or more representatives of the appropriate authorities mentioned above, and
 - (b) may include persons otherwise representing the Church of England;
- and any functions of the visitor which, under paragraph 4 or 6, are performed on behalf of the Bishop shall be performed instead on behalf of that body.
8. *Code of practice*

In exercising any functions under this Schedule the Bishop, the Commissioners, any leader and any visitor shall have regard to any code of practice issued, or having effect as if issued, by the House of Bishops under section 84 of the Mission and Pastoral Measure 2011³ and for the time being in force, so far as it is applicable to the Isle of Man."

³ 2011 No.3

Section 4.

SCHEDULE 2

FURTHER AMENDMENTS OF THE 2012 MEASURE

1. *Formulation etc. of draft proposals*

- (1) In section 5(3), for paragraph (e) substitute —
 "(e) where they consider it desirable —
 - (i) make recommendations to the Bishop in accordance with paragraph 2 of Schedule 2, or
 - (ii) formulate a plan for pastoral reorganisation in accordance with paragraph 2A of that Schedule,
 for any of the matters for which provision may be made under this Measure by a pastoral scheme;"
- (2) In paragraph 1(1) and (2) of Schedule 2, after "recommendations," insert "plans,".
- (3) In paragraph 1(3) of Schedule 2, for "recommendation" (in each place) substitute "recommendation, plan".
- (4) After paragraph 1(3) of Schedule 2 insert —
 "(3A) If it appears to the Commissioners that any other person might be affected by the matters in question, they may treat that person as an interested party for the purposes of this Schedule; and the references to the interested parties in the following provisions of this Schedule and in Schedule 3 are to be read accordingly."
- (5) In paragraph 2(1) of Schedule 2, after "their views" insert "—
 - (a) on the recommendations the Commissioners propose to make, or
 - (b) if the Commissioners have yet to formulate recommendations, on the issues which the Commissioners consider need to be addressed."
- (6) After paragraph 2 of Schedule 2 insert —
 "**2A. Plan for pastoral reorganisation**
 - (1) The Commissioners may formulate a plan for pastoral reorganisation in the diocese or any part of it.
 - (2) Before formulating such a plan, the Commissioners shall so far as may be practicable ascertain the views of the interested parties or invite them to express their views —
 - (a) on the proposals which the Commissioners intend to include in the plan, or
 - (b) if the Commissioners have yet to determine what proposals to include in the plan, on the issues which the Commissioners consider need to be addressed.
 - (3) The Commissioners may, with the consent of the Bishop, submit such a plan to the Diocesan Synod for approval."
- (7) In paragraph 3 of Schedule 2, after sub-paragraph (1) insert —

"(1A) If the Diocesan Synod approves a plan under paragraph 2A(3), the Commissioners shall prepare a draft scheme or schemes giving effect to the proposals contained in the plan."

- (8) In paragraph 3(2) of Schedule 2, for "the proposals, and in that case sub-paragraph (1)" substitute "the proposals referred to in sub-paragraph (1), and in that case sub-paragraph (1)".

2. *Notice of draft pastoral scheme*

In paragraph 4 of Schedule 2 —

- (a) for sub-paragraph (1) substitute —

"(1) The Commissioners shall serve on each of the interested parties —

- (a) a copy of the draft scheme prepared under paragraph 3, and
(b) a notice under sub-paragraph (4).

(1A) The Commissioners shall publish the draft scheme online together with a notice under sub-paragraph (4).";

- (b) in sub-paragraph (2), at the end insert ", and

"(c) require him or her to ensure that, at every service (other than an occasional office) held at each of those churches or buildings during the period within which written representations may be made in accordance with the notice, the person conducting the service informs the congregation of the contents of the notice.";

- (c) in sub-paragraph (4) —

- (i) for "(2)(a)" substitute "(1)(b), (1A), (2)(a)",
(ii) after sub-paragraph (a) insert —

"(aa) specify the address online at which the draft scheme is published under sub-paragraph (1A).";

- (iii) in sub-paragraph (c), for the words from "being" onwards substitute "being —

- (i) in the case of a notice served under sub-paragraph (1)(b), a date not less than 28 days after service;
(ii) in every other case, a date not less than 28 days after the publication of the notice under sub-paragraph (1A)."

