

## **REGIONAL SPIRITUAL ASSEMBLY OF THE BAHÁ'IS OF MAURITIUS ACT**

Act 42 of 1966 – 10 September 1966

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## **REGIONAL SPIRITUAL ASSEMBLY OF THE BAHÁ'IS OF MAURITIUS ACT**

### **1. Short title**

This Act may be cited as the Regional Spiritual Assembly of the Baha'is of Mauritius Act.

### **1A. Interpretation**

In this Act—

“Assembly” means the Regional Spiritual Assembly of the Baha'is of Mauritius established under section 2;

“Convention” means the Convention of the Baha'is of Mauritius.

### **2. Establishment of Assembly**

(1) The Regional Spiritual Assembly of the Baha'is of Mauritius is established for the purposes of this Act.

(2) The Assembly shall be a body corporate.

### **3. Seat of Assembly**

The seat of the Assembly shall be situated in Port Louis or at such other address in Mauritius as may be decided by the Assembly.

### **4. Objects of Assembly**

The objects of the Assembly shall be to—

- (a) fulfil adequately the obligations imposed upon it by the Faith for the benefit of the Baha'is in Mauritius;

- (b) maintain the orthodoxy and accuracy of all Baha'is teachings, whether written or oral, undertaken for the benefit of the Baha'is; and
- (c) make available the literature of the Faith.

#### **5. Powers of Assembly**

(1) The Assembly shall represent the Baha'is of Mauritius in their relations with the Universal Spiritual Assembly of the Baha'is of the World, also known as the Universal House of Justice, and to National or other Regional Communities of Baha'is.

(2) The Assembly shall not invite non-Baha'is to lend money to the Assembly.

#### **6. Constitution and management**

(1) The Assembly shall be composed of and be managed by 9 persons elected by the delegates of the Convention convened every year at an annual meeting held at a time and place to be fixed by the Assembly.

(2) The persons elected under subsection (1) shall take office immediately and continue in office for one year or until their successors are elected.

(3) The members of the Assembly shall elect from among their numbers a Chairperson, a Vice-Chairperson, a Secretary, a Treasurer and such other office bearers as they think necessary for the proper conduct of its affairs.

(4) The Assembly may appoint any employee or servant as it thinks necessary for the proper conduct of its affairs.

(5) Except where the Assembly otherwise decides, no office bearer, member, employee or servant of the Assembly shall be paid any fee, salary or other form of remuneration for services rendered or duties performed by them in the interests of the Assembly or in connection with those interests.

#### **7. Meetings of Convention**

(1) The Assembly shall, by registered post, give written notice of the meeting of the Convention 60 days in advance of the date, time and place of the meeting of all local Spiritual Assemblies registered with it.

(2) The notice shall specify the number of delegates assigned to each local Spiritual Assembly in proportion to the number of Baha'is resident in each locality of that local Spiritual Assembly.

#### **8. Delegates to Convention**

(1) The delegates of each local Spiritual Assembly to the Convention who may be members or non-members of the local Spiritual Assembly shall be elected by and from among the Baha'is resident in each locality of that local Spiritual Assembly.

(2) The meeting held in each such locality for the election of delegates shall be convened by the local Spiritual Assembly in such manner as it may be determined.

(3) Immediately after the election a return of the election certified by the Secretary of the local Spiritual Assembly shall be transmitted to the Assembly.

(4) The rights of a delegate may not be assigned nor may they be exercised by proxy.

#### **9. Vacancy in Assembly**

Where a vacancy occurs in the Assembly through the death, resignation, absence from Mauritius for more than 3 months or incapacity to act for any reason, of any member, such vacancy shall, as soon as may be after its occurrence, be filled in accordance with section 6 by a vote of the delegates to the previous Convention from among the Baha'is of Mauritius.

#### **10. Voting**

Any Baha'i entitled to vote at any meeting of the Baha'is or at any Convention may cast his vote by post in such manner as the Assembly may determine.

#### **11. Acts not to be invalid in spite of vacancy**

Any act performed, or any power exercised, by the Assembly, shall not be deemed to have been invalid or invalidly performed, as the case may be, by reason only of any vacancy in its number provided the number of members is not reduced to less than 5.

#### **12. Proceedings of Assembly**

(1) The Assembly shall meet as often as may be decided by the Chairperson or at the request of 3 of its members.

(2) The Chairperson or, in his absence, the Vice-Chairperson, shall preside over the meeting.

(3) Where both the Chairperson and the Vice-Chairperson are absent from any meeting, the members present shall choose from among their number a member to preside at the meeting and act as Chairperson.

(4) Five members shall form a quorum.

(5) All decisions shall be taken by a majority of votes.

#### **13. Records**

(1) The Secretary shall keep every book, register, deed or document, other than books of accounts, relating to the Assembly, and shall have the custody of these documents.

(2) The minutes of proceedings of every meeting of the Assembly shall be recorded by the Secretary and be signed by the Chairperson and the Secretary and be read and approved at the next meeting.

**14. Power to sign documents**

All deeds, acts and documents relating to the Assembly shall be signed on decision of the Assembly by any 2 members specially authorised by it.

**15. Legal proceedings**

(1) The Assembly shall act, sue and be sued, implead or be impleaded under its corporate name, and be represented by the Chairperson.

(2) Service of process on or by the Secretary of the Assembly shall be equivalent to service on or by the Assembly.

**16. Accounts of Assembly**

(1) The Treasurer shall keep the accounts of the Assembly which shall at all reasonable times be open to inspection by any Baha'i of Mauritius.

(2) Every financial year of the Assembly shall end on 20 March in that year.

(3) All accounts and funds of the Assembly shall be audited once a year as soon as may be after the end of the financial year by 2 auditors appointed at the Annual Convention from among the Baha'is.

**17. Application of funds**

(1) The income and property of the Assembly shall be applied solely towards the promotion of the objects of the Assembly and no portion thereof shall, subject to section 6 (5), be distributed or transferred by way of dividend, bonus or otherwise to the members of the Assembly.

(2) Upon the winding-up or dissolution of the Assembly, its assets shall, after satisfaction of all its debts and liabilities, become vested in the Universal House of Justice.

**18. Donations and legacies**

Article 910 of the Code Civil Mauricien shall not apply to the Assembly.

**19. Regulations**

The Assembly may make such regulations as it thinks fit for the purposes of this Act.

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