
STATUTORY INSTRUMENTS

1998 No. 751

ECCLESIASTICAL LAW

**The United Reformed Church Acts
1972 and 1981 (Jersey) Order 1998**

Made - - - - - *18th March 1998*

Coming into force - - - - - *18th May 1998*

Her Majesty, in exercise of the powers conferred upon Her by section 33 of the United Reformed Church Act 1972⁽¹⁾, and section 31 of the United Reformed Church Act 1981⁽²⁾, 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 United Reformed Church Acts 1972 and 1981 (Jersey) Order 1998 and shall come into force on 18th May 1998.
2. In this Order, “Jersey” means the Bailiwick of Jersey.
3. The United Reformed Church Act 1972 shall extend to Jersey with the exceptions, adaptations and modifications specified in Schedule 1 to this Order.
4. Sections 1, 2, 21, 24, 28 and 29 of the United Reformed Church Act 1981 shall extend to Jersey with the exceptions, adaptations and modifications specified in Schedule 2 to this Order.

N. H. Nicholls
Clerk of the Privy Council

(1) 1972 c. xviii.
(2) 1981 c. xxiv.

SCHEDULE 1

Article 3

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS TO THE UNITED
REFORMED CHURCH ACT 1972 IN ITS EXTENSION TO JERSEY

1. Where there is a reference to the date of formation there is substituted a reference to the date of the extension of the United Reformed Church Act 1972 to Jersey.
2. In section 4(2), in paragraph (a)(ii), for “passing of this Act” substitute “extension of this Act to Jersey”.
3. In section 4(3), for the words from “forthwith after the appointment of the first clerk” onwards substitute “at the same time as he sends the certificate to the commissioners send a copy of it to the clerk”.
4. In section 5(2)—
 - (a) in paragraph (a)—
 - (i) for “effected by the preceding subsection” substitute “effected by section 5(1) of the United Reformed Church Act 1972 as that Act has effect in England and Wales”; and
 - (ii) at the end insert—

“: Provided that nothing in this paragraph shall be taken to prevent a non-uniting congregation from becoming a member of a Presbyterian Church other than that church or denomination commonly described and known as the Presbyterian Church of England and regulating its affairs in accordance with the doctrinal and administrative principles and usages of that other Presbyterian Church”; and
 - (b) omit paragraph (b).
5. In section 5(3), for paragraphs (a) to (i) substitute—
 - “(a) every uniting church and uniting congregation in Jersey; and
 - (b) every committee, council, court or other unincorporated association of or exclusively subsidiary or ancillary to any of the associations listed in paragraphs (a) to (h) of section 5(3) of the United Reformed Church Act 1972 as that Act has effect in England and Wales.”.
6. In section 6(1), for the comma before “of the Congregational Union” substitute “or”; and omit the words from “or of any association” to “of that schedule”.
7. Omit section 6(2).
8. Omit section 7.
9. Omit section 8.
10. In section 9(1), omit “(other than property to which the preceding section of this Act applies)”.
11. Omit section 9(2).
12. In section 10(2), omit the words from “and until” to “of this Act”; and for “this Act had not been passed” substitute “this Act had not been extended to Jersey”.
13. In section 11(2)(b), omit “section 8 (Lands held in trust for uniting churches and uniting congregations),”.
14. In section 12(1), omit the words from “and until” to “of this Act”.
15. In section 12(2), omit the words from “, until” to “said section 13,”; and omit paragraph (b).

16. In section 12(3), for all the words after “in connection with”, where that expression appears for the second time, substitute the words “the Congregational Church, the Congregational Union and any incorporated or unincorporated council or association of congregational churches or of the congregational denomination”.