3. *Amendment of draft pastoral scheme*

In paragraph 5 of Schedule 2, at the end insert —

"(3) The power under sub-paragraph (1) to amend a draft scheme includes power to amend it so as to give effect instead to proposals included in representations made to the Commissioners on the draft; and where the Commissioners make amendments of that kind—

- (a) sub-paragraph (2) does not apply, and
(b) the Commissioners shall instead carry out such consultation on the amended draft scheme as they think appropriate."

4. *Making of pastoral scheme*

- (1) In paragraph 6(1) of Schedule 2, after item (b) insert "or

- (c) the proposals contained in any such draft scheme are to the same effect, or substantially the same effect, as proposals included in a plan approved under paragraph 2A(3), and the Commissioners do not consider that there are material considerations which indicate it should not be made,".
 - (2) In paragraph 6(2)(b) of Schedule 2, after "reasons for it" insert ", or of their decision under sub-paragraph (1)(c), as the case may be".
5. *Notice of draft disposal scheme*
- (1) For paragraph 5(4) of Schedule 3 substitute —
 - "(4) If they decide to proceed with the draft scheme, the Commissioners shall serve a copy of the draft scheme —
 - (a) on the Board, and
 - (b) if sub-paragraph (5) applies, on —
 - (i) the Department of Environment, Food and Agriculture;
 - (ii) the local authority for the district in which the building is situated;
 - (iii) the Commonwealth War Graves Commission; and
 - (iv) Manx National Heritage.
 - (2) In paragraph 5(5) of that Schedule, at the beginning insert "If this sub-paragraph applies,".
 - (3) After paragraph 5(5) of that Schedule insert —
 - "(5A) Sub-paragraph (5) applies if —
 - (a) there are burials in the building closed for regular public worship or in any churchyard or burial ground annexed to it, or
 - (b) the scheme provides for the demolition of the building, or
 - (c) the scheme provides for the building to vest in Manx National Heritage."
6. *Team and group ministries*
- (1) In section 10(1), omit the words from "and the scheme" onwards.
 - (2) In section 10(3), omit "scheme or, subject to the scheme, the".
 - (3) In section 10(4) and (7), omit "(subject to the scheme)".
 - (4) In section 10(6), for the words from the beginning to "any member of the team" substitute "The Bishop's licence may assign to any member of a team ministry".
 - (5) Omit section 10(10).
 - (6) In section 10(12), for ", subsection (1) and paragraph 3 of Schedule 1" substitute "and subsection (1)".
 - (7) In Schedule 1, omit paragraph 3.
7. *Parsonage houses*
- In section 22(2), after paragraph (a) insert —

"(aa) the subsequent designation by the Board of any accommodation as the parsonage house of the benefice, or".

8. *Vesting of land*

In paragraph 10(1) of Schedule 3, in entry (3) in the table, for column 2 substitute "The land shall on the relevant date vest in the Board."

9. *Burial rights*

(1) For paragraph 16 of Schedule 1 substitute —

"16. *Burial rights in new or altered parishes*

The creation or dissolution, or the alteration of the area, of a parish by virtue of a pastoral scheme shall not affect the rights and privileges (if any) of parishioners in respect of burials in any burial ground in that or any other parish."

(2) This paragraph applies in relation to pastoral schemes made before as well as after the coming into operation of this paragraph.

10. *Compensation of clergy*

(1) For section 37 substitute —

"37 Compensation of office-holders

Schedule 6 (which confers rights to compensation on holders of ecclesiastical office who are subject to Common Tenure) has effect."

(2) For Schedule 6 substitute —

"SCHEDULE 6

COMPENSATION OF OFFICE-HOLDERS

1. *Persons entitled to compensation*

(1) Subject to sub-paragraph (2), the holder of an ecclesiastical office who is subject to Common Tenure ("the claimant") is entitled to compensation under this Schedule —

(a) if his or her office is abolished by or as the result of a pastoral scheme; or

(b) if he or she —

(i) agrees with the Commissioners that compensation will be payable if he or she resigns from the office in question to enable a pastoral scheme to come into operation or to facilitate its coming into operation, and

(ii) resigns following the making of the scheme.

(2) Sub-paragraph (1) does not apply if the pastoral scheme also provides for the appointment of the claimant to another ecclesiastical office with a stipend and any other emoluments at an equivalent or higher level.

