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R. No. 171970 (139)

TRINIDAD AND TOBAGO
Act No. 24 of 1972

[L.S.]

AN ACT for the incorporation of a body to be known as
"The National Spiritual Assembly of the Baha'is of
Trinidad and Tobago."

[Assented to 23rd August, 1972]

WHEREAS a representative body of the Baha'is of Trinidad
and Tobago named the National Spiritual Assembly has
been constituted consisting of a Chairman, Vice-Chairman,
Secretary, Treasurer and five Other Members.

And whereas it is expedient that the said Assembly be incorporated for the purpose of exercising the powers hereinafter set forth.

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 Trinidad and Tobago, and by the authority of the same as follows:—

Short Title

1. This Act may be cited as the National Spiritual Assembly of the Baha'is of Trinidad and Tobago (Incorporation) Act, 1972.

Incorporation

2. The National Spiritual Assembly of the Baha'is of Trinidad and Tobago (hereinafter referred to as "the assembly") is hereby created a body corporate.

Powers of
the Assembly.

3. The Assembly shall, subject to the rules, regulations and control of the Universal House of Justice have power—

- (a) to acquire by purchase, transfer, donation, exchange, devise, bequest, grant, gift, conveyance, lease or howsoever otherwise, any real or personal property on interest therein;
- (b) to accept surrenders and re-conveyances and to enter into and perform contracts;
- (c) subject to any such rules or regulations and any restraint reservation or condition contained in any document under which the Assembly shall have acquired title thereto to sell, demise, mortgage or otherwise dispose of and deal with property which may from time to time be vested in it.

Assembly to
exercise powers
in accordance
with bye-laws.

4. (1) The Assembly shall be subject to the control of the Universal House of Justice and the bye-laws set out in the Schedule and shall exercise its functions in accordance with such bye-laws.

(2) The bye-laws set out in the Schedule shall have force and effect until varied or amended by bye-laws made under the bye-laws in the Schedule.

Mode of
execution of
documents.

5. All documents requiring the Seal of the Assembly shall be sealed with its common seal in the presence of the Chairman or if the Chairman is not available, the Vice-Chairman and the Secretary who shall both sign any such document, and such signing shall be *prima facie* evidence

that the said seal was duly affixed and that the same is the lawful seal of the Assembly.

6. The Assembly shall at all times have a fixed address for the service of documents on the Assembly and such address shall be registered with the Registrar General. Any document may be served on the Assembly by leaving the same at, or sending the same by registered post to the address so registered.

Service of documents on the Assembly.

7. (1) Upon the commencement of this Act all land and other property of every kind, including things in action vested or deemed to be vested immediately before the commencement of this Act, in the Local Spiritual Assembly of the Baha'is of Port-of-Spain incorporated under the Local Spiritual Assembly of the Baha'is of Port-of-Spain, (Incorporation) Act, 1970 are hereby vested in the Assembly.

Assets and liabilities to vest in the Assembly.

Act No. 10 of 1970.

(2) A reference in any deed, contract, bond or security or other document to the Local Spiritual Assembly of the Baha'is of Port-of-Spain shall, upon the commencement of this Act, be construed as a reference to the Assembly.

(3) All the rights, privileges and advantages, and all the liabilities and obligations relating to the matters referred to in subsection (1) that, immediately before the commencement of this Act, the Local Spiritual Assembly of the Baha'is of Port-of-Spain was entitled or subject to, are hereby transferred and conferred or imposed upon the Assembly for the purposes of this Act.

(4) Legal proceedings pending immediately before the commencement of this Act by or against the Local Spiritual Assembly of the Baha'is of Port-of-Spain may be continued on and after that day by or against the Assembly as the party to the proceedings instead of the Local Spiritual Assembly of the Baha'is of Port-of-Spain.

8. The Local Spiritual Assembly of the Baha'is of Port-of-Spain (Incorporation), Act 1970 is hereby repealed.

Repeal of Act No. 10 of 1970.

9. Nothing in this Act shall affect or be deemed to affect the rights of Her Majesty, or of any bodies politic or corporate or of any other persons except such as are mentioned or referred to in this Act and those claiming by, through, from or under them.

Saving of Crown and other rights.

SCHEDULE

BYE-LAWS

Powers of
the Assembly.

