

Amendment
of section 59
of Law 40
of 1932.

7. Section 59 of the Principal Law is hereby amended by the addition of the following sub-section, the first part thereof being numbered accordingly :—

“(2) In any prosecution under section 13 (2), 21 (3) or 34 (3) where it is proved that the information given was false, the accused shall, unless he shall satisfy the Court to the contrary, be deemed to have given such information knowing the same to be false.”

Saving.

8. Any bond entered into by a licensee before the enactment of this Law shall be valid and effective as if this Law had not been enacted.

This Law came into operation on 16th February, 1934.

NO. 10 OF 1934.

A.D. 1934. A LAW FURTHER TO AMEND THE CHARITIES LAW, 1925.

10 of 1934.

H. R. PALMER,]

[12th February, 1934.

Governor.

BE it enacted :—

Short title.

7 of 1925.
29 of 1932.

1. This Law may be cited as the Charities (Amendment) Law, 1934, and shall be read as one with the Charities Laws, 1925 and 1932, (hereinafter called “the Principal Law”), and the Principal Law and this Law may together be cited as the Charities Laws, 1925 to 1934.

Amendment
of section 12
of Law 7 of
1925.

2. Section 12 of the Principal Law is hereby amended as follows :—

(a) By the deletion of sub-section (2) and by the substitution therefor of the following sub-section :—

“(2) Such enrolment shall be effected by the depositing with the Registrar of the Supreme Court of the deed, will or other instrument.”

(b) By the deletion of sub-section (3) and by the substitution therefor of the following sub-section :—

“(3) A copy certified by the Registrar to be a true copy of a deed, will or other instrument enrolled in his office shall be received as evidence of the contents and enrolment of such deed, will or other instrument.”

(c) By the deletion of sub-section (4).

3. The Principal Law is hereby amended by the insertion immediately after section 12 of the following section :—

Insertion of new section 12A in Law 7 of 1925.

“ Powers of Supreme Court.

12A. The Supreme Court shall have power and jurisdiction—

- (a) to enforce every trust created for a charitable purpose ;
- (b) to give all such directions and make all such orders as may appear to it necessary or expedient for the administration of any trust created for a charitable purpose ;
- (c) to sanction the sale or other disposition of any property subject to a charitable trust on being satisfied that such sale or disposition is for the benefit and advantage of the charity.”

4. Section 13 of the Principal Law is hereby repealed and the following substituted therefor :—

Repeal of section 13 of Law 7 of 1925 and substitution of new section.

“ Parties to proceedings.

13.—(1) The Attorney-General shall be a party to all proceedings under this Law and may at any time stay such proceedings and compromise or authorize the compromising of any matters in dispute. No compromise made without the authority of the Attorney-General shall be valid.

(2) All proceedings under paragraph (a) of section 12A shall be instituted by the Attorney-General.

(3) Any proceeding under paragraph (b) or (c) of section 12A may be instituted by the Attorney-General or by the trustees of the charity if authorized by him in writing.”

5. Section 14 of the Principal Law is hereby repealed and the following substituted therefor :—

Repeal of section 14 of Law 7 of 1925 and substitution of new section.

“ Court to apply English law.

14. All proceedings under this Law shall be instituted, heard and determined by the Supreme Court in accordance with the law relating to charitable trusts for the time being in force in England.”