

## A BILL

ENTITLED

AN ACT to Amend the Pentecostal Assemblies of the World of Jamaica (Incorporation and Vesting) Law.

WHEREAS the Pentecostal Assemblies of the World of Jamaica (hereinafter called "the Church") an affiliate of the Pentecostal Assemblies of the World Incorporated of the United States of America (hereinafter called "the Parent Church"), was incorporated on the 18th day of August, 1960 as a corporate body with perpetual succession.

AND WHEREAS pursuant to subsection (3) of section 3 of the Pentecostal Assemblies of the World of Jamaica (Incorporation and Vesting) Law (hereinafter called "the Law") no sale, conveyance,

transfer, assignment, mortgage or any other disposition of real estate by the Church shall be of any effect, force or validity unless the prior consent in writing of the Board of Directors of the Parent Church or of the Presiding Bishop or General Secretary thereof shall be obtained.

AND WHEREEAS pursuant to subsection (4) of section 3 of the Law no deed or document purporting to be executed by the Church shall be of any force or validity unless it be sealed with the Corporate seal of the Church and signed by not less than three members of the Church along with the Presiding Bishop of the Parent Church.

AND WHEREAS the aforementioned affiliation between the Church and the Parent Church renders the Church unable to exercise the right of self-government or autonomy.

AND WHEREAS while retaining its affiliation with the Parent Church, the Church desires to make legal and other decisions and otherwise act independently of the Parent Church and therefore considers it desirable and expedient that the Law be amended.

[ ]

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:—

Short title  
and  
construction.

1. This Law may be cited as the Pentecostal Assemblies of the World of Jamaica (Incorporation and Vesting) (Amendment) Law, 2010, and shall be read and construed as one with the Pentecostal Assemblies of the World of Jamaica (Incorporation and Vesting) Law, 1960, (hereinafter referred to as the principal Law) and all amendments thereto.

Amendment  
of section 2  
of principal  
Law.

2. The principal Law is amended by deleting section 2 and substituting therefor the following as section 2—

“Interpreta- 2. In this Law, unless the context otherwise  
tion requires—

“Church” means the Pentecostal Assemblies  
of the World of Jamaica;

“Constitution” means the Constitution and by-laws of the Pentecostal Assemblies of the World of Jamaica as ratified by the duly constituted voting delegates at the Annual General Meeting of the Church and as amended from time to time;

“Corporation” means the the body incorporated by this Law;

“Parent Church” means the Pentecostal Assemblies of the World Incorporated of the United States of America.”.

3. Section 3 of the principal Law is repealed and the following substituted therefor—

“Incorporation of Church.

3.—(1) The Church and the officers so designated by the Constitution are hereby declared, constituted and appointed a Corporation and Body Corporate to have continuance forever and perpetual succession by the name the Pentecostal Assemblies of the World of Jamaica and possessed of a corporate seal and by that name may sue and be sued in all Courts of this Island.

(2) The persons holding the several offices of the Church shall be those appointed in accordance with the Constitution.

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

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

(5) Upon the recording in the Island Records Office or the lodging in the Office of Titles of a certificate under the seal of the Corporation of the

appointment of any person in accordance with subsection (2), the persons named in such certificate shall be deemed to be the holders of the offices named therein until the recording or lodging of a certificate of the appointment or another person to such office.

(6) 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 the officers as designated in the Constitution.

(7) In all matters or things within the province or discretion or subject to the decision, control or management of the Corporation the determination of a majority of the officers as prescribed by the Constitution shall be deemed and taken to be the determination of the Corporation.

(8) In the case of any other church or congregation desiring to unite with the Corporation and to adopt its tenets, doctrines and forms of worship and to submit to its jurisdiction, the Corporation may accept the transfer of the property of such other church or congregation, to be held subject to the trusts affecting the property vested in the Corporation, and such transfer shall be made by the Trustee of such property under the resolution of such other church or congregation directing such transfer, duly passed at a duly constituted meeting of such church or congregation by the like majorities and in like manner as would authorize a sale of the same lands, or otherwise duly passed in accordance with the rules or practices of such church or congregation.”

Insertion of new sections 4A and 4B of principal Law.

4. The principal Law is amended by inserting next after section 4 the following as sections 4A and 4B—

“Further provisions for vesting.

4A. All property real and personal in the Island bequeathed by Will or otherwise given to the Pentecostal Assemblies of the World of Jamaica

shall be held by, and is hereby vested in and shall be deemed to be property of the Corporation.

4B. In the case that there shall be any real or personal property held on trust similar to that mentioned in the Schedule to this Law, such property shall be deemed to be vested in the Corporation as from the coming into effect of this Law provided that no such vesting shall take place until—

- (a) the Corporation shall have obtained written legal advice to the effect that the said property is held on similar trust as aforesaid; and
- (b) the majority of members of the church or congregation affected shall by resolution have signified their consent thereto.”.

