



TRINIDAD AND TOBAGO

**Act No. 10 of 1970**

[L.S.]

AN ACT for the incorporation of a body to be known as  
"The Local Spiritual Assembly of the Baha'is of  
Port-of-Spain."

[Assented to 24th March, 1970]

WHEREAS a representative body of the Baha'is of Port-of-  
Spain named the Local Spiritual Assembly (hereinafter  
called the "Assembly") has been constituted consisting of  
a Chairman, Vice-Chairman, Secretary, Treasurer and five  
other members. Preamble

And whereas Fitzroy Sookoo of Broom Street, Four Roads, Diego Martin, Shamsi Sedaghat of 9a, Stanmore Avenue, Port-of-Spain, Leopold A. Fraser of Four Roads, Diego Martin, Maryam Shaker of 43, Dundonald Street, Port-of-Spain, Leslie Vaughn of 21, Mucurapo Road, St. James, Port-of-Spain, Mrs. Rhoda Vaughn of 21, Mucurapo Road, St. James, Port-of-Spain, Drucilla Phillips of 6, Brathwaite Street, Belmont, Enid Cox of No. 7A, Benares Street, St. James, Port-of-Spain, and Percival Parris of 9, Alcantara Terrace, Belmont have been elected members of the said Local Spiritual Assembly of the Baha'is of Port-of-Spain and as such Trustees thereof.

And whereas the said Trustees so elected have been requested and they have agreed to accept the office as such in Port-of-Spain and to hold property for any of the uses or purposes of the said Assembly in Port-of-Spain.

And whereas it is expedient that the Trustees for the time being of the said Local Spiritual Assembly of the Baha'is of Port-of-Spain should be incorporated and should have powers to hold lands and other property in Trust for the said Assembly.

**Enactment**

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

**2.** The Chairman, Fitzroy Sookoo and his successors in office and Shamsi Sedaghat, Leopold A. Fraser, Maryam Shaker, Leslie Vaughn, Enid Cox, Drucilla Phillips, Rhoda Vaughn and Percival Parris and their successors in office as Trustees of the Local Spiritual Assembly of the Baha'is of Port-of-Spain, shall be and is hereby created a body corporate by the name of the Local Spiritual Assembly of the Baha'is of Port-of-Spain hereinafter referred to as the Assembly and by that name shall have perpetual succession, and also by that name sue and be sued, and shall have a common seal with power to change such seal.

3. The Assembly shall, subject to the rules, regulations and control of the National Spiritual Assembly have <sup>Powers of Assembly</sup> 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.

4. (1) The Assembly shall be subject to the control of <sup>Bye-laws</sup> the National Spiritual Assembly 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, amended or revoked by bye-laws made under the bye-laws in the Schedule.

5. All documents requiring the Seal of The Local Spiritual Assembly of the Baha'is of Port-of-Spain 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 Local Spiritual Assembly of the Baha'is of Port-of-Spain.

6. The Local Spiritual Assembly of the Baha'is of Port-of-Spain 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.

Saving of Her  
Majesty and  
other rights

7. 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.

---

#### SCHEDULE

#### BYE-LAWS OF A LOCAL SPIRITUAL ASSEMBLY

##### ARTICLE I

The Trustees, i.e., the members of the Spiritual Assembly, recognize that this action has been taken in full unanimity and agreement. They acknowledge for themselves and on behalf of their successors the sacred meaning and universal purpose of the Baha'i Faith, the teachings and principles of which fulfil the divine promise of all former revealed religions.

##### ARTICLE II

In administering the affairs of the Baha'i Religion under this Corporation for the benefit of the Baha'is of Port-of-Spain in accordance with the religious teachings and administrative principles of this Faith, the Spiritual Assembly shall act in conformity with the functions of a local Spiritual Assembly as defined in the By-Laws adopted by the National Spiritual Assembly designated by the Universal House of Justice and published for the information and guidance of Baha'is throughout Trinidad and Tobago.

