

Church of Christ in China, Wanchai Church, Incorporation Ordinance

(Cap. 1063)

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To provide for the incorporation of the Trustees of the Church of Christ in China, Wanchai Church.

[25 January 1952]

(Format changes—E.R. 2 of 2022)

1. Short title

This Ordinance may be cited as the Church of Christ in China, Wanchai Church, Incorporation Ordinance.

2. Description and incorporation

The trustees for the time being of the Church of Christ in China, Wanchai Church, shall be a body corporate, hereinafter called *the corporation*, and shall have the name “The Trustees of the Church of Christ in China, Wanchai Church”, and in that name shall have perpetual succession and shall and may sue and be sued in all courts in Hong Kong and shall and may have and use a common seal, and may from time to time break, change, alter and make anew the said seal as to the corporation may seem fit.

(Amended 4 of 2000 s. 3)

3. Powers of corporation

- (1) The corporation shall have power to acquire, accept leases of, purchase, take, hold and enjoy any lands, buildings, messuages or tenements of what nature or kind soever and wheresoever situate, and also 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, company or person, and also to purchase, acquire and possess vessels and other goods and chattels of what nature and kind soever.

(2) The corporation shall further have power 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, or vessels or other goods and chattels, which are for the time being vested in or belonging to the corporation, upon such terms as to the corporation may seem fit.

4. Number of trustees

The number of trustees shall not be less than two or more than four.

5. Vacation of office by trustees

The office of any trustee shall be automatically vacated if such trustee shall die or shall resign his office or if a resolution be passed at a general meeting of members of the said Wanchai Church requiring the resignation of such trustee or if his term of office shall come to an end.

6. New trustees: their appointment and tenure of office

(1) New trustees shall be proposed for election by committee at a general meeting of the members of the said Wanchai Church and when elected shall, subject to the provisions of section 5, hold office for the term of five years from the date of such election. Trustees whose term of office has expired shall be eligible for re-election.

(2) Whenever any person or persons are appointed as trustees, such person or persons shall, within three weeks after their respective appointments or within such further time as may be allowed by the Chief Executive, furnish to the Chief Executive satisfactory evidence of their appointments.

(3) A notification in the Gazette under the hand of the Chief Secretary for Administration that such evidence has been furnished to the Chief Executive by such persons shall be conclusive evidence of such appointments. (*Amended L.N. 226 of 1976; L.N. 242 of 1994; L.N. 362 of 1997*)

(Amended 4 of 2000 s. 3)

7. Execution of deeds

All deeds, documents and other instruments requiring the seal of the said corporation shall be sealed in the presence of two trustees, and shall also be signed by the same two trustees so present, and such signing shall be and be taken as sufficient evidence of the due sealing thereof.

8. Committee of management

A committee of management, hereinafter called *the committee*, shall be elected from among and at a meeting of the said Wanchai Church and those elected shall appoint a chairman, a vice-chairman, a secretary and a treasurer from those elected. One third of the committee shall retire annually but shall be eligible for re-election.

9. Appointment and removal of clergyman or pastor

The committee may appoint a clergyman or pastor to perform and carry on divine worship and the services usual in the other churches of the Church of Christ in China and may also remove him and appoint a successor and all matters connected with the religious services of the said Wanchai Church shall be under the immediate direction of the clergyman or pastor subject to the control of the committee.

10. Committee to operate and maintain a vernacular school

It shall be lawful for the committee to operate and maintain a

vernacular school for the purpose of education under the name of “Wanchai Church School” and to collect tuition fees and to employ teachers subject to the provisions of the Education Ordinance (Cap. 279) and any enactments made thereunder.

11. Committee to control temporal affairs

The temporal affairs of the said Wanchai Church shall be managed, directed and governed by the committee:

Provided however that the members of the committee shall not be deemed personally liable for any payments of money in excess of that provided or available for the purposes of the said Wanchai Church.

12. Power of committee to provide by regulation

The committee may by regulation provide for the following matters—

- (a) the number, qualification and disqualification of members of the committee;
- (b) the holding of meetings of the committee and the conduct of business thereat;
- (c) the temporary appointment of a clergyman or pastor during the absence from any cause of the substantive holder of that post;
- (d) the election and tenure of office of an auditor and the filling of casual vacancies among the committee;
- (e) the appointment, tenure of office, salary and duties of any organist, vergier or other officer or servant as the committee may think necessary or expedient;
- (f) the keeping of a register of members of the said Wanchai Church and of baptisms, marriages and burials;

- (g) the holding of meetings of members, the right of voting and the taking and recording of the votes at such meetings and the conduct of business thereat;
- (h) the appropriation, allotment, arrangement and use of the sittings in the said Wanchai Church;
- (i) the rents and subscriptions (if any) to be paid for sittings in the said Wanchai Church and the mode of collection thereat, the fees to be taken for baptisms, marriages and burials or other services and the collection and disposition of money, offerings, offertories and donations;
- (j) the keeping of accounts of moneys received and expended by the committee;
- (k) the erection and maintenance of monuments, tablets, or other memorials in the said Wanchai Church or in the precincts thereof and the fees to be taken therefor;
- (l) all other matters relating to the temporal affairs of the said Wanchai Church or of the committee otherwise than where specifically provided for by the Ordinance.

13. Regulations not binding until approved

No regulations made by the committee under section 12 shall be binding on the members of the said Wanchai Church until such regulations have been passed by a majority of members present and voting at a general meeting of members.

14. Proof of membership

A certificate under the hand of the chairman of the committee that any person therein named is a member of the said Wanchai Church shall be accepted for all purposes as sufficient proof of the fact that such person is a member of the said Wanchai Church.

15. Saving

Nothing in this Ordinance shall affect or be deemed to affect the rights of the Central Authorities or the Government of the Hong Kong Special Administrative Region under the Basic Law and other laws, or the rights of any body politic or corporate or of any other persons except such as are mentioned in this Ordinance and those claiming by, from or under them.

(Amended 4 of 2000 s. 3)