5. Section 5 of the principal Law is amended by inserting next after subsection (d) the following as subsection (e)—

Amendment  
of section 5  
of principal  
Law.

“(e) to make such rules and by-laws as the Corporation thinks fit in order to carry out the purposes of this Law.”.

6. The principal Law is amended by deleting the Schedule thereto and substituting therefor the following as the Schedule—

Amendment  
of Schedule.

SCHEDULE

(Section 4)

*Part A—Lands Registered under the Registration of Titles Act*

<u>Name of Property</u>	<u>Parish</u>	<u>Quantity of Land</u>	<u>Purpose or Use</u>	<u>Name of Proprietor</u>	<u>Date of Title</u>	<u>Vol. Folio</u>
(1) 8 Nugent Street	St. Catherine	3,175.9 Sq. ft.	Church	P.A.W.	Aug. 28, 1997	1301 373
(2) 8 Nugent Street	St. Catherine	10,154.6 Sq. ft.	Church	P.A.W.	Aug. 28, 1997	1301 374
(3) 2 Beckford Street	St. Catherine		Indigent Home	P.A.W.	May 22, 2001	1334 610
(4) Chantilly Gardens	Westmoreland	5,919 16/10 Sq. ft.	Church & House	P.A.W.	Jan. 1, 1975	1120 556 House
(5) 38 Jobs Lane	St. Catherine	16,955.7 Sq. m.	Headquarters	P.A.W.	May 24, 2000	1325 775
(6) Lambs Pen (26 Bagga Road)	St. Andrew	(Diagram mislaid)	Church	P.A.W.	March 21, 2002	1342 706
(7) Jones Pen (8 Pouyatt St.)	St. Andrew	7,620 Sq. ft.	Church	P.A.W.	June 4, 1995	1015 162
(8) 2K Greenwich Rd.	St. Andrew	3R. 34.28P	Church	P.A.W.	May 29, 2000	1325 957

*Part B—Lands for Which No Documents of Registered Titles Exists*

<u>Name of Property</u>	<u>Parish</u>	<u>Quantity of Land</u>	<u>Purpose of Use</u>	<u>Particulars of such information as exist</u>
(1) Dublin Castle	St. Mary	½ acre	Church	Indenture of Conveyance dated May 5, 1975 from Luther (Brainerd) Black to P.A.W Registered in the Record Office June 5, 1975 liber new series 2209 Folio 365
(2) Hope Bay	Portland	13.1 Perches	Church	Unrecorded Conveyance dated Dec. 15, 1966 from Ceclin Gertrude Brown to Moses Cyrenius Gayle—Trustee of P.A.W (includes a surveyor's diagram)
(3) Long Hill	Westmoreland	1 square	Church	Unrecorded Conveyance dated June 11, 1986 from Daniel and Mae Fear to PAW
(4) Somerton	St. James	1,122.72m	Church	Conveyance dated Oct. 28, 1957 from Lionel Anderson to Norman Walters and J. Westmoreland—Trustees of P.A.W
(5) Roehampton	St. James		Church	Receipt of sale dated Dec. 1, 1952 from James H. Bowen to Harry Doman, James Bowen and Levy Ramsey—Trustees for PAW. Also a Surveyor's diagram of the Property
(6) Tryall Heights	St. Catherine		Church	Agreement for Sale dated March 25, 1987 between MOH and P.A.W
(7) Riversdale	St. Catherine		Church	No Document.
(8) Newlands	St. Catherine		Church	No Document

*Part B—Lands for Which No Documents of Registered Titles Exists*

<u>Name of Property</u>	<u>Parish</u>	<u>Quantity of Land</u>	<u>Purpose of Use</u>	<u>Particulars of such information as exist</u>
(9) Banana Ground	Manchester		Church	No Document
(10) Kensham	Manchester		Church	No Document
(11) Dromilly	Trelawny	1 Square	Church	Unrecorded Indenture of Conveyance dated Sept. 27, 1975 from Bishop W. G. Brown to Norman Walters—Trustees for P.A.W
(12) Springfield	St. Elizabeth	1 Rood	Church	Unrecorded Indenture of Conveyance dated Aug. 31, 1988 from Alton Barrington Cameron and Ezra Farquharson to P.A.W
(13) Santa Cruz	St. Elizabeth		Church	No Document
(14) Chester	St. Ann	1 Square	Church	Unrecorded Indenture of Conveyance dated May 13, 1965 from David Samuel Moffat to Norman Walters and Prince Wright—Trustees for PAW (Includes Surveyor's Diagram)
(15) Mount Moriah	St. Ann	¼ acre	Church	Conveyance dated June 25, 1955 from Ellis Walters to Curtis Reid and Norman Walters—Trustees for P.A.W.
(16) Liberty	St. Ann		Church	Unrecorded Indenture of Conveyance dated Oct. 10, 1997 from Sydney Hall to Uriah Archer—Trustee for P.A.W
(17) Watt Town	St. Ann		Church	No Document



**ABILL**

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