

No. 18—2002

I assent,

[L.S.]

H. F. COOKE,
Governor-General.

28th day of March, 2002.

AN ACT for the Incorporation of the Apostolic Church of
Jesus Christ and the Vesting of Property in the Body so
Incorporated.

[28th March, 2002]

WHEREAS from about the year 1962, Church of Jesus Christ (Apostolic) Inc. (hereinafter referred to as the "Parent Church"), a religious organization duly incorporated under Article 15 of the Religious Corporation Law of the State of New Jersey in the United States of America and the Certificate of Incorporation filed with the Clerk of the County of Passaic on the 11th day of September, 1962 and having its headquarters at 29-35 Haledon Avenue, Paterson in the State of New Jersey, extended its religious work to the Island of Jamaica and sent out Pastors and other representatives to disseminate knowledge of the Gospel of Jesus Christ among the people of this Island in accordance with its tenets and doctrines;

AND WHEREAS subsequent to the extension by the aforesaid Parent Church of its religious work to the Island of Jamaica certain local Churches were formed and established in various parts of the Island, and the said local Churches so formed have accepted the tenets and doctrines of the Parent Church, and having become affiliated therewith are known as Church of Jesus Christ (Apostolic) of Jamaica (hereinafter referred to as the "Church");

AND WHEREAS a Bill for the Incorporation of Church of Jesus Christ (Apostolic) of Jamaica and the Vesting of Property in the Body so Incorporated was prepared and advertised in the Jamaica Gazette of February 20, 1986 but a Petition was never brought before the Honourable Houses of Parliament;

AND WHEREAS several years have elapsed since the Bill was presented and the Church of Jesus Christ (Apostolic) of Jamaica wishes to avoid confusion with other churches similarly named in this Island, Church of Jesus Christ (Apostolic) of Jamaica wishes to be now known and incorporated as the Apostolic Church of Jesus Christ;

AND WHEREAS for the purpose of the several local Churches aforesaid now constituting Church of Jesus Christ (Apostolic) of Jamaica and in furtherance of the religious work carried on in Jamaica by them and by the Parent Church aforesaid, certain real estate and certain personal property has from time to time been acquired by them;

AND WHEREAS in acquiring the aforesaid real estate the title deeds contracts of purchase for the same and other documents of title therefor were taken or made in the name or names of Pastors or officers and members of the local Churches of Jesus Christ (Apostolic) of Jamaica, and it is now desired that all the said real estate and personal property aforementioned, should be conveyed, transferred or delivered to the Apostolic Church of Jesus Christ for charitable and educational purposes and for the general furtherance of the religious work in Jamaica carried on by

it, by the local Churches of which it is comprised and by the Parent Church aforesaid;

AND WHEREAS inconvenience is likely to be caused and expense is likely to be incurred by reason of changes from time to time connected with the Church and by reason of the death of the persons in whom legal ownership of the aforesaid real and personal property is vested unless some remedy be applied to prevent such inconvenience and it is therefore expedient and desirable that the Apostolic Church of Jesus Christ should be created a Corporate Body with perpetual succession in which may be vested all real and personal property already and hereafter to be acquired in Jamaica for and on behalf of the Apostolic Church of Jesus Christ and that the said Corporate Body shall have the right to acquire, hold, deal with, mortgage and dispose of all real and personal property in this Island for the purpose of the Apostolic Church of Jesus Christ and should also have such other powers as are conferred by this Act:

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica and by the Authority of the same as follows:—

1. This Act may be cited as the Apostolic Church of Jesus Christ (Incorporating and Vesting) Act, 2002. Short title.

2. In this Act unless the context otherwise requires:

Interpreta-
tion.

“The Church” means the persons for the time being associated in Jamaica under the name of the Apostolic Church of Jesus Christ;

“The Corporation” means the body incorporated by this Act.

Incorporation of the Apostolic Church of Jesus Christ.

3.—(1) The following persons, that is to say:—

Bishop Roy C. Williams, General Overseer

Overseer Walter G. McKoy, General Secretary

Overseer Harold Daley, Treasurer

Eva Charles, Member of the Executive

Reverend Stanford Newton, Member of the Executive

Reverend Arthur George Brett, Member of the

Overseer Connought M. Williams, Member of the Executive

and their successors for the time being in the respective offices of the Church as aforesaid as may from time to time be elected for the purposes for the time being by the Church at its Annual Conference shall be and hereby declared constituted and appointed a Corporation or Body Corporate to have continuance forever and perpetual succession by the name of the “Apostolic Church of Jesus Christ” and possessed of a Corporate Seal and by that name may sue or be sued in all the Courts of Jamaica.

(2) No act or proceeding of the Corporation shall be invalidated by reason of any vacancy in the body or in any of the offices mentioned in the preceding subsection or by any defect in the appointment of any person to any such office.

(3) The Seal of the Corporation shall be of such design and pattern as the Corporation may from time to time determine.

