
CHAPTER 390
SCOUT ASSOCIATION
ARRANGEMENT OF SECTIONS

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CHAPTER 390

SCOUT ASSOCIATION

An Act to incorporate the Scout Association of The Bahamas and for connected purposes. *29 cf 1975**[Commencement 19th November, 1975]*

1. This Act may be cited as the Scout Association of The Bahamas Act. Short title
2. In this Act, unless the context otherwise requires — Interpretation
- “Association” means the Scout Association of The Bahamas referred to in section 3(1).
- “Council” means the National Scout Council referred to in section 3(4).
- “Scout” means any cub scout, boy scout, sea scout, venture scout, rover scout, lone scout and rover sea scout recognised as such under the bylaws of the Association and also all persons recognised as officers under the bylaws of the Association.
3. (1) There shall continue to be an association known as The Scout Association of The Bahamas which shall be the sole national Scout Association in The Bahamas. Incorporation
- (2) The Association shall consist of such persons and groups of persons as were recognised in The Bahamas prior to the commencement of this Act as constituting The Scout Association of The Bahamas and of all persons and groups of persons who may hereafter join the Association.
- (3) The Association shall be —
- (a) a body corporate with perpetual succession and a seal; and
- (b) under the name of The Scout Association of The Bahamas shall be capable of suing and of being sued in all courts of The Bahamas and capable also of doing and suffering all acts which a body corporate may lawfully do and suffer.
- (4) The Association shall be governed by a Council which, save as provided in section 14, shall be constituted in accordance with bylaws made under this Act.

(5) The Council may appoint an executive committee with such powers, functions and duties as may be prescribed by bylaws under this Act. The executive committee which immediately before the commencement of this Act constituted the executive committee of the organisation recognised in The Bahamas as The Scout Association of The Bahamas, shall be the executive committee of the Association with such powers, functions and duties as it now has and be deemed to have been appointed by the Council and until the bylaws in this subsection referred to have been prescribed, all the powers, functions and duties which may be presently exercised by the said executive committee in existence immediately before the commencement of this Act shall continue to be exercised by that committee.

Objects of
Association

4. (1) The principal object of the Association shall be to encourage the physical, mental and spiritual development of young persons between the ages of seven and twenty-four so that such young persons may play constructive roles in the society in which they live.

(2) To achieve the principal object, the Association may provide, guided by adult leadership, enjoyable and attractive schemes of progressive training based on the internationally accepted Scout Promise and Scout Law.

(3) In pursuing the principal object, the Association shall not make any adverse distinction based on race, creed, sect, class, citizenship or political opinion.

Powers of
Association

5. The Association shall have power —

- (a) to acquire, accept leases of, purchase, take, hold and enjoy any lands, buildings, messuages or tenements of any nature or kind whatsoever and wheresoever situate;
- (b) 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;
- (c) to purchase, acquire and possess vessels, goods and chattels of any nature and kind whatsoever;
- (d) 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, vessels, goods or chattels, which are for the time being vested in or belonging to the Association upon such terms as to the Association may seem fit;

- (e) to borrow or raise moneys upon security or otherwise;
- (f) to launch appeals to the public for financial or other support for the Association;
- (g) to enter into any contracts it may consider necessary or expedient;
- (h) to do all such acts or things as are or may be incidental or conducive to the attainment of the Association's principal object or to the management of its affairs.

6. All deeds or other instruments requiring the seal of the Association shall be sealed in the presence of, and shall be signed by, the President for the time being, the Chief Scout for the time being and the Chief Commissioner for the time being, and all instruments requiring the signature of the Association shall be signed by such President, Chief Scout and Chief Commissioner.

Execution of documents

7. (1) The Council may make bylaws providing for —
- (a) membership of the Association, the fees for such membership and the management of its affairs;
 - (b) the composition, manner of election or appointment of members of the Council and the Executive Committee;
 - (c) the procedure at meetings of the Association, Council and the Executive Committee;
 - (d) the appointment and duties of the officers and employees of the Association;
 - (e) the custody of the property of the Association and the keeping and auditing of accounts;
 - (f) the use of the badges, tokens, emblems or designation used by the Association;
 - (g) the making of appeals to the public for financial or other support for the Association; and
 - (h) generally, the better carrying into effect of the purposes of this Act and the furtherance of the object of the Association.

Bylaws

(2) Sections 30 and 31 of the Interpretation Act shall not apply to the bylaws made under this section, nor shall the bylaws require publication in the *Gazette* but a copy of them shall be forwarded to the Minister responsible for National Security and when received by that Minister shall be conclusive evidence that such bylaws were made.

Distribution of badges.

8. No person other than the Association or with the permission of the Association, shall distribute, or sell or expose for sale —

- (a) any badge, token or emblem specifically adopted by the Association for use by Scouts; or
- (b) any badge, token or emblem containing the word “Scout.”

Unauthorised possession of badges.

9. No person shall, except with the authority of the Association, or with other lawful authority or lawful excuse, publicly wear, carry or bear —

- (a) any badge, token or emblem specifically adopted by the Association for use by Scouts; or
- (b) any badge, token or emblem containing the word “Scout.”

Possession of unauthorised badges.

10. No person shall without lawful authority or excuse have in his possession —

- (a) any device which so closely resembles any badge, token or emblem specifically adopted by the Association for use by Scouts as to lead to the belief that the device in question is such badge, token or emblem; or
- (b) any badge, token or emblem containing any words or characters so closely resembling any words or characters ordinarily used to describe any Scouts as to be calculated to deceive or mislead.

Wrongful exercise of authority.

11. No Scout shall, by virtue of his wearing, carrying or bearing any badge, token or emblem of the Association or otherwise, attempt to enforce or exercise authority otherwise than in accordance with the bylaws of the Association.

12. No person shall form or work in connection with or be a member of any organisation which, without authority from the Association, claims or purports to be “Scouts”, or any organisation which uses the title of “Scouts” or any title in any language, with or without additional words or characters, which so closely resembles the said title as to be calculated to deceive or mislead, or any organisation which, by the use of any such title or otherwise, without due authority purports or claims to be connected with the Association.

Unauthorised
bodies

13. Any person who contravenes any of the provisions of this Act shall be liable on summary conviction to a fine of two hundred and fifty dollars.

Penalty

14. Until the making of bylaws by the Council, the Association shall continue to function and operate as did the organisation recognised as The Scout Association of The Bahamas immediately preceding the commencement of this Act and the constitution of that organisation, where it does not conflict with any provisions of this Act, shall continue in force as if the same were bylaws made by the Council under the provisions of this Act.

Present Council
to continue