##### ARTICLE III

The Spiritual Assembly, in the fulfilment of its obligations and responsibilities under this Corporation, shall have exclusive jurisdiction and authority over all the local activities and affairs of the Baha'i community of Port-of-Spain, including paramount authority in the administration of this Corporation. It shall be responsible for maintaining the integrity and accuracy of all Baha'i teaching, whether written or oral, undertaken throughout the local community. It shall make available the published literature of the Faith. It shall represent the community in its relations to the National Spiritual Assembly, in its relation to the Universal House of Justice, to other local Baha'i communities, and to the general public in Port-of-Spain. It shall be charged with the recognition of all applicants requesting membership in the local Baha'i community. It shall pass upon the right of any and all members of the community whose membership is in question to retain their status as voting members of the community. It shall call the meetings of the community, including the Baha'i Anniversaries and Feasts, the meetings of consultation, and the annual meeting at which the members of the Assembly are elected. It shall appoint and supervise all committees of the Baha'i community. It shall collect and disburse all funds intended for the maintenance of this Corporation. It shall have full and complete custody of the headquarters of meeting place of the Baha'i community. It shall have exclusive authority to conduct Baha'i marriage ceremonies and issue Baha'i marriage certificates within the area of its jurisdiction.

It shall report to the National Spiritual Assembly annually, or when requested, the membership roll of the Baha'i community, for the information and approval of the National Assembly. The Spiritual Assembly, however, shall recognize the authority and right of the National Spiritual Assembly to declare at any time what activities and affairs of the Baha'i community of Port-of-Spain are national in scope and hence subject to the jurisdiction of the National Assembly. It shall likewise recognize the right of any member of the community to appeal to the National Spiritual Assembly for review and decision of any matter in which the previous decision of the local Spiritual Assembly is felt by the member to be contrary to the explicit teachings of the Baha'i Faith or opposed to its best interests. It shall, on the other hand, have the authority and right to appeal from the decision of the National Assembly to the Universal House of Justice for review and final decision of any matter related to the Faith in Port-of-Spain.

#### ARTICLE IV

The Spiritual Assembly, in administering this Corporation, shall ever bear in mind the ideals upheld in the Sacred Writings of the Baha'i Faith respecting the relationships of a Spiritual Assembly to its Baha'i community, respecting the relations of Baha'is to one another in the community, and the relationships of Baha'is to all non-Baha'is, without prejudice of race, creed, or nationality. The Assembly shall therefore above all recognize its sacred duty to maintain full and complete unity throughout the Baha'i community, to relieve and comfort the sick and distressed, to assist the poor and destitute, to protect the orphans, the crippled and the aged, to educate the children of Baha'is according to the highest religious and intellectual standards, to compose differences and disagreements among members of the community, to promulgate the principles of Divine Civilization revealed by Baha'ullah, and to promote in every way possible the Baha'i aim of the oneness of mankind. It shall faithfully and devotedly uphold the general Baha'i activities and affairs initiated and sustained by the National Spiritual Assembly. It shall co-operate wholeheartedly with other local Spiritual Assemblies throughout Trinidad and Tobago in all matters declared by the National Spiritual Assembly to be of general importance and concern. It shall rigorously abstain from any action or influence direct or indirect, that savours of intervention on the part of a Baha'i body in matters of public politics and civil jurisdiction. It shall encourage intercourse between the Baha'i community of Port-of-Spain and other recognized Baha'i communities, issuing letters of introduction and recognizing those issued by other Baha'i Assemblies. It shall regard its authority as a means of rendering service to Baha'is and non-Baha'is and not as a source of arbitrary power. While retaining the sacred right of final decision in all matters pertaining to the Baha'i community, the Spiritual Assembly shall ever seek the advice and consultation of all members of the community, keep the community informed of all its affairs, and invite full and free discussions on the part of the community of all matters affecting the Faith.

#### ARTICLE V

The Trustees of the Spiritual Assembly shall encourage and foster the desire to observe and keep holy those days mentioned in the Baha'i calendar upon which as far as possible no work shall be performed and

Baha'i parents shall endeavour to obtain permission from the Educational authorities for the absence of their children from school or classes upon those days.

#### ARTICLE VI

The Baha'is of Port-of-Spain, for whose benefit this Corporation has been established, shall consist of all persons of the age of 15 years or over resident in Port-of-Spain who are accepted by the National Spiritual Assembly as possessing the qualifications of Baha'i Faith and practice required under the following standard set forth by the Guardian of the Faith:

Full recognition of the station of the Bab as Forerunner, of Baha'ullah as Author and of 'Abdul'l-Baha as True Exemplar of the Baha'i religion; unreserved acceptance of, and submission to, whatsoever has been revealed by their Pen; loyal and steadfast adherence to every clause of 'Abdul-Baha's sacred Will; and close association with the spirit as well as the form of Baha'i Administration throughout the world.

