



## ST. CHRISTOPHER AND NEVIS

### CHAPTER 24.11

## SAINT KITTS METHODIST TRUST CORPORATION ACT

### Revised Edition

showing the law as at 31 December 2002

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, No. 9 of 1986.

This edition contains a consolidation of the following laws—

### SAINT KITTS METHODIST TRUST CORPORATION ACT

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## **CHAPTER 24.11**

### **SAINT KITTS METHODIST TRUST CORPORATION ACT**

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## **CHAPTER 24.11**

### **SAINT KITTS METHODIST TRUST CORPORATION ACT**

AN ACT TO INCORPORATE THE SAINT KITTS METHODIST TRUST CORPORATION TO HOLD IN THE ISLAND OF SAINT KITTS THE PROPERTY OF THE METHODIST CHURCH IN THE CARIBBEAN AND THE AMERICAS; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

#### **Short title.**

1. This Act may be cited as the Saint Kitts Methodist Trust Corporation Act.

#### **Interpretation.**

2. In this Act—

“Association” means the Wesleyan Methodist Missionary Trust Association incorporated in England under the Imperial Companies Acts 1862 to 1893;

“Church” (so written) means the Methodist Church in the Caribbean and the Americas, but “churches” (so written) has its ordinary meaning;

“Committee” means the Finance and Property Committee of the Saint Kitts Circuit;

“Corporation” means the Corporation established by section 3;

“District” means the Leeward Islands District of the Methodist Church in the Caribbean and the Americas;

“Quarterly Meeting” means the Quarterly Meeting of the Saint Kitts Circuit as provided in the Constitution and Discipline of the Church.

#### **Incorporation of the Saint Kitts Methodist Trust Corporation.**

3. (1) There is hereby established a body Corporate to be known as “The Saint Kitts Methodist Trust Corporation” which shall, by that name, have perpetual succession and a Common Seal and shall consist of the Superintendent Minister and the members of the Committee for the time being and the successors in office as such Superintendent Minister and as such members of the Committee.

(2) The Superintendent Minister and one of the Circuit Stewards of the Saint Kitts Circuit designated for that purpose by the Quarterly Meeting shall be, respectively, the Chairperson and the Secretary of the Corporation.

#### **Death or absence from St. Kitts of members of the Corporation.**

4. In the event of the death or absence from Saint Kitts of any member of the Corporation, all or any of the powers conferred on the Corporation by this Act may be exercised by the surviving or remaining members:

Provided however that such powers may not be exercised by less than seven members of the Corporation.

#### **Tenure of membership.**

5. A member shall continue in office until his or her tenure of office terminates in accordance with the Constitution and Discipline of the Church.

**Capacity of the Corporation.**

6. The Corporation shall have full power—

- (a) to acquire by purchase, devise or otherwise, property real and personal of whatever kind within Saint Kitts and to hold, control, improve, manage, mortgage, convey, assign, demise or otherwise dispose of such property;
- (b) to borrow and take up at interest any sum or sums of money for the purpose of erecting or improving or aiding in erecting or improving churches, schools, manses, dwelling-houses or other buildings or structures, and for that purpose to mortgage by deed or otherwise under the Seal of the Corporation such portions of its property as may be necessary for securing the repayment of such sums of money with interest thereon; and
- (c) to take, hold, employ and invest all such property as they deem advisable, but only for the purposes of the Corporation.

**Vesting of property in the Corporation.**

7. (1) All property of whatever nature and kind in Saint Kitts which, before the commencement of this Act, was vested in the Association and all property in Saint Kitts to which the Association is beneficially or otherwise entitled shall be and the same are hereby vested, without further assurance, in the Corporation.

(2) The properties listed in the Schedule are hereby vested in the Corporation.

**Vesting of property bequeathed.**

8. All property of whatever nature and kind hereafter devised or bequeathed by will or otherwise acquired by voluntary gift by the Saint Kitts Circuit shall be deemed to be the property of the Corporation.

