

ABILL

ENTITLED

AN ACT to Amend the Baptist Mid-Missions in Jamaica (Incorporated) Act so as to change the name of the Act, and for connected matters.

WHEREAS the Baptist Mid-Missions in Jamaica (hereinafter called "the Church") was incorporated on the 9th day of March, 1964 as a corporate body with perpetual succession for the purpose of teaching and spreading the Gospel as taught by the Baptist Mid-Missions in the United States of America:

AND WHEREAS the Baptist Mid-Missions in Jamaica was given the power to acquire and hold property in its name and to give, grant or dispose of property so held in its name, to third parties:

AND WHEREAS in furtherance of its purpose the Baptist Mid-Missions in Jamaica acquired property situate in the Parish of Westmoreland and thereon established the Fairview Baptist Bible College with a view to further facilitate the teaching and spreading of the Gospel in Jamaica:

AND WHEREAS the Fairview Baptist Bible College has spawned the growth of divers persons associated together under the name the Fairview Baptist Ministries in Jamaica:

AND WHEREAS the Baptist Mid-Missions in Jamaica has agreed to be associated with the diverse persons aforementioned associated under the name the Fairview Baptist Ministries in Jamaica and has further agreed to transfer ownership of all its properties, including the Fairview Baptist Bible College, to the Fairview Baptist Ministries in Jamaica and to transfer all the rights and privileges given to the Baptist Mid-Missions in Jamaica by the Baptist Mid-Missions (Incorporated), Act, 1964 to the Fairview Baptist Ministries in Jamaica:

AND WHEREAS the Church has accordingly agreed to change its name to the Fairview Baptist Ministries in Jamaica:

[]

NOW, THEREFORE, 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:—

Short title
and
construction.

1. This Act may be cited as the Baptist Mid-Missions in Jamaica (Incorporated) (Change of Name and Amendment) Act, 2015, and shall be read and construed as one with the Baptist Mid-Missions in Jamaica (Incorporated) Act (hereinafter referred to as the principal Act) and all amendments thereto.

Amendment
of title of
principal Act.

2. The principal Act is amended in the title by deleting the words "Baptist Mid-Missions" and substituting therefor the words "Fairview Baptist Ministries".

3. The preamble to the principal Act is amended by:—
- Amendment
of preamble
of principal
Act.
- (a) deleting from the first recital the words “Whereas the persons hereinafter named and other persons inhabitants of” and substituting therefor the words “Whereas persons in”;
- (b) deleting from the second recital the word “Society” and substituting therefor the words “Fairview Baptist Ministries”.
4. Section 2 of the principal Act is repealed and the following substituted therefor—
- Repeal and
replacement
of section 2
of the
principal Act.
- “Interpretation. 2. In this Act, unless the context otherwise requires—
- “Church” means the persons for the time being associated in Jamaica under the name of “Fairview Baptist Ministries in Jamaica”;
- “Corporation” means the body incorporated by this Act.”.
5. Section 3 of the principal Act is amended by—
- Amendment
of section 3
of principal
Act.
- (a) deleting the marginal note and substituting therefor the following as the marginal note—
- “Incorporation of Church.”;
- (b) deleting subsection (1) and substituting therefor the following as subsection (1)—
- “ (1) The following persons, that is to say H. Joseph Falconer, Chairman; Sandra Prince, Vice-Chairman; Horace Gyles, Treasurer; Paulette Goslin, Secretary and their Successors for the time being in the respective offices are hereby declared, constituted and appointed a Corporation and body corporate to have continuance forever and perpetual succession by the name the “Fairview Baptist Ministries in Jamaica” and possessed of a corporate seal and by that name may sue and be sued in all Courts of Jamaica.”;

- (c) deleting subsection (4) and substituting therefor the following as subsection (4)—

“ (4) Upon the recording in the Record Office of a certificate under the Seal of the Corporation of the appointment of any person to any office mentioned in subsection (1) of this section, the person named in such certificate shall be deemed to be the holder of the office named therein until the recording of the certificate of the appointment of another person to such office.”;

- (d) inserting next after subsection (4) the following as subsection (5)—

“ (5) In the case of any other church or congregation desiring to unite with the Corporation and to adopt its tenets, doctrines and forms of worship and to submit to its jurisdiction, the Corporation may accept the transfer of the property of such other church or congregation, to be held subject to the trusts affecting the property vested in the Corporation, and such transfer shall be made by the Trustee of such property under the resolution of such other church or congregation directing such transfer, duly passed at a duly constituted meeting 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 and the laws for the time being in effect in Jamaica.”.

Amendment
of section 5
of principal
Act.

6. Section 5 of the principal Act is amended—

- (a) in subsection (2) by deleting the words “the Island of Jamaica” and substituting therefor, the word “Jamaica”;
- (b) by inserting next after subsection (2) the following as subsection (3)—

“ (3) All property, assets and liabilities that immediately prior to this Act coming into operation which were vested

and owned by the Baptist Mid-missionaries, shall immediately upon this Act coming into operation, be vested in and owned by Fairview Baptist Ministries.

7. Section 6 of the principal Act is amended by—

- (a) deleting the full stop at the end of paragraph (d) and substituting therefor a semicolon; and
- (b) inserting next after paragraph (d) as amended, the following as paragraph (e)—

Amendment
of section 6
of principal
Act.

“(e) to make such rules and by-laws as the Corporation thinks fit in order to carry out the purposes of this Act.”.

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

Saving.

Passed in the House of Representatives this 3rd day of February, 2015 with eight (8) amendments.

MICHAEL A. PEART
Speaker.

Passed in the Senate this 1st day of May, 2015 with four (4) amendments.

FLOYD E. MORRIS
President.

MEMORANDUM OF OBJECTS AND REASONS

The Baptist Mid-Missions in Jamaica was incorporated in 1964 for the purpose of teaching and spreading the Gospel of Jesus Christ. In keeping with this purpose, the Baptist Mid-Missions established the Fairview Baptist Bible College as a premier theological training institution. Since its establishment, the graduates of the College, along with others, have been associated under the name the Fairview Baptist Ministries and under this name have been fulfilling the purpose of the Baptist Mid-Missions to spread the Gospel of Jesus Christ. For this reason, the Baptist Mid-Missions has agreed to transfer ownership and control of the Fairview Baptist Bible College to the Fairview Baptist Ministries and to further associate itself with the Fairview Baptist Ministries by changing its name to the Fairview Baptist Ministries in Jamaica. This Bill therefore seeks to give effect to this decision and to incorporate the Fairview Baptist Ministries in Jamaica as a body corporate with perpetual succession.

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As passed in the Honourable House of Representatives.

As passed in the Honourable Senate.

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