

DIVINE LIFE SOCIETY (MAURITIUS BRANCH) ACT

Act 16 of 1970 – 2 May 1970

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DIVINE LIFE SOCIETY (MAURITIUS BRANCH) ACT

1. Short title

This Act may be cited as the Divine Life Society (Mauritius Branch) Act.

1A. Interpretation

In this Act—

“Board of Management” means the Board of Management referred to in section 7;

“Society” means the Divine Life Society (Mauritius Branch) constituted under section 2.

2. Divine Life Society (Mauritius Branch)

The Divine Life Society (Mauritius Branch) is constituted as a corporation.

3. —

4. Objects of Society

The objects of the Society shall be—

- (a) to disseminate spiritual knowledge by the publication of books, pamphlets, magazines and reports;
- (b) to establish centres for Yogic physical training and moral and spiritual practices to enable participants to achieve spiritual regeneration;

- (c) to do all such acts as may be necessary and conducive to the spiritual uplift of mankind in general.

5. Powers of Society

The Society shall have all the powers of a body corporate.

6. Membership of Society

The Society shall consist of such persons as are admitted to membership of the Society in accordance with such rules as may be made under section 9.

7. Management of Society

(1) For the purpose of managing the Society and exercising any or all of the powers vested in the Society by this Act, there shall be a Board of Management which shall consist of such members of the Society not exceeding 14 in number, to be appointed in such manner as may be provided in the rules made under section 9.

(2) The members of the Board of Management shall hold office until the appointment of their successors.

(3) The office bearers of the Board of Management shall be appointed in such manner as may be provided in rules made under section 9.

8. Powers of Board of Management

(1) The Board of Management shall have and exercise the same powers concerning the Society as those conferred upon the Society by this Act and shall have the authority to do and perform all acts for the due execution and the exercise of those powers.

(2) The Board of Management may appoint subcommittees which shall be composed of such members as it shall decide.

(3) Every document relating to the Society shall be signed by the Chairperson and the Secretary or the Treasurer of the Society.

9. Rules of Society

The Board of Management may make rules for—

- (a) the general management of the Society and its affairs;
- (b) the admission, suspension or expulsion of members;
- (c) the election of members of the Board of Management;
- (d) the regulation of the duties of the office bearers, agents and servants of the Society;
- (e) the regulation of the proceedings of the Board of Management;
- (f) the raising of funds for the objects of the Society, the charging of subscription fees for membership and any matters incidental to them;

- (g) the disposal of any fund or other money of the Society towards the payment of any expense incurred in the promotion of any object of the Society and any matter incidental to it;
- (h) the holding of meetings of the Society and of the Board of Management and the business to be transacted at those meetings; and
- (i) generally, the carrying into effect of the objects of the Society.

10. Legal proceedings

Service of process by or on the Secretary of the Society shall be equivalent to service by or on the Society.

11. Accounts of Society

The accounts of the Society shall at all reasonable times be open to inspection by any person having an interest in the funds of the Society.

12. Funds of Society

(1) The income and property of the Society shall be applied solely towards the promotion of the objects of the Society and no portion of it shall be distributed or transferred by way of dividend or bonus to members of the Society.

(2) Where the Society acquires any property under a trust, the property shall be managed subject to such conditions as may be imposed by the trust.

13. Donations and legacies

Article 910 of the Code Civil Mauricien shall apply to the Society.

14. Exemption from taxation

The Society shall be exempt from payment of any tax leviable on income.

15. Registration duty

All donations and legacies of which the Society is a beneficiary shall be registered free of charge.

16. Transfer of undertaking

(1) Notwithstanding any other enactment, the two immovable properties specified in the Schedule and belonging to the former association known under the name "Divine Life Society (of Mauritius)" shall, without any other formality, be deemed to have been vested in, and become the property of, the Society as from 2 May 1970.

(2) Notwithstanding any other enactment or anything contained in any agreement—

- (a) any right or obligation existing in favour of or against the former Divine Life Society (of Mauritius) in connection with the immovable properties before the enactment of this Act shall, as from

the date of coming into operation of this Act, be deemed to be a right or obligation enforceable against the Society;

- (b) nothing contained in or authorised by this Act shall—
 - (i) invalidate or discharge the agreement;
 - (ii) release any surety wholly or in part from all or any liability under or in respect of the agreement; or
 - (iii) otherwise place the Society in a position which is less favourable than the Divine Life Society (of Mauritius) would have been if this Act had not been passed.

(3) Any action, arbitration, proceedings or cause of action which immediately before the coming into operation of this Act may have been pending or in process against or in favour of the Divine Life Society (of Mauritius), or to which the Divine Life Society (of Mauritius) was a party, may be continued and enforced by, against or in favour of the Society.

(4) Any document, matter or thing which would have been admissible in evidence in respect of any matter for or against the Divine Life Society (of Mauritius) if this Act had not been passed, shall be admissible in evidence in respect of the same matter for or against the Society.

[S. 16 added by s. 3 of Act 17 of 2008 w.e.f. 10 July 2008.]

SCHEDULE

[Section 16]

1. A portion of land of the extent of 277 toises situated at Rose-Hill in the District of Plaines Wilhems acquired by the former Divine Life Society (of Mauritius) by virtue of a deed transcribed in Vol. 1032 No. 164.

2. A portion of land of the extent of 190 toises situated at Rose-Hill in the District of Plaines Wilhems acquired by the former Divine Life Society (of Mauritius) by virtue of a deed transcribed in Vol. 1047 No. 25.

[Sch. added by s. 3 of Act 17 of 2008 w.e.f. 10 July 2008.]