(4) Upon the recording in the Island Record Office or the lodging at the Office of Titles of a Certificate under the Seal of the Corporation of the appointment of any person or persons to any of the offices mentioned in subsection (1) the person or persons named in such Certificate shall be deemed to be the holder of the office or offices named therein until the recording or lodging of a similar Certificate

of the appointment of such other person or persons to such office or offices.

(5) No deed or document purporting to be executed by the Corporation shall be of any force or validity unless it be sealed with the Seal of the Corporation and signed by not less than two members of the Corporation and one of whom shall be the Overseer for the time being of the Church.

(6) In the case of any other church or congregation desiring to unite with the Corporation and to adopt to its tenets, doctrines and forms of worship and to submit to its jurisdiction, the Corporation may accept the transfer of the property of such Church to be held subject to the trusts affecting the property vested in the Corporation, and such transfer shall be made by the Trustee(s) of such property under the resolution of such church or congregation by the like majorities and in like manner as would authorize a sale of the same lands, or otherwise duly passed in accordance with the rules or practices of such church or congregation.

4.—(1) All lands and hereditaments and all goods, chattels and personal property in Jamaica which are now legally or equitably the property of the Church or are now held in trust for the purpose of the Church or are now held or possessed on behalf of the Church by officials, ministers or members of the Church or any of them are hereby transferred to and vested in the Corporation, subject to all trusts, mortgages, charges, rights, reservations or encumbrances (if any) affecting the same or any part thereof. Vestin proper

(2) All property real and personal in the Island of Jamaica devised or bequeathed by will or otherwise given to the Church or to any person for the benefit of the Church shall be held by, and is hereby vested in, and shall be deemed to be, the property of the Corporation, subject to such conditions (if any) as may be attached to the gift.

Powers of Corporation.

5. The Corporation shall have the following powers:—

- (a) to acquire, hold, purchase, lease, possess and enjoy any lands and hereditaments whatsoever in fee simple or leasehold or for any other estate or interest therein, and all property, real or personal;
- (b) to give, grant, let, charge, improve, manage, develop, exchange, lease, mortgage, sell, convey, assign, dispose of, turn to account, or otherwise deal with all or any of the property both present and future, so held or any part thereof;
- (c) to borrow, raise or secure payment of money in such manner as may be thought fit and in particular by the issue of debenture or script charged upon all or any of the property (both present and future) held by or vested in the Corporation, and to redeem and pay off such securities;
- (d) to appoint a person or persons as the attorney or attorneys of the Corporation either generally or for a limited period and for such purposes and with powers as may be stated in the Power of Attorney, and to revoke any such appointment;
- (e) to operate the Church;
- (f) to build, operate and maintain places of worship and such other buildings and facilities as may be necessary or convenient for the purposes of the Church;
- (g) to make such rules and by-laws as it may think fit in order to carry out the purposes of this Act.

Savings of Prerogative.

6. Nothing in this Act shall prejudice or affect the Rights of Her Majesty the Queen, Her Heirs and Successors, or of any body politic or corporate or of any other person or persons, except such as are mentioned in this Act and those claiming by, from, through or under them.

SCHEDULE

Description of Premises	Names of Persons in whom Title now Vested	Nature of Title
All that piece or parcel of land situate and lying and being in the parish of Saint Andrew and known as Pennington containing by estimation one square more or less butting and bounding East by lands belonging to Noel Morgan, West by lands belonging to Sharon Brown, North by lands belonging to Charles Lawrence and South by lands belonging to Thaddeus Simms or howsoever otherwise the same may be butted, bounded, known, distinguished or described.	Bishop R. C. Williams for the Church of Jesus Christ Apostolic Inc.	Unregistered
All that piece of land situate at Harry Watch, Ginger Piece District in the parish of Manchester containing by estimation one square butting and bounding North by lands belonging to Clifford Robinson, South by the said land, East by the main road leading from Harry Watch to Craighead and West by land belonging to Joseph Smith or howsoever, otherwise the same may be butted, bounded, known, distinguished or described.	Bishop R. C. Williams	Unregistered
All that parcel of land part of One Hundred and Fifteen Molyne Road in the parish of Saint Andrew being the Lot numbered Forty-Six on the Plan of 115 Molyne Road and Cockburn Pen aforesaid deposited in the Office of Titles on the 5th day of April, 1968 of the shape and dimensions and butting as appears by the Plan and being all of the land comprised at Certificate of Title registered at Volume 1098 Folio 306 of the Register Book of Titles.	Church of Jesus Christ (Apostolic) Inc.	Registered

Description of Premises	Names of Persons in whom Title is now Vested	Nature of Title
All that parcel of land part of Palmetto Pen in the parish of Saint Catherine being lot numbered Four on the Plan of part of Palmetto Pen aforesaid deposited in the Office of Titles on the 11th day of September, 1970 of the shape and dimensions and butting as appears by the Plan thereof hereunto annexed, being all that land comprised in Certificate of Title registered at Volume 1098 Folio 248 of the Register Book of Titles.	Roy C. Williams and Citira Williams	Registered