

《聖約瑟書院法團條例》  
(第 1048 章)

St. Joseph's College Incorporation Ordinance  
(Cap. 1048)

版本日期  
Version date  
26.5.2022

經核證文本  
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(《法例發布條例》(第 614 章) 第 5 條)  
(Legislation Publication Ordinance (Cap. 614), section 5)

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整條 Whole	1—6	26.5.2022

尚未實施的條文 / 修訂 ——

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### 制定史

本為 1921 年第 27 號 (第 314 章, 1950 年版) —— 1939 年第 33 號, 1964 年編正版, 1976 年第 226 號法律公告, 1993 年第 8 號, 1994 年第 242 號法律公告, 1997 年第 (C)106 號法律公告 (中文真確本), 1997 年第 362 號法律公告, 2000 年第 55 號, 2022 年第 2 號編輯修訂紀錄

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### Enactment History

Originally 27 of 1921 (Chapter 314, 1950) — 33 of 1939, R. Ed. 1964, L.N. 226 of 1976, 8 of 1993, L.N. 242 of 1994, L.N. (C) 106 of 1997 (Chinese authentic version), L.N. 362 of 1997, 55 of 2000, E.R. 2 of 2022

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本條例旨在就法文名為“L’Institut des Frères des Ecoles Chrétiennes”並在香港名為聖約瑟書院的基督學校修士會成立為法團而訂定條文。

To provide for the incorporation of the Brothers of the Christian Schools known in French as “L’Institut des Frères des Ecoles Chrétiennes” and known in Hong Kong as St. Joseph’s College.

[1921 年 11 月 4 日]

(格式變更——2022 年第 2 號編輯修訂紀錄)

[4 November 1921]

(Format changes—E.R. 2 of 2022)

### 1. 簡稱

本條例可引稱為《聖約瑟書院法團條例》。

### 1. Short title

This Ordinance may be cited as the St. Joseph’s College Incorporation Ordinance.

### 2. 成立為法團

聖約瑟書院在香港的校監及聖約瑟書院在香港的校監一職當其時的繼任人是一個法人團體（以下稱為**法團**），以“The Director in Hong Kong of St. Joseph’s College”為名，且在香港所有的法院可以必須以該名稱起訴與被起訴，以及可以必須備有和使用法團印章，亦可以不時按該法團認為適合而破毀、更換、更改和重新製造該印章。

### 2. Incorporation

The director in Hong Kong of St. Joseph’s College and his successors for the time being in the office of the director in Hong Kong of St. Joseph’s College shall be a body corporate, hereinafter called **the corporation**, and shall have the name of “The Director in Hong Kong of St. Joseph’s College”, and by that name shall and may sue and be sued in all courts in Hong Kong, and shall and may have and use a common seal and the said seal may from time to time break, change, alter and make anew as the said corporation may see fit.

(Amended 55 of 2000 s. 3)

### 3. 法團的權力

法團有全面的權力——

- (a) 獲取、購買、取得、持有和享用任何位於香港的不動產，以及接受該等不動產的租賃；
- (b) 按法團認為適合的條款，將歸屬法團的任何不動產出售、轉讓、退回、交出、移轉、按揭、作押記、批租、再轉讓或以其他方式處置和處理；

### 3. Powers of corporation

The corporation shall have full power—

- (a) to acquire, accept leases of, purchase, take, hold and enjoy any immovable property situate in Hong Kong;
- (b) to sell, assign, surrender, yield up, transfer, mortgage, charge, demise, reassign or otherwise dispose of and deal with any immovable property vested in the

- (c) 將款項投資於香港任何不動產的按揭或投資於法團認為適合的其他證券、保證。

#### 4. 文件的簽立

須蓋上法團的印章的一切契據及其他文書，須在當其時身為聖約瑟書院在香港的校監的人或在經妥為授權代表他的受權人在場的情況下蓋章，而該等契據及文書，以及須由法團簽署的一切其他文件、文書及文字，須由該名在香港的校監或其受權人簽署。

#### 5. 對出售土地的同意

未經法文名為“L'Institut des Frères des Ecoles Chrésiennes”的基督學校修士會的全球喇沙會會長<sup>#</sup>授權，通過出售將在香港的香港土地註冊處分別註冊為內地段第 1506 號及內地段第 1642 號餘段的各片或各幅土地轉讓，或通過出售將在此後任何時間歸屬法團的任何其他位於香港的土地、建築物、宅院或物業單位轉讓，均屬無效，而該授權須以書面示明，並須由上述全球喇沙會會長簽署。

(由 1993 年第 8 號第 2 條修訂)

編輯附註：

<sup>#</sup> “全球喇沙會會長”乃“Supérieur Général”之譯名。

#### 6. 校監的委任

- (1) 每當任何人獲委聖約瑟書院在香港的校監一職，該人須在獲委任後 3 星期內，或在行政長官所容許的較長期間

corporation upon such terms as to the corporation may seem fit;

- (c) to invest moneys on mortgage of any immovable property in Hong Kong or in or upon such other securities as to the corporation may seem fit.

(Amended 55 of 2000 s. 3)

#### 4. Execution of documents

All deeds and other instruments requiring the seal of the corporation shall be sealed in the presence of the person who is for the time being the director in Hong Kong of St. Joseph's College 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 such director in Hong Kong or his attorney.

#### 5. Consent to sales of lands

No assignment by way of sale of the pieces or parcels of ground respectively registered in the Land Registry at Victoria in Hong Kong as Inland Lot No. 1506 and the Remaining Portion of Inland Lot No. 1642, or any other lands, buildings, messuages or tenements situate in Hong Kong which may at any time hereafter be vested in the corporation, shall be valid without the authority of the Supérieur Général of the Society of the Brothers of the Christian Schools known in French as “L'Institut des Frères des Ecoles Chrésiennes”, such authority to be signified in writing signed by the said Supérieur Général.

(Amended 8 of 1993 s. 2; 55 of 2000 s. 3)

#### 6. Appointment of director

- (1) Whenever any person is appointed to the office of director in Hong Kong of St. Joseph's College such person shall within

內，向行政長官提交其獲委任的令人信納的證據。

- (2) 在憲報刊登的經政務司司長親自簽署說明上述證據已由上述的人向行政長官提交的公告，即為上述委任的不可推翻的證據。(由 1976 年第 226 號法律公告修訂；由 1997 年第 362 號法律公告修訂)  
(由 1939 年第 33 號修訂；由 1940 年第 840 號政府公告補充附表修訂；由 2000 年第 55 號第 3 條修訂)

#### 7. 保留條文

本條例的條文不影響亦不得當作影響中央或香港特別行政區政府根據《基本法》和其他法律的規定所享有的權利或任何政治體或法人團體或任何其他人的權利，但本條例所述及者和經由、透過他們或在他們之下作申索者除外。

(由 2000 年第 55 號第 3 條修訂)

three weeks after his appointment or within such further time as may be allowed by the Chief Executive furnish to the Chief Executive satisfactory evidence of his appointment.

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

(Amended 33 of 1939; G.N. 840 of 1940 Supp. Schedule; 55 of 2000 s. 3)

#### 7. 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 55 of 2000 s. 3)