
Fourth Session Second Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 16 of 1985

[L.S.]

AN ACT to incorporate the St. Hilary's Foundation

[Assented to 17th May, 1985]

WHEREAS there is established in Trinidad and Tobago an association known as the Old Hilarians Association consisting of the past pupils of Bishop Anstey High School (St. Hilary's) [formerly called Bishop's High School (St. Hilary's)] and hereinafter referred to as "the School":

And whereas the Old Hilarians Association has established a foundation for the purpose set forth herein:

And whereas it is necessary and expedient that the foundation be incorporated for the attainment of its purpose:

Enactment	ENACTED by the Parliament of Trinidad and Tobago as follows:—
Short title	1. This Act may be cited as the St. Hilary's Foundation (Incorporation) Act, 1985.
Incorporation of the Foundation	2. The St. Hilary's Foundation (hereinafter referred to as "the Foundation") is created a body corporate.
Purpose of the Foundation	<p>3. (1) The purpose of the Foundation is to render assistance to the School—</p> <ul style="list-style-type: none"> (a) by providing facilities for instruction in the creative arts, sport and recreation (including the hiring of tutors, coaches and ancillary personnel and the supplying of the necessary instruments or equipment): (b) by financing or assisting in financing improvements to the school premises; (c) where in the opinion of the Board of Management of the School additional staff, whether teaching or non-teaching, is required for the better day-to-day operation and management of the School, by supplying funds to be applied to paying the salaries of such staff; (d) by assisting needy pupils to equip themselves to participate fully in the life of the School; (e) by establishing schemes whereby members of staff of the School or former members of staff may be provided with superannuation benefits whether by way of lumpsum payments or otherwise, in respect of service with the School where such benefits are not otherwise provided;

- (f) by arranging for further or additional training for members of staff where such training is desirable for improvement of the opportunities available to the pupils of the School;
- (g) by assisting in the liquidation of financial obligations incurred in maintaining and operating the School where such obligations do not fall to be liquidated by the State or by any other agency.

4. (1) The Foundation shall have the powers specified in subsection (2) and such other powers as are appropriate to its purpose as are from time to time specified in its rules. Powers of the Foundation

(2) The Foundation shall have power—

- (a) to purchase or otherwise acquire land or any estate or interest in land;
- (b) to accept subscriptions and donations (whether of real or personal estate) and devises and bequests for all or any of the purposes aforesaid and to sell and dispose of, to lease and accept surrenders of leases and manage all real estate (including leaseholds) so received and not required to be or capable of being occupied for the purposes of the Foundation and generally to manage, invest and expand all moneys belonging to the Foundation;
- (c) to obtain, collect and receive money and funds by way of contributions, donations, legacies, grants and any other lawful method, and accept and receive gifts of property of any description (whether subject to any special trusts or not);
- (d) to support, contribute to or work in association with any other body which may have or be working towards the achievement of similar purposes.

5. The affairs of the Foundation shall be managed by the trustees. Trustees to manage affairs of Foundation

Mode of
execution of
documents

6. All documents requiring the seal of the Foundation shall be sealed with its common seal in the presence of two of the trustees and its Secretary who shall sign every 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 Foundation.

Service of
documents on
Foundation

7. (1) The Foundation shall at all times have a fixed address in Trinidad and Tobago for service of documents on the Foundation and that address and any changes thereof shall be registered with the Registrar General within twenty-eight days of the date of incorporation or the change of address as the case may be.

(2) All documents to be served on the Foundation may be served by leaving the same at or by sending the same by registered post to the registered address of the Foundation.

(3) Failure to register the address and any change thereof is a summary offence and renders the Foundation liable to a fine of one hundred and twenty dollars and to a further fine of ten dollars for each day during which the offence continues after conviction therefor.

Power to
make rules

8. The Foundation may make rules for the proper conduct of its proceedings and the discharge of its powers and functions and may vary or revoke such rules.

Saving of State
or other rights

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

Passed in the House of Representatives this 12th day of April, 1985.

J. E. CARTER
Clerk of the House

Passed in the Senate this 30th day of April, 1985.

R. L. GRIFFITH
Clerk of the Senate