STATUTORY INSTRUMENTS

1986 No. 1164

ECCLESIASTICAL LAW, ENGLAND

The Methodist Church Act 1976 (Jersey) Order 1986

Made - - - - - 8*th July* 1986

Coming into Operation 1*st September* 1986

At the Court at Buckingham Palace, the 8th day of July 1986

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 (Jersey) Order 1986 and shall come into operation on 1st September 1986.

2. The Methodist Church Act 1976 shall extend to the Bailiwick of Jersey with 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 Bailiwick of Jersey.

G. I. de Deney,
Clerk of the Privy Council.

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

SCHEDULE Article 2

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS IN THE EXTENSION OF THE METHODIST CHURCH ACT 1976 TO THE BAILIWICK OF JERSEY

1. In section 1—

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

(*b*) for subsection (3) there shall be substituted the following subsection:—

"(3) In this section "the appointed day" means the date of coming into operation of the Law of 1986.".

2. In section 2(1)—

(*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 "Article 5(2) of the Law of 1986";

(*b*) the definition of "the Act of 1969" shall be omitted;

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

""the Board" means the Trustees for Jersey Methodist Church Purposes established by the Law of 1986;";

(*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 the Royal Court of Jersey;";

(*f*) for the definition of "land" there shall be substituted the following definition—

""land" includes houses, buildings and structures on land, water, interests in land or water and servitudes or rights in, on or over land or water;";

(*g*) after the definition of "land" there shall be inserted the following definitions—

""the Law of 1973" means the Sharing of Church Buildings (Jersey) Law 1973;

"the Law of 1986" means the Methodist Church (Jersey) Law 1986;";

(*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; and

(*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 Jersey".

3. In section 9—

(*a*) in subsection (1), in the definition of "relevant property", the words "or by virtue of the operation of section 16 (Termination of sharing agreements) of this Act" 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 the words "Article 6(2) of the Law of 1986"; and

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

4. In section 10, subsections (2) and (3), for the words "Commissioners shall have given their prior consent" there shall be substituted the words "Court shall have given its prior consent".

5. In section 12—

(*a*) in subsection (3), for the words from "subsection (2)" to the end there shall be substituted the words "Article 6(1) of the Law of 1986"; and

(*b*) in subsection (4), for the words "subsection (2) of the said section 9" there shall be substituted the words "Article 6(1) of the Law of 1986".

6. In section 13(2), for the words from "subsection (2)" to the end there shall be substituted the words "Article 6(1) of the Law of 1986".

7. Section 16 shall be omitted.

8. In section 17(2), after the words "of this Act" there shall be inserted the words "or Article 6 of the Law of 1986".

9. In section 18(3), after the words "enactment or instrument" in both places where they occur there shall be inserted the words "or any rule of law applicable in the Bailiwick of Jersey".

10. In section 24(3), the words from "and the Conference shall procure" to the end shall be omitted.

11. For section 26 there shall be substituted the following section:—

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

12. Sections 27, 28, 29, 30 and 31 shall be omitted.

13. In Schedule 1, Part II shall be omitted.

14.—(1) In Schedule 2, Part I—

(*a*) in the definition of "local purposes", for the words "the Act of 1969" there shall be substituted the words "the Law of 1973"; and

(*b*) in the definition of "new model trust property", for the words "sections 12 to 16" there shall be substituted the words "sections 12 to 15".

(2) In Schedule 2, Part III, paragraph 13(*l*), for the words "the Act of 1969" there shall be substituted the words "the Law of 1973".

(3) In Schedule 2, Part III, paragraph 14—

(*a*) after sub-paragraph (2) there shall be inserted the following sub-paragraph:—

"(2A) Notwithstanding that any of the members of any church or congregation hereinafter mentioned may not subscribe to the doctrinal standards, the managing trustees may with the consent of such person or persons as the Conference may by Standing Order prescribe permit the use of a place of worship or any other premises comprised in the property by members of one or more Christian churches or congregations either for particular occasions or for a period which shall not in any case exceed twelve months, provided that (i) such permission shall be given only upon terms that it is revocable by the managing trustees and (ii) such consent as aforesaid shall be given only in cases where to grant such permission would not (having regard to all the circumstances) itself infringe or offend the doctrinal standards."; and

(*b*) in sub-paragraph (3), for the words "Subject to the foregoing sub-paragraph and to any provision of the Act of 1969" there shall be substituted the words "Subject to sub-paragraphs (2) and (2A) of this paragraph and to any provision of the Law of 1973".

(4) In Schedule 2, Part III, paragraph 21, for the words "the Act of 1969" there shall be substituted the words "the Law of 1973".

(5) In Schedule 2, Part III, paragraph 26—

(*a*) at the end of sub-paragraph (2)(*a*) there shall be inserted the word "or"; and

(*b*) the word "or" at the end of sub-paragraph (2)(*b*) and the whole of sub-paragraph (2)(*c*) shall be omitted.

(6) In Schedule 2, Part III, paragraph 27(5), the words from "and the Conference shall procure" to the end shall be omitted.

15. Schedule 3 shall be omitted.

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 Bailiwick of Jersey;

(*b*) extends the Methodist Church Act 1976 to the Bailiwick of Jersey 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 any of the Channel Islands.

The 1976 Act makes provision 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 Churches Purposes. This Order modifies the 1976 Act in its application to the Bailiwick of Jersey by the substitution, for those trustees, of the Trustees for Jersey Methodist Church Purposes, a body established by the Methodist Church (Jersey) Law 1986. Such of the other provisions of the 1976 Act as are extended to Jersey are modified to accord with local circumstances.

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