

ABILL

ENTITLED

AN ACT for the incorporation of the Mustard Seed Missionaries
and the vesting of property in the body so incorporated.

WHEREAS the persons hereinafter named and other persons, inspired by the healing ministry of Jesus Christ, have been associated together under the name “The Mustard Seed Missionaries” for the purpose of living and spreading the good news of the gospel of Jesus Christ, as taught by the Roman Catholic Church, among the poorest of the poor, and for the purpose of uplifting the most vulnerable members of society, especially the sick, disabled and abandoned children, through the works of caring, sharing and training.

AND WHEREAS the Mustard Seed Missionaries is bound by its own statutes as a legitimate canonical entity as understood by the

Roman Catholic Church, having been canonically erected by the proper authority in Rome as a public association of the faith of the diocesan right with juridical personality.

AND WHEREAS property, both real and personal in Jamaica, used for religious, charitable and educational purposes, is held or possessed by diverse persons in trust for or for the benefit of or on behalf of the Mustard Seed Missionaries.

AND WHEREAS it is deemed desirable and expedient that the Mustard Seed Missionaries be created as a corporate body with perpetual succession in which should be vested all real and personal property already and hereafter to be acquired in Jamaica for and on behalf of the Mustard Seed Missionaries and that such incorporated body shall have the power to acquire, hold, deal with, mortgage or dispose of the said real and personal property for the purposes of the Mustard Seed Missionaries and be possessed of such other powers by this Act conferred.

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NOW, THEREFORE, BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica and by the authority of the same as follows:—

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| Short title. | 1. This Act may be cited as the Mustard Seed Missionaries (Incorporation and Vesting) Act, 2011. |
| Interpretation. | 2. In this Act, unless the context otherwise requires—

“Corporation” means the body incorporated as the Mustard Seed Missionaries by this Act;

“Missionaries” means the Mustard Seed Missionaries. |
| Incorporation of the Mustard Seed Missionaries. | 3.—(1) The following persons, that is to say—

(a) Reverend Monsignor Gregory Roy Ramkissoon, a Mustard Seed Missionary and the Executive Director of the Missionaries; |

- (b) Reverend Garvin Augustine, a Mustard Seed Missionary and the Chief Formation Director of the Missionaries;
- (c) His Grace the Most Reverend Edgerton Clarke, D.D., Archbishop Emeritus of the Roman Catholic Church,

and their successors for the time being in the respective offices aforesaid and one other member of the Missionaries to be, from time to time, nominated by the Executive Director, shall be and are hereby declared, constituted and appointed as a corporation and body corporate to have continuance forever and perpetual succession by the name the Mustard Seed Missionaries and possessed of a corporate seal and by that name may sue and be sued in all Courts of this Island.

(2) No act or proceeding of the Corporation shall be invalidated by reason of any vacancy in the body or in any of the offices referred to in subsection (1) or by any defect in the appointment of any such person to any such office.

(3) The seal of the Corporation shall be of such design and pattern as the Corporation may, from time to time, determine.

(4) No deed or document purported to be executed by the Corporation shall be of any force or validity unless it be sealed with the seal of the Corporation and signed by not less than two members of the Corporation, one of whom shall be the Executive Director of the Missionaries or Chief Formation Director for the time being of the Missionaries.

4.—(1) All real and personal property in Jamaica which are now legally or equitably the property of the missionaries or are held in trust by trustees for the purposes of the missionaries or are now held or possessed on behalf of the missionaries, are hereby transferred to and vested in the corporation for the same estate and interest and to the same extent to which the same were respectively held by or vested in the said parties hereinbefore

Vesting of
Property.

named as from the coming into effect of this Act subject to all trusts, mortgages, charges or encumbrances (if any) affecting the same or any part thereof.

(2) All property real and personal in the Island devised or bequeathed by will or otherwise given to the Roman Catholic Church or any person for the benefit of the missionaries shall be held by and is hereby vested in and shall be deemed to be the property of the Corporation.

Powers of
the
Corporation.

5. The Corporation shall have the following powers to—

- (a) acquire, hold, purchase, receive, lease, possess and enjoy any lands or hereditaments whatsoever in fee simple, leasehold, or for any other estate or interest therein, and all other property real or personal or mixed;
- (b) give, grant, let, charge, improve, manage, develop, exchange, lease, mortgage, sell, convey, assign, dispose of, turn to account, or otherwise deal with all or any of the property, both present and future, so held or vested, or any part thereof;
- (c) borrow, raise, or secure the payment of money in such manner as may be thought fit and in particular by the issue of debentures or script charged upon all or any of the property, both present and future, held by or vested in the Corporation, and to redeem and pay off such securities;
- (a) appoint a person or persons an Attorney or Attorneys of the Corporation either generally or for a limited period, and for such purposes and with such powers as may be stated in the Power of Attorney, and to revoke any such appointment and to confer on any such Attorney or Attorneys appointed as aforesaid power to appoint a substitute in his or their stead;

- (b) make such rules and by-laws as they shall think fit in order to carry out the purpose of the Act.

6. Nothing in this Act shall prejudice or affect the rights of Saving. Her Majesty the Queen, Her Heirs and Successors, or of any body politic or corporate and all others, except such as are mentioned in this Act and those claiming by, from, through or under them.

MEMORANDUM OF OBJECTS AND REASONS

This Bill seeks to make provision for the incorporation of the Mustard Seed Missionaries and to vest certain property in the Corporation and to allow the Corporation to hold property in perpetual succession through its officers together with the power to deal with such property and to sue and be sued in its corporate name.

A BILL

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