



**BERMUDA  
1957:104**

**BERMUDA NURSING ASSOCIATION ACT 1957**

ARRANGEMENT OF SECTIONS

1	Bermuda Nursing Association continued as body corporate	4	[omitted]
2	Powers of Association	5	[omitted]
3	Limited liability of members	5A	Parliamentary scrutiny not required

[24 June 1957]

*[preamble and words of enactment omitted]*

**Bermuda Nursing Association continued as body corporate**

1 The present members of the Bermuda Nursing Association and all other persons who shall hereafter be duly admitted as members of the Bermuda Nursing Association, shall, during the continuance of their membership, continue to be a body corporate under the name of "The Bermuda Nursing Association" (hereinafter referred to as "the Association") with the exclusive right to use that name in Bermuda, and shall under that name have perpetual succession, with power to sue and liability to be sued in all courts, and to have and use a common seal, with power to renew, vary or change the same at pleasure.

**Powers of Association**

- 2 (1) The Association may—
- (a) engage in and carry on in Bermuda, by the establishment and operation of hospitals or otherwise, the nursing of ill and sick persons;

## **BERMUDA NURSING ASSOCIATION ACT 1957**

---

- (b) establish and operate nursing homes under the Residential Care Homes and Nursing Homes Act 1999; and
  - (c) establish and operate homes or nurseries for children.
- (2) The Association may make bye-laws, rules or regulations for—
  - (a) the conduct of its meetings;
  - (b) the appointment of a President, Vice-President, Secretary, Treasurer, Auditor and a Committee of Management;
  - (c) the conduct of its employees; and
  - (d) summoning meetings of the Association and the Committee of Management, and for the keeping of minute books, account books and other record books of the affairs of the Association and of the Committee of Management:
- (3) The Association may—
  - (a) hold, administer and dispose of all personal property now owned or which hereafter shall be acquired by the Association; and
  - (b) invest any funds in the hands of the Association or at its disposal—
    - (i) in any investment authorized by the Trustee Act 1975 [*title 26 item 51*], for the investment of trust moneys; and
    - (ii) in the stocks, shares, bonds or debentures of any company incorporated in Bermuda or of any municipal corporation in Bermuda, and the Association may vary any such investment and may realise any fund received by it in a state of investment.
- (4)
  - (a) The Association may take land in Bermuda by way of lease or letting agreement for a term not exceeding twenty-one years being land bona fide required for the purposes of the Association;
  - (b) Subject to the limitation hereinafter in this subsection provided, the Association may acquire and hold by its corporate name any land in Bermuda by way of purchase or exchange or by way of gift or devise:  
Provided that where such land is to be acquired by way of purchase such land must be bona fide required for

the purposes of the Association and the previous sanction of the Governor in each case shall have been obtained;

- (c) The Association shall not hold as owner of a freehold estate at any time more than five acres of land:

Provided that—

- (i) unless the Association is a mortgagee in possession the foregoing limitations shall not apply in respect of the holding of land by way of mortgage in cases where the Association has invested funds in a mortgage of land in Bermuda; and
- (ii) where any land is acquired by the Association by way of gift or devise and the area of the land so acquired, together with the area of any land then already being held by the Association as owner of a freehold estate exceeds five acres, then the Association may hold the land so acquired subject to the condition that the Association shall not later than three years after the acquisition divest itself of so much land as is the equivalent in area of the excess over five acres which resulted from the acquisition; and
- (d) The Association, in furtherance of its purpose, may sell, exchange, lease, let, sublet, mortgage or otherwise deal with any land held by the Association, being land held by the Association for such an estate or interest as would enable an individual person so to deal with the land; and to alter, maintain and furnish any buildings necessary for the carrying out of the purpose of the Association.

*[Section 2 subsection (1)(b) substituted by 1999:28 s.27 & Sch effective 27 April 2001]*

**Limited liability of members**

3 The liability of each member of the Association for the debts or other legal obligations of the Association shall be limited to the amount (if any) for the time being owing by him to the Association by way of subscription or otherwise, except with respect to any debt or legal obligation of the Association for which such member has already agreed to be responsible, either alone or in conjunction with any other person; and the property and assets of the Association shall be liable for its debts and obligations,

## **BERMUDA NURSING ASSOCIATION ACT 1957**

---

### **Transitional**

4 All property, assets and rights whatsoever which immediately before 24 June 1957 were vested in the body corporate known as "The Bermuda Nursing Association" existing under and by virtue of the Bermuda Nursing Home Act 1935, shall on 24 June 1957 vest in the Association as incorporated by this Act; and any legal obligations or liabilities incurred before 24 June 1957 by the Association as then constituted and remaining unsatisfied shall on 24 June 1957 devolve upon the Association as incorporated by this Act.

### **Repeal**

5 [omitted.]

### **Parliamentary scrutiny not required**

5A Section 6 of the Statutory Instruments Act 1977 [*title 1 item 3*] shall not apply to bye-laws, rules and regulations made under this section.

---

[Amended by

1977 : 35

1999 : 28]