

《圣道明玛利诺女修会法团条例》

MARYKNOLL SISTERS OF ST. DOMINIC
INCORPORATION ORDINANCE

(第 1019 章)

(Cap. 1019)

目录

Contents

条次		页次	Section	Page
1.	简称	1	1. Short title	2
2.	成立为法团	1	2. Incorporation	2
3.	法团的权力	1	3. Powers of corporation	2
4.	移转予法团的财产须转移予继任人	3	4. Property transferred to corporation to pass to successors	4
5.	行政总监的委任	3	5. Appointment of Administrator	4
6.	文件的签立	5	6. Execution of documents	6
7.	保留条文	5	7. Saving	6

本条例旨在为通常称为玛利诺女修会的圣道明玛利诺女修会的香港区行政总监成立为法团而订定条文。

(由 1955 年第 40 号第 2 条修订；由 1975 年第 18 号第 2 条修订)

To provide for the incorporation of the Administrator in Hong Kong of the Maryknoll Sisters of St. Dominic commonly known as Maryknoll Sisters.

(Amended 40 of 1955 s. 2; 18 of 1975 s. 2)

[1934 年 7 月 27 日]

[27 July 1934]

1. 简称

本条例可引称为《圣道明玛利诺女修会法团条例》。

(由 1955 年第 40 号第 2 条修订)

1. Short title

This Ordinance may be cited as the Maryknoll Sisters of St. Dominic Incorporation Ordinance.

(Amended 40 of 1955 s. 2)

2. 成立为法团

圣道明玛利诺女修会当其时的香港区行政总监为一个单一法团(以下称为法团),并须以“The Administrator in Hong Kong of the Maryknoll Sisters of St. Dominic”的名称命名而以该名称永久延续,且在香港所有的法院可以和必须以该名称起诉与被起诉,以及可以和必须具备有和使用法团印章。

(由 1955 年第 40 号第 2 条修订；由 1975 年第 18 号第 3 条修订)

2. Incorporation

(Adaptation amendments retroactively made - see 32 of 1999 s. 3)

The Administrator for the time being in Hong Kong of the Maryknoll Sisters of St. Dominic shall be a corporation sole, hereinafter called the corporation, and shall have the name of “The Administrator in Hong Kong of the Maryknoll Sisters of St. Dominic” and in that name shall have perpetual succession and shall and may sue and be sued in all courts in Hong Kong and shall and may have and use a common seal.

(Amended 40 of 1955 s. 2; 18 of 1975 s. 3; 32 of 1999 s. 3)

3. 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和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,亦有权将款项投资于任何土地、建筑物、宅院或物业单位的按揭,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,

3. Powers 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 invest moneys upon mortgage of any lands, buildings, messuages or tenements, or upon the mortgages, debentures, stocks, funds, shares or securities

亦有权购买、获取和管有任何性质及种类的船只与其他货品及实产。

- (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。

4. 移转予法团的财产须转移予继任人

如圣道明玛利诺女修会当其时的香港区行政总监去世或停任上述行政总监职位，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，须在其职位的继任人获委任时，转移予继任人。

(由 1955 年第 40 号第 2 条修订；由 1975 年第 18 号第 3 条修订)

5. 行政总监的委任

(具追溯力的适应化修订——见 1999 年第 32 号第 3 条)

- (1) 当任何人获委出任圣道明玛利诺女修会香港区行政总监一职，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的使人信纳的证据。(由 1955 年第 40 号第 2 条修订；由 1975 年第 18 号第 3 条修订)
- (2) 经政务司司长签署而在宪报刊登的关于上述的人已向行政长官提交上述证据的公告，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 1999 年第 32 号第 3 条修订)

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.

- (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 belonging to the corporation, upon such terms as to the corporation may seem fit.

4. Property transferred to corporation to pass to successors

The legal estate in any property whatsoever transferred to the corporation in any manner whatsoever shall in the event of the death of the Administrator for the time being in Hong Kong of the Maryknoll Sisters of St. Dominic, or in the event of her ceasing to hold office as such Administrator, pass to her successor in such office when appointed.

(Amended 40 of 1955 s. 2; 18 of 1975 s. 3)

5. Appointment of Administrator

(Adaptation amendments retroactively made - see 32 of 1999 s. 3)

- (1) When any person is appointed to the office of Administrator in Hong Kong of the Maryknoll Sisters of St. Dominic such person shall within 3 weeks after her appointment or within such further time as may be allowed by the Chief Executive furnish to the Chief Executive satisfactory evidence of her appointment. (Amended 40 of 1955 s. 2; 18 of 1975 s. 3)
- (2) A notification in the Gazette under the hand of the Chief Secretary for Administration that such evidence has been furnished to the Chief Executive by such person shall be

6. 文件的签立

所有须盖上法团的印章的契据及其他文书，均须在上述行政总监或其受托代表人在场的情况下盖章，并由上述行政总监或其受托代表人签署，上述的签署即须视为该等契据及其他文书已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，均须由上述行政总监或其受托代表人签署。

(由 1975 年第 18 号第 3 条修订)

7. 保留条文

(具追溯力的适应化修订——见 1999 年第 32 号第 3 条)

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 1999 年第 32 号第 3 条修订)

conclusive evidence of such appointment. *(Amended L. N. 226 of 1976; L.N. 242 of 1994; L.N. 362 of 1997)*

(Amended 32 of 1999 s. 3)

6. Execution of documents

All deeds and other instruments requiring the seal of the corporation shall be sealed in the presence of the said Administrator or her attorney and shall be signed by her or her attorney, and such signing shall be taken as 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 such Administrator or her attorney.

(Amended 18 of 1975 s. 3)

7. Saving

(Adaptation amendments retroactively made - see 32 of 1999 s. 3)

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 32 of 1999 s. 3)