2. *Amount of compensation*

(1) The amount of compensation payable to the claimant under this Schedule is —

(a) 12 months' stipend, and

- (b) the amount that would be required by way of contribution under section 4(1) of the Pensions Measure 1997⁴ for 12 months' service by the claimant in the office in question on that stipend.
 - (2) In sub-paragraph (1), the references to a stipend are to the stipend that the claimant was receiving immediately before ceasing to hold the office in question.
3. *Housing*
- (1) This paragraph applies where the claimant was, immediately before ceasing to hold the office in question, occupying a parsonage house or other official residence provided for the purposes of the office.
 - (2) The Board must provide the claimant with accommodation which is suitable for him or her, and the family members with whom he or she lives, for a period of 12 months beginning with the date on which the claimant ceases to hold the office in question.
 - (3) In sub-paragraph (2) the reference to providing accommodation includes a reference to making arrangements with another person for that other person to provide accommodation.
 - (4) The Board may, instead of acting as mentioned in sub-paragraph (2), make a payment to the person concerned of an amount agreed by the Board and the person; and where the Board does so, it is to be treated as having discharged the duty under sub-paragraph (2).

4. *Additional payment*

Where a person is entitled to compensation under this Schedule, the Bishop may authorise an additional payment to be made to the person of such amount as the Bishop with the consent of the Board may determine.

5. *Payments of compensation etc.*

- (1) Each of the following payments —
 - (a) a payment of compensation under this Schedule,
 - (b) a payment under paragraph 3(4), and
 - (c) an additional payment under paragraph 4,is to be made as a lump sum by the Board.
- (2) The payment is to be charged on the capital account or the income account of the diocesan stipends fund, as the Board may decide on a case by case basis.

6. *Power to amend*

- (1) This paragraph applies where the Board considers, in the light of experience (in England or in the Island), that it is necessary or appropriate to make adjustments to the way in which the scheme under this Schedule operates.

⁴ 1997 No.1

- (2) Where this paragraph applies, the Board may by order amend the preceding provisions of this Schedule so as to give effect to those adjustments, and —
 - (a) make consequential modifications to any Measure of the General Synod which extends to the Island, or
 - (b) make consequential amendments to —
 - (i) this Measure, or
 - (ii) any other Measure under the Church Legislation Procedure Act 1993, or
 - (iii) any instrument made under any Measure referred to in (a) or (i) or (ii) above.
- (3) An order under this paragraph may not vary —
 - (a) the requirements for entitlement to compensation, or
 - (b) the amount of compensation payable.
- (4) An order under this paragraph may not be made unless a draft of the order has been approved by the Diocesan Synod.
- (5) An order under this paragraph shall be laid before Tynwald as soon as may be after it is made, and if Tynwald, at the sitting at which it is laid or the next following sitting, resolves that it be annulled, it shall cease to have effect."

11. Minor correction

In paragraph 13(8)(b) of Schedule 1, for "redundancy" substitute "closure for regular public worship".

Section 5(1).

SCHEDULE 3

AMENDMENTS AND MODIFICATIONS

1. *Synodical Government Measure 1969 (No.2)*

The Church Representation Rules are further modified by the insertion after rule 32 of the following —

"Representation of persons to whom bishop's mission orders relate

32A. (1) This rule applies if a bishop's mission order under Schedule 6A to the Mission and Pastoral Measure (Isle of Man) 2012 is in force.

(2) The standing committee of the diocesan synod may provide by scheme for the representation on the synod in accordance with the scheme of such persons to whom the order relates as may be specified in or under the scheme.

(3) A scheme under this rule does not have effect unless it is approved by the diocesan synod."

2. *Church (Miscellaneous Provisions) Measure (Isle of Man) 1990 (GC 3/91)*

In paragraph 2 of Schedule 1, for sub-paragraph (2) substitute —

"(2) In section 2(3), omit the words "or, during a vacancy in a see, the guardian of the spiritualities:" and the proviso."

3. *Church (Miscellaneous Provisions) Measure (Isle of Man) 1993 (SD 496/93)*

In paragraph 7 of the Schedule, for sub-paragraph (2) substitute —

"(2) Omit section 19(2) to (4);

(3) In section 19(5), omit the words from "and, if" onwards."