**Tenure of property for use and benefit of the Circuit.**

9. All property vested in or hereafter acquired by the Corporation shall be held by the Corporation for the use and benefit of the Saint Kitts Circuit subject always to the Constitution and Discipline of the Church.

**Execution of documents.**

10. (1) Any document requiring to be formally executed by or on behalf of the Corporation shall be deemed to be sufficiently executed if the Common Seal of the Corporation is affixed in the presence of and is signed by the Chairperson and the Secretary of the Corporation, or in such other manner as may, from time to time, be determined by the Corporation.

(2) Any other document not required by law to be executed under seal shall be deemed to be duly executed if signed by a person or persons authorised by the Corporation so to sign and such person or persons shall be deemed to be so designated in such document and to be so authorised, unless the contrary is proved.

**Evidence of acts.**

11. Any person signing as Chairperson, Secretary or member of the Corporation shall be taken so to be, until the contrary is proved, and any statement or certificate that any person named therein is the Chairperson, Secretary or member of the

Corporation, or that a document is a true copy of any document or of any extract from any document or entry in the books or records of the Corporation purporting to be signed by the Chairperson, the Secretary or a member shall be admissible as *prima facie* evidence of the fact of the original document or entry.

**Service of process.**

12. Any document or process may be served on the Corporation by—
- (a) delivering it to the Chairperson or the Secretary of the Corporation; or
  - (b) sending it by registered post to the address of the Corporation.

**Power to make By-laws.**

13. (1) The Corporation shall have authority to make by-laws for its own internal management and control and such by-laws shall be binding on every member thereof.

(2) Subject to any by-laws made in exercise of the authority conferred by subsection (1) above, the Corporation shall be governed and managed in accordance with the Constitution and Discipline of the Church.

**Rights of the Queen.**

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

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**SCHEDULE***(Section 7(2))*

<b>Short Description of Property and Location</b>	<b>Purpose for which now used</b>
Land at Cardin Avenue, Basseterre	Site of St. Johnston Methodist Church and School
Land at St. Johnston's Village on Main Public Road, Basseterre	Site of Deaconess House
Land at Irish Town, Basseterre	Site of former Irish Town School
Land at George Street, New Town, Basseterre	Site of Hope Chapel
Land at Corner of Pitcairn Street and Mad House Alley, Basseterre	Rented to various tenants
Land at Victoria Road and Seaton Street, Basseterre	Site of Wesley Methodist Church
	Site of Wesley Manse
	Site of Wesley School (formerly Basseterre Boys' School)
Land at Nevis Street, Basseterre	Site of Maurice Hillier Memorial Junior School
Land at Cayon	Site of Cayon Methodist Church
Land in the Parish of St. John Capisterre	Site of Tabernacle Methodist Church
	Site of Tabernacle School
	Site of Tabernacle School Annex
Land at Mission Street, Tabernacle	Rented to various Tenants
Land at Chapel Street, Tabernacle	Rented to various Tenants
Land at Dieppe Bay	Site of Dieppe Bay Methodist Church and Site of Methodist burial ground
	Site of Methodist Manse
Land at St. Pauls Capisterre	Site of St. Pauls Methodist Church and Cemetery
Land at Sandy Point in the Parish of St. Anne	Site of Sandy Point Methodist Church
	Site of Sandy Point Manse
	Site of Sandy Point School
	Site of Sandy Point Burial Ground
Land at Downing Street in the Parish of St. Anne	
Land at Half Way Tree in the Parish of St. Thomas	Site of Half Way Tree Methodist Church
Mountain land at Half Way Tree (part of Dry Hill Estate) in the Parish of St. Thomas	Rented to tenants for cultivation
Land at Old Road	Site of Old Road Methodist Church and School
Land in the Parish of Trinity Palmetto Point (formerly Old Fort)	Site where the old Wesleyan Chapel stood and the burial ground
Land at Challengers Village	Site of Challengers Methodist Church and the Community Hall