17. In section 12(4)(b), omit “section 8 (Lands held in trust for uniting churches and uniting congregations),”.

18. Omit sections 13 to 15.

19. Omit section 19.

20. Omit section 20(3).

21. Omit section 22.

22. Omit section 23(1) and (3).

23. In section 23(2)—

- (a) omit “to which the preceding subsection applies”;
- (b) for “Part III of the Marriage Act 1949” substitute “Articles 38 and 39 of the Loi (1842) sur l'Etat Civil as amended(3)”; and
- (c) for “the said Act” substitute “the said Law”.

24. In section 23(4)—

- (a) for “the Registrar General of Births, Deaths and Marriages in England and Wales” substitute “l'Enregistreur Surintendant”; and
- (b) omit “to which subsection (1) of this section applies and shall indicate on that list which of those buildings are buildings”.

25. In section 24(1), for the words from “On and from the date” to “that Act” substitute the words “On and from the date of the extension of this Act to Jersey the Sharing of Church Buildings (Jersey) Law 1973 shall have effect as if the United Reformed Church were named in the Schedule to that Law”.

26. In section 24(2), for “the said Act” substitute “the said Law”.

27. In section 26(2), at the end, for “passed” substitute “extended to Jersey”.

28. Omit section 28(4).

29. In section 29, insert before the word “Law” the word “Jersey” (in two places).

30. In section 31—

- (a) omit “the commissioners”; and
- (b) at the end, insert—

“nor shall be taken as being in derogation of the Loi (1862) sur les tenures en fidécommis et l'incorporation d'associations, as amended(4)

31. Omit sections 32 to 34 and Schedules 1 and 2.

(3) Articles 38 and 39 were amended by the Loi (1960) (Amendement No. 7) sur l'Etat Civil.

(4) The 1862 law was amended by the Loi (1963) (Amendement) sur les tenures en fidécommis et l'incorporation d'associations and by the Loi (1993) (Amendement No. 2) sur les tenures en fidécommis et l'incorporation d'associations.

SCHEDULE 2

Article 4

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS TO PROVISIONS OF THE
UNITED REFORMED CHURCH ACT 1981 IN THEIR EXTENSION TO JERSEY

1. In section 2—
 - (a) omit the definitions of “Association”, “Churches of Christ”, “clerk”, “commissioners”, “date of unification”, “dissolved association”, “Moderator”, “Proposals for Unification”, “Unifying Assembly”, “Unifying Declaration”, and “uniting church”;
 - (b) in the definition of “Act of 1972”, at the end, add “as extended to Jersey by the United Reformed Church Acts 1972 and 1981 (Jersey) Order 1998”.
- 2.—(1) In section 21(1)—
 - (a) for “commencement of this Act” substitute “date of extension of this section to Jersey”;
 - (b) in paragraphs (a) and (b), for “formation as defined in the Act of 1972” substitute “the extension of the Act of 1972 to Jersey”;
 - (c) omit paragraphs (c) and (d);
 - (d) for “passing of this Act” substitute “extension of this section to Jersey”;
 - (e) in paragraph (i), for “5th October 1972” substitute “the date of the extension of the Act of 1972 to Jersey”; and
 - (f) omit paragraphs (iii) and (iv).

(2) In section 21(2)—

 - (a) for “commencement of this Act” substitute “date of extension of this section to Jersey”;
 - (b) for “said date of formation” substitute “date of extension of the Act of 1972 to Jersey”; and
 - (c) omit “and section 15”.

(3) Omit section 21(3).
3. In section 24—
 - (a) for “society, or uniting church” substitute “or society”; and
 - (b) insert the word “Jersey” before the words “Law Society” (in two places).
4. In section 29—
 - (a) omit “the commissioners”; and
 - (b) at the end, insert—

“nor shall be taken as being derogation of the Loi (1862) sur les tenures en fidécommis et l'incorporation d'associations, as amended”.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends to the Bailiwick of Jersey the United Reformed Church Act 1972, and provisions of the United Reformed Church Act 1981, with the exceptions, adaptations and modifications specified, respectively, in Schedule 1 and Schedule 2 to this Order.