4. *Legal Aid Measure (Isle of Man) 1995 (SD 546/95)*

In Schedule 1, for paragraph 6 substitute —

"6. In Schedule 1, omit entries 2, 3 and 4."

5. *Patronage Measure (Isle of Man) 1997 (SD 637/97)*

The Patronage (Benefices) Measure 1986⁵, as set out in Schedule 1, is further modified by the omission of —

(a) section 12(9); and

(b) paragraph 15 of Schedule 2.

6. *Church Records Measure (Isle of Man) 2000 (SD 533/00)*

In section 25(2), for "redundancy" substitute "closure for regular public worship".

7. *Clergy Discipline Measure (Isle of Man) 2005 (SD 538/02)*

In Schedule 1, for paragraph 13A (inserted by the Church Fees Measure (Isle of Man) 2014⁶) substitute —

⁵ 1986 No.3

⁶ SM 1 of 2014

"Application of 1963 Measure

13A. (1) In section 35(1), omit "Section 63 (fees payable)".

(2) After section 35(2) insert —

"(3) In relation to disciplinary proceedings instituted under section 10 in the Isle of Man against a priest or deacon —

(a) there shall be paid to the chairman of a disciplinary tribunal and the registrar of tribunals the fees for the time being specified in that behalf in an order under section 6 of the Ecclesiastical Fees Measure 1986⁷ in relation to the like proceedings in England; and

(b) the costs and expenses of the disciplinary tribunal referred to in section 62(1) of the 1963 Measure, as applied by this section, shall include the fees payable under paragraph (a) above."

Compensation

13B. In section 41 —

(a) for "Schedule 4 to the Pastoral Measure 1983" substitute "Schedule 6 to the Mission and Pastoral Measure (Isle of Man) 2012", and

(b) for "section 25" substitute "section 15".

8. *Parochial Church Councils and Accounts Measure (Isle of Man) 2010 (SD 958/10)*

In section 1(1), after paragraph (e) insert —

"(ea) omit section 9(4);".

9. *Ecclesiastical Offices (Terms of Service) (Isle of Man) Regulations 2012 (SD 321/12)*

In regulation 29(1), after sub-paragraph (e) insert —

"(ea) the office is created by a bishop's mission order under Schedule 6A to the Mission and Pastoral Measure (Isle of Man) 2012;".

10. *Safeguarding and Clergy Discipline Measure (Isle of Man) 2017 (SD 2017/224)*

In paragraph 4(2) of Schedule 1, in the substituted section 26(1) of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991⁸, omit paragraph (e).

⁷ 1986 No.2

⁸ 1991 No.1

Section 5(2).

SCHEDULE 4

REPEALS

| <i>Reference</i> | <i>Short title</i> | <i>Extent of repeal</i> |
|------------------|--|---|
| 1979 c.10 | Church Act 1979. | Section 4. |
| GC 3/91 | Church (Miscellaneous Provisions) Measure (Isle of Man) 1990. | In Schedule 4, paragraph 2. |
| GC 485/92 | Care of Churches and Ecclesiastical Jurisdiction Measure (Isle of Man) 1992. | In paragraph 24(3) of the Schedule, the substituted section 31(4). |
| SD 254/94 | Statute Law Revision Measure (Isle of Man) 1994. | In Schedule 1, paragraph 6 and the cross-heading preceding it. |
| SD 637/97 | Patronage Measure (Isle of Man) 1997. | Section 3(3). |
| SD 538/05 | Clergy Discipline Measure (Isle of Man) 2005. | Section 2(2). Schedule 2. |
| SD 192/12 | Ecclesiastical Offices (Terms of Service) Measure (Isle of Man) 2012. | In the Schedule — (a) in paragraph 7(3)(c), in the inserted paragraph (ba), the words "or, where there is no parochial church council in existence, the churchwardens of the parish"; (b) in paragraph 7(6)(c), the words "omit "civil partner," and". |
| SD 654/12 | Mission and Pastoral Measure (Isle of Man) 2012. | Section 9(4). In section 22(1) — (a) in paragraph (a), the words "belonging to a benefice"; (b) paragraph (c). In section 43 — (a) subsection (1); (b) in subsection (3), the words "or a particular parish had no parochial church council or no churchwardens,". Section 47. In Schedule 1, in paragraph 10(1), the words from "(b)" onwards. |