1. The Assembly, in the fulfilment of its sacred duties under this Trust, shall have exclusive jurisdiction and authority over all the activities and affairs of the Bahá'í Cause throughout Trinidad and Tobago, including paramount authority in the administration of this Trust. It shall endeavour to stimulate, unify and co-ordinate the manifold activities of the local spiritual assemblies and of individual Bahá'ís in Trinidad and Tobago and by all possible means assist them to promote the oneness of mankind. It shall be charged with the recognition of such local assemblies, the scrutiny of all membership rolls, the calling of the Annual Meeting or special meetings and the seating of delegates to the Annual Meeting and their apportionment among the various electoral districts. It shall appoint all national Bahá'í committees and shall supervise the publication and distribution of Bahá'í literature, the reviewing of all writings pertaining to the Bahá'í Cause, the construction and administration of the Mashriqu'l-Adhkár and its accessory activities, and the collection and disbursement of all funds for the carrying on of this Trust. It shall decide whether any matter lies within its own jurisdiction or within the jurisdiction of any local spiritual assembly. It shall, in such cases as it considers suitable and necessary, entertain appeals from the decisions of local spiritual assemblies and shall have the right of final decision in all cases where the qualification of an individual or group for continued voting rights and membership in the Bahá'í body is in question. It shall furthermore represent the Bahá'ís of Trinidad and Tobago in all their co-operative and spiritual activities with the Bahá'ís of other lands, and shall constitute the sole electoral body of Trinidad and Tobago in the election of the Universal House of Justice provided for in the Sacred Writings of the Bahá'í Cause. Above all, the Assembly shall ever seek to attain that station of unity in devotion to the Revelation of Bahá'u'llah which will attract the confirmations of the Holy Spirit and enable the Assembly to serve the founding of the Most Great Peace. In all its deliberations and action the Assembly shall have constantly before it as Divine guide and standard the utterance of Bahá'u'llah:—

“It behooveth them (i.e., members of spiritual assemblies) to be the trusted ones of the Merciful among men and to regard themselves as the guardians appointed of God for all that dwell on earth. It is incumbent upon them to take counsel together and to have regard for the interests of the servants of God, for His sake, even as they regard their own interests, and to choose that which is meet and seemly.”

Baha'i
Membership

2. The Bahá'ís of Trinidad and Tobago, for whose benefit this Trust is established, shall consist of all persons of the age of 15 years or over resident in Trinidad and Tobago who are accepted by the Assembly as possessing the qualifications of Bahá'í faith and practice required under the following standard set forth by the Guardian of the Faith:

Full recognition of the station of the Báh, the Forerunner, Bahá'u'llah, the Author and of 'Abdu'l-Bahá, the True Exemplar of the Bahá'í religion; unreserved acceptance of, and submission to, whatsoever has been revealed by their Pen;

loyal and steadfast adherence to every clause of 'Abdu'l-Bahá's sacred Will; and close association with the spirit as well as the form of Bahá'í administration throughout the world.

Those residing in the area of jurisdiction of any local spiritual assembly recognized by the Assembly may declare their faith to, and be enrolled by, the local spiritual assembly; those living outside any such area of local Bahá'í jurisdiction shall be enrolled in such manner as shall be prescribed by the Assembly.

Upon attaining the age of 21 years, a Bahá'í is eligible to vote and to hold elective office.

3. The Assembly shall consist of nine members chosen from among the Bahá'ís of Trinidad and Tobago, who shall be elected by the said Bahá'ís in manner hereinafter provided, and who shall continue for the period of one year, or until their successors shall be elected. Composition of the Assembly

4. The officers of the Assembly shall consist of a Chairman, Vice-Chairman, Secretary and Treasurer, and such other officers as may be found necessary for the proper conduct of its affairs. The officers shall be elected by a majority vote of the entire membership of the Assembly taken by secret ballot. Officers of the Assembly

5. The first meeting of a newly-elected Assembly shall be called by the member elected to membership by the highest number of votes or, in case two or more members have received the same said highest number of votes, then by the member selected by lot from among those members; and this member shall preside until the permanent Chairman shall be chosen. All subsequent meetings shall be called by the Secretary of the Assembly at the request of the Chairman or, in his absence or incapacity, of the Vice-Chairman, or of any three members of the Assembly; provided, however, that the Annual Meeting of the Assembly shall be held at a time and place to be fixed by a majority vote of the Assembly, as hereinafter provided. The decisions and transactions of the Assembly shall be recorded at each meeting by the Secretary, who shall supply copies of the minutes to the Assembly members after each meeting, and preserve the minutes in the official records of the Assembly. Meetings

6. Five members of the Assembly present at a meeting shall constitute a quorum, and a majority vote of those present and constituting a quorum shall be sufficient for the conduct of business, except as otherwise provided in these Bye-Laws, and with due regard to the principle of unity and cordial fellowship involved in the institution of a spiritual assembly. Quorum

7. Whenever in any locality in Trinidad and Tobago, the number of Bahá'ís resident therein recognized by the Assembly exceeds nine, they shall on April 21st of any year convene and elect by plurality vote a local administrative body of nine members, to be known as the Spiritual Assembly of the Bahá'ís of that community. Every such Spiritual Assembly shall be elected annually thereafter upon each successive 21st day of April. The members shall hold office for the term of one year and until their successors are elected and qualified. Local Spiritual Assemblies

When, however, the number of Bahá'ís in any authorized civil area is exactly nine, they shall on April 21st of any year, or in successive years, constitute themselves the local spiritual assembly by joint

(6) Delegates unable to be present in person at the National Convention shall have the right to transmit their ballots for election of the members of the Assembly under whatever procedure is adopted by the Assembly.

