STATUTORY INSTRUMENTS

1982 No. 1670

ECCLESIASTICAL LAW, ENGLAND

The Methodist Church Act 1976 (Isle of Man) Order 1982

Made - - - -	*24th November* 1982
Coming into Operation	*1st January* 1983

At the Court at Buckingham Palace, the 24th day of November 1982

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of sections 28 and 30 of the Methodist Church Act 1976 (**a**), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Methodist Church Act 1976 (Isle of Man) Order 1982 and shall come into operation on 1st January 1983.

2. The Methodist Church Act 1976 shall extend to the Isle of Man subject to the exceptions, adaptations and modifications specified in the Schedule to this Order.

3. The Methodist Church Union Act 1929 (**b**) shall cease to extend to the Isle of Man.

N. E. Leigh,
Clerk of the Privy Council.

(**a**) 1976 c.xxx. (**b**) 1929 c.lix.

Article 2

SCHEDULE

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS IN THE EXTENSION OF THE METHODIST CHURCH ACT 1976 TO THE ISLE OF MAN

1. In section 1 (short title and commencement)—

(a) in subsection (2), the words from "but no Standing Orders" to the end shall be omitted;

(b) for subsection (3), there shall be substituted—

"(3) In this section "the appointed day" means the date of coming into operation of the Act of 1982.".

2. In section 2(1) (interpretation)—

(a) in the definition of "acceptance by the Board" for the words "section 13 (as to seal) of the Act of 1939" there shall be substituted the words "section 4(2) of the Act of 1982";

(b) after the definition of "the Act of 1969" there shall be inserted the following definition:—

" "the Act of 1982" means the Methodist Church Act 1982 (an Act of Tynwald);";

(c) for the definition of "the Board" there shall be substituted the following definition:—

" "the Board" means the Trustees for Manx Methodist Purposes established by the Act of 1982;";

(d) the definitions of "the Charities Act" and "the Commissioners" shall be omitted;

(e) after the definition of "the Conference" there shall be inserted the following definition:—

" "the Court" means Her Majesty's High Court of Justice of the Isle of Man;";

(f) after the definition of "existing Circuit Advance Fund" there shall be inserted—

" "the General Registry" means the department established under the General Registry Act 1965 (an Act of Tynwald);"

(g) for the definition of "land" there shall be substituted—

" "land" includes messuages, tenements and hereditaments, houses and buildings of any tenure, and any interest in land, and any easement or right in, to or over land;";

(h) for the definition of "model deed" there shall be substituted the following definition:—

" "model deed" means any deed mentioned in Schedule 1 to this Act;";

(i) in the definition of "model deed property" the words in brackets shall be omitted;

(j) at the end of the definition of "property" there shall be inserted the words—

"and in sections 12, 13, 14 and 15 means property situated in the Isle of Man".

3. In section 9 (model trust vesting provisions)—

(a) in subsection (1) in the definition of "relevant property" the words after "this Act" where it appears for the second time shall be omitted;

(b) subsection (2) shall be omitted;

(c) in subsection (3), for the words from "section 10" to the end there shall be substituted "section 5(2) of the Act of 1982";

(d) subsections (4), (5), (6), (8) and (9) shall be omitted.

4. In subsections (2) and (3) of section 10 (power to adopt model trusts), for "the Commissioners" there shall be substituted "the Court".

5. In section 12 (future model trust settlements)—

(a) in subsection (3), for the words from "subsection (2)" to the end there shall be substituted "section 5(1) of the Act of 1982";

(b) in subsection (4), for "subsection (2) of the said section 9" substitute "the said section 5(1)".

6. In section 13(2) (future model trust property to be held by the Board), for the words from "subsection (2)" to the end substitute "section 5(1) of the Act of 1982".

7. Section 16 (termination of sharing agreements) shall be omitted.

8. In section 17(2) (supplementary provisions regarding transfer), after "of this Act" insert "or section 5 of the Act of 1982".

9. In section 24(3) (construction of references to abolished bodies and offices), for the words from "the office of the Commissioners" to the end there shall be substituted "the General Registry".

10. For section 26 (powers and exceptions in relation to charities) there shall be substituted—

"26. Nothing in this Act shall affect any power or jurisdiction of Her Majesty or the Court to alter the trusts of any charity.".

11. Sections 27 (amendment of Act of 1939), 28 (repeal), 29 (extent), 30 (application to the Channel Islands and Isle of Man) and 31 (costs) shall be omitted.

12. In Schedule 1 (deeds and orders referred to in definition of model deed), Part II shall be omitted.

13. In Schedule 2—

(a) in paragraph 26(2), for "section 34 of the Charities Act" there shall be substituted "section 8 of the Charities Act 1962 (an Act of Tynwald)";

(b) in paragraph 27(5), for the words from "the office of the Commissioners" to the end there shall be substituted "the General Registry".

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order—

(a) provides that the Methodist Church Union Act 1929 shall cease to extend to the Isle of Man;

(b) extends the Methodist Church Act 1976 to the Isle of Man with exceptions, adaptations and modifications.

The 1929 Act authorised the union of the three existing Methodist Churches into the Methodist Church, dealt with the property belonging to the three churches and provided for it to be vested in trust for the Methodist Church. That Act is repealed for Great Britain by the 1976 Act, section 28 of which authorises that it may be provided by Order in Council that it cease to extend to the Isle of Man.

The 1976 Act makes provisions concerning the constitution, purposes and doctrinal standards of the Methodist Church in Great Britain, re-enacts with modifications some provisions of the 1929 Act and vests church property in the Trustees for Methodist Church Purposes. This Order modifies the 1976 Act in its application to the Isle of Man by the substitution, for those trustees, of the Trustees for Manx Methodist Church Purposes, a body established by the Methodist Church Act 1982 (an Act of Tynwald). Such of the other provisions of the 1976 Act as are extended to the island are suitably modified to accord with local circumstances.

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