

《澳门天主教教会法团条例》

CATHOLIC MISSION OF MACAO  
INCORPORATION ORDINANCE

(第 1006 章)

(Cap. 1006)

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.	临时管理人的委任	3	5. Appointment of temporary Administrator	4
6.	文件的签立	3	6. Execution of documents	4
7.	保留条文	5	7. Saving	6

本条例旨在为澳门天主教教会香港管理人成立为法团而订定条文。

To provide for the incorporation of the Administrator in Hong Kong of the Catholic Mission of Macao.

[1935 年 12 月 6 日]

[6 December 1935]

**1. 简称**

本条例可引称为《澳门天主教教会法团条例》。

**1. Short title**

This Ordinance may be cited as the Catholic Mission of Macao Incorporation Ordinance.

**2. 成立为法团**

澳门主教及继任其澳门主教一职的人为一个单一法团(以下称为法团),并须以“The Administrator in Hong Kong of the Catholic Mission of Macao”的名称命名,而且以该名称永久延续,并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。

**2. Incorporation**

(Adaptation amendments retroactively made - see 33 of 1999 s. 3)  
The Bishop of Macao, and his successors in the office of Bishop of Macao shall be a corporation sole, hereinafter called the corporation and shall have the name of “The Administrator in Hong Kong of the Catholic Mission of Macao”, 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 33 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,并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,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。
- (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、

**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 to invest moneys upon mortgage 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.

宅院、物业单位、按揭、产权证、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

如澳门天主教教会当其时的香港管理人去世或停任上述管理人职位，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。

#### 5. 临时管理人的委任

(具追溯力的适应化修订——见 1999 年第 33 号第 3 条)

- (1) 获(澳门)主教座堂红衣会或果阿总主教委任的澳门教区署理主教，在向行政长官提交证明其已获委任的使人信纳的证据后，即有权代法团行使本条例所授予的一切权力和权限，直至上述继任人如前述般获委任为止。
- (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，即为上述的人的行事权限的不可推翻的证据。(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 33 号第 3 条修订)

#### 6. 文件的签立

- (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 in Hong Kong of the Catholic Mission of Macao for the time being, or in the event of his ceasing to hold office as such Administrator pass to his successor in such office when appointed.

#### 5. Appointment of temporary Administrator

(Adaptation amendments retroactively made - see 33 of 1999 s. 3)

- (1) Until the appointment of such successor as aforesaid the Vicar Capitular of the Diocese of Macao appointed by the Chapter of the Diocese of Macao or by the Archbishop of Goa shall on his furnishing to the Chief Executive satisfactory evidence of his appointment be entitled to exercise on behalf of the corporation all the powers and authorities hereby conferred.
- (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 conclusive evidence of his authority to act. (*Amended L.N. 226 of 1976; L.N. 242 of 1994; L.N. 362 of 1997*)

(*Amended 33 of 1999 s. 3*)

#### 6. Execution of documents

所有须盖上法团的印章的契据及其他文书，均须在上述管理人或其受托代表人在场的情况下盖章，并须由上述管理人或其受托代表人签署，而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，均须由上述管理人或其受托代表人签署。

## 7. 保留条文

(具追溯力的适应化修订——见 1999 年第 33 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 33 号第 3 条修订)

All deeds and other instruments requiring the seal of the corporation shall be sealed in the presence of the said Administrator or his attorney and shall be signed by him or his 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 his attorney.

## 7. Saving

(Adaptation amendments retroactively made - see 33 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 33 of 1999 s. 3)