(7) If in any year the Assembly shall consider that it is impracticable or unwise to assemble together the delegates to the National Convention, the said Assembly shall provide ways and means by which the annual election and the other essential business of the National Convention may be conducted by mail.

(8) The presiding officer of the Assembly present at the National Convention shall call together the delegates, who after roll call shall proceed to the permanent organization of the meeting, electing by ballots a chairman, a secretary and such other officers as are necessary for the proper conduct of the business of the Convention.

(9) The principal business of the annual meeting shall be consultation on Bahá'í activities, plans and policies, and the election of the nine members of the Assembly. Members of the Assembly, whether or not elected delegates, may take a full part in the consultation and discussion but only delegates may participate in the election of Convention officers or in the annual election of the members of the Assembly. All action by the delegates, other than the organization of the Convention, the transmission of messages to the world Centre of the Bahá'í Faith, and the election of the Assembly, shall constitute advice and recommendation for consideration by the said Assembly, final decision on all matters concerning the affairs of the Bahá'í Faith in Trinidad and Tobago being vested solely in that body.

(10) The general order of business to be taken up at the Annual Convention shall be prepared by the Assembly in the form of an agenda, but any matter pertaining to the Bahá'í Faith introduced by any of the delegates may upon motion and vote be taken up as part of the Convention deliberations.

(11) The election of the members of the Assembly shall be by plurality vote of the delegates recognized by the outgoing Assembly, i.e., the members elected shall be the nine persons receiving the greatest number of votes on the first ballot cast by delegates present at the National Convention and on the ballots transmitted to the Secretary of the Assembly by mail. Where by reason of an equality of votes, the full membership is not determined on the first ballot, then one or more additional ballots shall be taken on the persons tied until all nine members are elected.

(12) All business transacted at the National Convention shall be recorded and preserved in the records of the Assembly.

(13) Vacancies in the membership of the Assembly shall be filled by a plurality vote of the delegates composing the Convention which elected the Assembly, the ballot to be taken by correspondence or in any other manner decided upon by the Assembly.

9. Where the Assembly has been given in these Bye-Laws exclusive and final jurisdiction, and paramount executive authority, in all matters pertaining to the activities and affairs of the Bahá'í Cause in Trinidad and Tobago, it is understood that any decision made or action taken upon such matters shall be subject in every instance to ultimate review and approval by the Universal House of Justice.

Review and
approval by
Universal
House of
Justice.

10. Whatever functions and powers are not specifically attributed to local spiritual assemblies in these Bye-Laws shall be considered vested in the Assembly, which body is authorized to delegate such discretionary functions and powers as it deems necessary and advisable to the local spiritual assemblies within its jurisdiction. Power to vest in the Assembly.

11. In order to preserve the spiritual character and purpose of Bahá'í elections, the practice of nominations or any other electoral method detrimental to a silent and prayerful election shall not prevail, so that each elector may vote for none but those whom prayer and reflection have inspired him to uphold. Method of Selection of Candidates.

12. Among the most outstanding and sacred duties incumbent upon those who have been called upon to initiate, direct and co-ordinate the affairs of the Cause as members of local or national Spiritual Assemblies are:— Duties of Members of Assemblies.

To win by every means in their power the confidence and affection of those whom it is their privilege to serve; to investigate and acquaint themselves with the considered views, the prevailing sentiments and the personal convictions of those whose welfare it is their solemn obligation to promote; to purge their deliberations and the general conduct of their affairs of self-contained aloofness, the suspicion of secrecy, the stifling atmosphere of dictatorial assertiveness and of every word and deed that may savor of partiality, self-centeredness and prejudice; and while retaining the sacred right of final decision in their hands, to invite discussion, ventilate grievances, welcome advice, and foster the sense of interdependence and co-partnership, of understanding and mutual confidence between themselves and all other Bahá'ís.

13. These Bye-Laws may be varied or amended by majority vote of the Assembly at any of its regular or special meetings, provided that at least fourteen days prior to the date fixed for the said meeting a copy of the proposed amendment or amendments is mailed to each member of the Assembly by the Secretary. Amendments to Bye-laws.

Passed in the Senate this 4th day of July, 1972.

E. WILLIAMS
Acting Clerk of the Senate

Passed in the House of Representatives this 14th day of July, 1972.

J. E. CARTER
Acting Clerk of the House