



ST. CHRISTOPHER AND NEVIS

CHAPTER 24.16

NEVIS METHODIST TRUST INCORPORATION ACT

Revised Edition

showing the law as at 31 December 2009

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Cap. 1.03.

This edition contains a consolidation of the following laws—

NEVIS METHODIST TRUST INCORPORATION ACT

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CHAPTER 24.16

NEVIS METHODIST TRUST INCORPORATION ACT

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CHAPTER 24.16

NEVIS METHODIST TRUST INCORPORATION ACT

AN ACT TO PROVIDE FOR THE INCORPORATION OF THE METHODIST CHURCH OF NEVIS AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

Short title.

1. This Act may be cited as the Nevis Methodist Trust Incorporation Act.

Interpretation.

2. In this Act, unless the context indicates otherwise—

“Association” means the Wesleyan Methodist Missionary Trust Association incorporated in England under the Imperial Companies Acts 1862 to 1893;

“Church” means the Methodist Church in the Caribbean and the Americas;

“Committee” means the Circuit Resources and Development Committee of the Nevis Methodist Circuit;

“Corporation” means the Nevis Methodist Trust Corporation established by section 3;

“District” means the Leeward Islands District of the Methodist Church in the Caribbean and the Americas;

“Circuit Council Meeting” means the Circuit Council Meeting of the Nevis Circuit as provided in the Constitution and Discipline of the Church.

Incorporation of the Nevis Methodist Trust Corporation.

3. The Nevis Methodist Trust Corporation is hereby established as a body corporate and shall, in its corporate name—

- (a) have perpetual succession;
- (b) be capable of suing and being sued in a court of law;
- (c) have a common seal;
- (d) be capable of acquiring property by purchase, exchange, demise or otherwise, in perpetuity or for the life or lives for any term of years or upon any other terms, conditions or limitations;
- (e) consist of the Superintendent Minister and the members of the Committee for the time being and the successors in office as the Superintendent Minister and the members of the Committee; as well as the representative of the District, and of the Connexional-Trust Corporation.

Executive and member.

4. (1) The Superintendent Minister and one of the Circuit Stewards of the Nevis Circuit Council Meeting shall be respectively the Chairman and the Secretary of the Corporation.

(2) In the event of the death or absence from Nevis of any member of the Corporation, all or any of the powers conferred on the Corporation by this Act may be exercised by the surviving or remaining members on the condition that such powers shall not be exercised by less than seven members of the Corporation.

(3) A member shall continue in office until his tenure terminates in accordance with the Constitution and Discipline of the Church.

Property to vest in the Corporation.

5. (1) Any property in Nevis that belonged to, was held in trust for or on behalf of or vested in the Association and all property in Nevis to which the Association is beneficially or otherwise entitled shall be hereby vested in the Corporation without further assurance.

(2) The properties listed in Schedule 1 are hereby vested in the Corporation.

(3) All property in Nevis that is devised or bequeathed by will or otherwise acquired by voluntary gift by the Nevis Circuit shall be deemed to be the property of the Corporation.

(4) All property vested in or hereafter acquired by the Corporation shall be held by the Corporation for the use and benefit of the Nevis Circuit subject to the Constitution and Discipline of the Church.

Execution of sealed and unsealed documents.

6. (1) A document required to be formally executed by or on behalf of the Corporation shall be deemed to be sufficiently executed if the Common Seal of the Corporation is affixed in the presence of and is signed by the Chairman of the Corporation, or in such other manner as may be determined by the Corporation.

(2) A document required by law to be executed under seal shall be deemed to be duly executed if signed by a person or persons authorised by the Corporation to sign unless the contrary is proved.

(3) A person signing as Chairman, Secretary, or member of the Corporation shall be taken so to be, unless the contrary is proved, and any statement or certificate that a person named therein is the Chairman, Secretary or member of the Corporation, or that a document is a true copy of any document or entry in the books or records of the Corporation purporting to be signed by the Chairman, the Secretary or a member shall be admissible as *prima facie* evidence of the fact of the original document or entry.

Service of documents.

7. A document or process may be served on the Corporation by—

- (a) delivering it to the Chairman or the Secretary of the Corporation;
- (b) sending it by registered post to the address of the Corporation.

Power of Corporation to make by-laws.

8. (1) The Corporation shall have authority to make by-laws for its own internal management and control and such by-laws shall be binding on every member thereof.

(2) Subject to any by-laws made in exercise of the authority conferred by subsection (1) above, the Corporation shall be governed and managed in accordance with the Constitution and Discipline of the Church.

Savings.

9. Nothing in this Act shall prejudice or affect the rights of Her Majesty the Queen, Her Heirs and Successors, the Government, or any other person except as are mentioned in the Act and those claiming by, from, through or under them.

SCHEDULE 1

PROPERTIES VESTED IN THE CORPORATION

1. Methodist Manse, Charlestown
 2. Secretariat, Charlestown
 3. Church & Conference Centre, Chapel Street, Charlestown
 4. Vestry, Chapel Street, Charlestown
 5. Roberts House, Main Street, Charlestown
 6. Vacant Land, Morning Star (as registered in Book 7 Folio 91 of the Register Book of Titles)
 7. Methodist Manse, Gingerland
 8. Methodist Church, Gingerland
 9. Methodist Church Hall, Gingerland
 10. Methodist Church, Zion
 11. Methodist Church, Combermere
 12. Methodist Church Hall, Combermere
 13. Methodist Lands, New Castle (being four thousand five hundred and forty (4540) square feet as listed in File No. 225/93)
 14. Trinity Methodist Church, Fountain
 15. Trinity Church Hall, Fountain
 16. Methodist Land, Fountain
 17. Clifton Church, Cotton Ground
 18. Methodist Land, Cotton Ground (as registered in Book 4/Folio 5 of the Register Book of Titles)
 19. Methodist Church, Jessups.
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