

《圣母兄弟会法团条例》

(第 1065 章)

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INSTITUTE OF THE MARIST BROTHERS OF THE
SCHOOLS INCORPORATION ORDINANCE

(Cap. 1065)

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本条例旨在为圣母兄弟会在香港的本地代表成立为法团而订定条文。

To provide for the incorporation of the local representative in Hong Kong of the Institute of the Marist Brothers of the Schools.

[1953 年 12 月 18 日]

[18 December 1953]

1. 简称

本条例可引称为《圣母兄弟会法团条例》。

1. Short title

This Ordinance may be cited as the Institute of the Marist Brothers of the Schools Incorporation Ordinance.

2. 成立为法团

圣母兄弟会当其时的香港代表(以下称为区会长)为一个法人团体(以下称为法团),并须以“The Visitor in Hong Kong of the Institute of the Marist Brothers of the Schools”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;亦可以不时破毁、更换、改变和重新制造法团印章。

2. Incorporation

(Adaptation amendments retroactively made - see 55 of 2000 s. 3)
The representative for the time being in Hong Kong of the Institute of the Marist Brothers of the Schools, hereinafter referred to as the Visitor, shall be a body corporate, hereinafter referred to as the corporation, and shall have the name “The Visitor in Hong Kong of the Institute of the Marist Brothers of the Schools”, 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 and may from time to time break, change, alter and make anew the said seal.

(Amended 55 of 2000 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、法团或公司的按揭、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货品及实产。

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, or company and

- (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、保证或其他任何货品及实产批出、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. 财产的移转

如区会长去世或停任上述区会长职位，则不论以任何方式归属法团的任何财产的法律上的产权，在第 6 条第 (2) 款的规定获遵从下，须转移予其职位的继任人。

5. 文件的签立

所有须盖上法团的印章的契据及其他文书，均须在区会长或其获妥为授权的受托代表人在场的情况下盖章，而该等契据及文书，以及所有须由法团签署的其他文件、文书及文字，均须由区会长或其受托代表人签署。

6. 区会长的委任及有关详情的登记

(具追溯力的适应化修订——见 2000 年第 55 号第 3 条)

- (1) 如区会长去世或由于任何其他理由而委任新的区会长时，该项委任须由圣母兄弟总会的行政总局作出。
- (2) 每当任何人获委出任区会长一职，该人须在如此获委任后的 3 个星期内，或在行政长官所容许的较长期间内，向公司注册处处长提交其获委任的通知以及证明其获委

also to purchase, acquire and possess 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 other goods and chattels whatsoever which are for the time being vested in or belonging to the corporation, upon such terms as to the corporation may seem fit.

4. Transfer of property

The legal estate in any property whatsoever, vested in the corporation in any manner whatsoever, shall, in the event of death of the Visitor, or in the event of his ceasing to hold office as such Visitor pass to his successor in such office subject to compliance with subsection (2) of section 6.

5. Execution of documents

All deeds and other instruments requiring the seal of the corporation shall be sealed in the presence of the Visitor or of his attorney duly authorized, and such deeds and instruments and all other documents, instruments and writings requiring the signature of the corporation shall be signed by the Visitor or his attorney.

6. Appointment of Visitor and registration of particulars

(Adaptation amendments retroactively made - see 55 of 2000 s. 3)

- (1) The appointment of a new Visitor in the event of death or for any other reason, shall be made by the General Board of Administration of the Institute of the Marist Brothers of the Schools of Rome, (EUR), Italy.

- 任的使公司注册处处长信纳的证据，并须于当时及于地址有任何更改起计 3 个星期内，向公司注册处处长提交其居住地的详情或其在香港的其他足够的地址。（由 2000 年第 55 号第 3 条修订）
- (3) 区会长委任的登记即为该项委任的不可推翻的证据。
- (4) 根据第 (2) 款所作的委任及地址的登记，须向公司注册处处长缴付 \$5 的费用，而就地址的每次更改，亦须向公司注册处处长缴付相类费用，而每次查册则须缴付 \$1 的费用。

7. 保留条文

(具追溯力的适应化修订——见 2000 年第 55 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 2000 年第 55 号第 3 条修订)

- (2) Whenever any person is appointed to the office of Visitor within three weeks of such appointment or within such further period as the Chief Executive may allow, such person shall furnish to the Registrar of Companies notice of his appointment and evidence thereof to the satisfaction of such Registrar, and shall then and within three weeks of any change of address, furnish to such Registrar particulars of his place of residence or other sufficient address within Hong Kong. (*Amended 55 of 2000 s. 3*)
- (3) The registration of the appointment of a Visitor shall be conclusive evidence of such appointment.
- (4) There shall be payable to the Registrar of Companies a fee of five dollars in respect of a registration of appointment and address under subsection (2) and a similar fee in respect of each change of address, and a fee of one dollar shall be payable in respect of each search of the file.

7. Saving

(Adaptation amendments retroactively made - see 55 of 2000 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 55 of 2000 s. 3*)