

《严规熙笃会院牧法团条例》

ABBOT OF THE ORDER OF CISTERCIANS OF  
THE STRICT OBSERVANCE INCORPORATION  
ORDINANCE

(第 1107 章)

(Cap. 1107)

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1  
第 1107 章

第 1 条

Section 1

2  
Cap. 1107

本条例旨在为严规熙笃会香港院牧成立为法团而订定条文。  
(由 2001 年第 1 号第 2 条修订)

To provide for the incorporation of the Abbot in Hong Kong of the Order  
of Cistercians of the Strict Observance.  
(Amended 1 of 2001 s. 2)

[1963 年 4 月 25 日]

[25 April 1963]

**1. 简称**

本条例可引称为《严规熙笃会院牧法团条例》。  
(由 2001 年第 1 号第 3 条修订)

**1. Short title**

This Ordinance may be cited as the Abbot of the Order of  
Cistercians of the Strict Observance Incorporation Ordinance.  
(Amended 1 of 2001 s. 3)

**2. 释义**

在本条例中，除文意另有所指外——  
“法团”(corporation)指由第 3 条成立为法团的团体。

**2. Interpretation**

In this Ordinance, unless the context otherwise requires—  
“corporation”(法团) means the body incorporated by section 3.

**3. 成立为法团**

严规熙笃会当其时的香港院牧为一个单一法团，须以“严规熙  
笃会香港院牧”的名称命名，并以该名称永久延续，且在香港  
所有的法院可以和必须以该名称起诉与被起诉，以及必须备  
有和可以使用法团印章。  
(由 2001 年第 1 号第 4 条修订)

**3. Incorporation**

The Abbot for the time being in Hong Kong of the Order of  
Cistercians of the Strict Observance shall be a corporation sole and  
shall have the name of “The Abbot in Hong Kong of the Order of  
Cistercians of the Strict Observance”, and in that name shall have  
perpetual succession and may sue and be sued in all courts in Hong  
Kong and shall have and may use a common seal.  
(Amended 4 of 2000 s. 3; 1 of 2001 s. 4)

**4. 法团的权力**

(1) 法团有权获取、购买、取得、持有和享用任何性质或种  
类以及位于任何地点的土地、建筑物、宅院或物业单位，  
以及接受该等土地、建筑物、宅院或物业单位的租赁，  
有权将款项投资于任何土地、建筑物、宅院或物业单位

**4. Power of corporation**

(1) The corporation shall have power to acquire, accept leases  
of, purchase, take, hold and enjoy any lands, buildings,  
messuages, or tenements of what nature or kind soever and  
wheresoever situate, and also to invest moneys upon mortgage

的按揭，或投资于任何政府、市政府、法团、公司或个人的按揭、债权证、股额、资金、股份或证券、保证，亦有权购买、获取和管有任何性质及种类的船只及其他货品及实产：

但法团除非事先取得行政长官会同行政会议就每宗个案作出的特别同意，否则不得获取任何在香港的不动产。  
(由 2000 年第 4 号第 3 条修订)

- (2) 法团更进一步有权按其认为适合的条款，藉盖上其印章的契据，将当其时归属或属于法团的任何土地、建筑物、宅院、物业单位、按揭、债权证、股额、资金、股份或证券、保证或船只或其他货品及实产批出、出售、转易、转让、退回、交换、分划、交出、按揭、批租、再转让、移转或以其他方式处置。

## 5. 继任

如严规熙笃会当其时的香港院牧去世或停任上述院牧职位，则不论以任何方式移转予法团的任何财产的法律上的产权，须在其上述职位的继任人获委任时，转移予继任人。

(由 2001 年第 1 号第 5 条修订)

## 6. 院牧一职的委任

- (1) 每当任何人获委出任严规熙笃会香港院牧一职，该人须在获委任后的 3 个星期内，或在行政长官所容许的较长期间内，向行政长官提交证明其已获委任而为行政长官所接纳的证据。(由 2001 年第 1 号第 6 条修订)

of any lands, buildings, messuages or tenements or upon the mortgages, debentures, stocks, funds, shares or securities of any government, municipality, corporation, company or person and also to purchase, acquire and possess vessels and other goods and chattels of what nature and kind soever:

Provided that the corporation shall not acquire any immovable property in Hong Kong unless it has previously obtained the special consent of the Chief Executive in Council in each case. (Amended 4 of 2000 s. 3)

- (2) The corporation shall further have power by deed under its seal to grant, sell, convey, assign, surrender, exchange, partition, yield up, mortgage, demise, reassign, transfer or otherwise dispose of any lands, buildings, messuages, tenements, mortgages, debentures, stocks, funds, shares or securities or vessels or other goods and chattels, which are for the time being vested in or belong to the corporation upon such terms as to the corporation may seem fit.

## 5. Succession

The legal estate in any property whatsoever transferred to the corporation in any manner whatsoever shall, in the event of the death of the Abbot for the time being in Hong Kong of the Order of Cistercians of the Strict Observance or in the event of his ceasing to hold office as such Abbot, pass to his successor in such office when appointed.

(Amended 1 of 2001 s. 5)

## 6. Appointment to office of Abbot

- (1) Whenever any person is appointed to the office of Abbot in Hong Kong of the Order of Cistercians of the Strict Observance, such person shall, within three weeks after his appointment or within such further time as may be allowed

- (2) 经政务司司长签署而在宪报刊登的公告(该公告关于上述的人已向行政长官提交上述证据而上述证据已为行政长官所接纳),即为上述委任的不可推翻的证据。(由 1976 年第 226 号法律公告修订;由 1997 年第 362 号法律公告修订)

(由 2000 年第 4 号第 3 条修订)

## 7. 印章的使用

所有须盖上法团的印章的契据及其他文书,均须在院牧或其受托代表人在场的情况下盖章,并须由院牧或其受托代表人签署,上述签署即为该等契据及其他文书妥为盖章的足够证据,而所有须由法团签署的契据、文书及其他文件及文字,均须由院牧或其受托代表人签署。

(由 2001 年第 1 号第 7 条修订)

## 8. 保留条文

本条例的条文不影响亦不得当作影响中央或香港特别行政区政府根据《基本法》和其他法律的规定所享有的权利或任何政治体或法人团体或任何其他人的权利,但本条例所述及者和经由、透过他们或在他们之下作申索者除外。

(由 2000 年第 4 号第 3 条修订)

- by the Chief Executive, furnish to the Chief Executive evidence of his appointment as shall be acceptable to the Chief Executive. (*Amended 1 of 2001 s. 6*)
- (2) A notification in the Gazette under the hand of the Chief Secretary for Administration that such evidence has been furnished to and accepted by the Chief Executive by such person shall be conclusive evidence of such appointment. (*Amended L.N. 226 of 1976; L.N. 242 of 1994; L.N. 362 of 1997*)

(*Amended 4 of 2000 s. 3*)

## 7. Use of seal

All deeds and other instruments requiring the seal of the corporation shall be sealed in the presence of the Abbot or his attorney and shall be signed by him or his attorney and such signing shall be sufficient evidence of the due sealing of such deeds and other instruments and all deeds, instruments and other documents and writings requiring the signature of the corporation shall be signed by the Abbot or his attorney.

(*Amended 1 of 2001 s. 7*)

## 8. Saving

Nothing in this Ordinance shall affect or be deemed to affect the rights of the Central Authorities or the Government of the Hong Kong Special Administrative Region under the Basic Law and other laws, or the rights of any body politic or corporate or of any other persons except such as are mentioned in this Ordinance and those claiming by, from or under them.

(*Amended 4 of 2000 s. 3*)