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

#### ARTICLE VII

The Spiritual Assembly shall consist of nine Trustees chosen from among the Baha'is of Port-of-Spain, who shall be elected by these Baha'is in a manner hereinafter provided and who shall continue in office for the period of one year, or until their successors shall be elected.

#### ARTICLE VIII

The officers of the Spiritual 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.

#### ARTICLE IX

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 on April 21, in accordance with the administrative principles recognized by all Baha'i Assemblies.

*Section 1.* 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. The transactions and decisions of the Assembly shall

be recorded at each meeting by the Secretary, who shall have the minutes adopted and approved by the Assembly, and preserve them in the official records of the Assembly.

*Section 2.* Vacancies in the membership of the Spiritual Assembly shall be filled by the election at a special meeting of the local Baha'i community duly called for that purpose by the Assembly. In the event that the number of vacancies exceeds four, making a quorum of the Spiritual Assembly impossible, the election shall be under the supervision of the National Spiritual Assembly.

#### ARTICLE X

The sphere of jurisdiction of the Spiritual Assembly, with respect to residential qualifications of membership, and voting rights of a believer in the Baha'i community, shall be the locality included within civil limits of Port-of-Spain.

#### ARTICLE XI

*Section 1.* In the event that any decision of the Assembly is unacceptable to any member or members of the community, the Assembly shall after endeavouring to compose the difference of opinion invite the said member or members to make appeal to the National Spiritual Assembly and notify that body of the condition of the matter and the readiness of the Assembly to become party to the appeal.

*Section 2.* In the manner, if any difference arises between the Assembly and another local Assembly, or Assemblies, in Trinidad and Tobago, the Assembly shall report the matter to the National Assembly and inform that body of its readiness to make joint appeal together with the other Assembly or Assemblies.

*Section 3.* If, however, the result of such appeal is unsatisfactory to the Spiritual Assembly, or the Assembly at any time has reason to believe that actions of the National Spiritual Assembly are affecting adversely the welfare and unity of the Baha'i community of Port-of-Spain, it shall, after seeking to compose its difference of opinion with the National Assembly in direct consultation, have the right to make appeal to the Universal House of Justice.

*Section 4.* The Assembly shall likewise have the right to make complaint to the National Spiritual Assembly in the event that matters of local Baha'i concern and influence are referred to the National body by a member or members of the local community without previous opportunity for action by the local Assembly.

#### ARTICLE XII

The Annual Meeting of the Corporation at which its Trustees shall be elected shall be held on April 21, at an hour and place to be fixed by the Assembly, which shall give not less than fifteen day's notice of the meeting to all members of the local Baha'i community.

*Section 1.* The Assembly shall accept those votes transmitted to the Assembly before the election by members who by reason of sickness or other unavoidable reason are unable to be present at the election in person.

*Section 2.* The election of members to the Spiritual Assembly shall be by plurality vote.

*Section 3.* All voting members of the local Baha'i community are eligible for election as members of the Spiritual Assembly.

*Section 4.* The Assembly shall prepare an agenda for the Annual Meeting in which shall be included reports of the activities of the Assembly since its election, a financial statement showing all income and expenditure of its fund, reports of its committees and presentation of any other matters pertaining to the affairs of the Baha'i community. The Assembly, both preceding and following the annual election, shall invite discussion and welcome suggestions from the community, in order that its plans may reflect the community mind and heart.

*Section 5.* The result of the election shall be reported by the Spiritual Assembly to the National Assembly.

#### ARTICLE XIII

In addition to the Annual Meeting, the Assembly shall arrange for regular meetings of the Baha'i community throughout the year at intervals of nineteen days, in accordance with the calendar incorporated in the teachings of the Baha'i Faith.

#### ARTICLE XIV

The Seal of the Corporation shall be circular in form, bearing the following description:

The Local Spiritual Assembly of the Baha'is of Port-of-Spain.

#### ARTICLE XV

These Bye-Laws may be amended only by majority action of the National Spiritual Assembly, which, in making amendments, does so for the Bye-Laws of all local Spiritual Assemblies throughout Trinidad and Tobago.

Passed in the Senate this 24th day of February, 1970.

J. E. CARTER

*Clerk of the Senate*

Passed in the House of Representatives this 6th day of March, 1970.

G. R. LATOUR

*Clerk of the House*