



BERMUDA

1970 : No. 256.

THE BERMUDA FOOTBALL ASSOCIATION ACT, 1970.

[8th. June, 1970]

WHEREAS a petition has been presented to the Legislature by Reuben Christopher Alias, Gerard Bean, Joseph Ferreira, John Barnett, Arnold James Todd, the Chairman, Vice-Chairman, Secretary, Treasurer and Assistant Secretary respectively of the Bermuda Football Association on behalf of the Association praying that legislation may be enacted to provide for the incorporation of the Bermuda Football Association and for matters connected therewith; and it is expedient to grant the prayer of the said petition:

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the House of Assembly of Bermuda, and by the authority of the same, as follows:—

1. In this Act —

Interpretation.

- (a) the expression "the Association" means the Bermuda Football Association as incorporated by this Act;
- (b) the expression "the Council" means the governing body of the Association as elected or appointed in accordance with section 8 of this Act;
- (c) the expression "membership" means all clubs, combinations, leagues, competitions, referees, associations,

school associations or leagues and any other body or person admitted to membership before or after the commencement of this Act.

Incorporation
of the
Association;
effect of
incorporation.

2. The members of the Bermuda Football Association shall be a body corporate under the name of "The Bermuda Football Association" with exclusive right to use that name, and with power to sue and liability to be sued in its corporate capacity by that name in all courts, and with power to have and use a common seal and to renew or vary the same at pleasure.

Objects and
purposes of the
Association.

3. The objects and purposes of the Association are declared to be —

- (a) to encourage the game of football in Bermuda;
- (b) to promote the game of football in every way in which the Association shall think proper and to take all such steps as shall be deemed necessary or advisable for preventing the infringements of the rules and laws of the game or other improper practices in the game and for protecting it from abuse;
- (c) to make, adopt and publish rules and regulations and bye-laws and conditions for the proper regulation of the game and to vary or revoke the same and to take such steps as may be deemed necessary for the enforcement of such rules and regulations and bye-laws and conditions;
- (d) to make rules concerning eligibility for membership in the Association and to vary or revoke the same and to take such steps as may be necessary for the enforcement of such rules;
- (e) to affiliate with or hold membership in such football Associations outside these Islands as the Association shall from time to time determine;
- (f) to lend or invest any moneys of the Association in such manner as shall be approved by the Council and to borrow moneys on such security as the Council may determine and particularly, but not so as to limit the generality of the foregoing, by mortgaging or charging all or any of the property of the Association;

- (g) to make such representations to the Government of these Islands or any Department thereof as the Association may from time to time consider it proper.

4. (1) The Association shall have power to acquire any land in these Islands by way of purchase or exchange or by way of gift or devise to the Association and to take any such land by way of lease or letting agreement and to hold any land so acquired or taken.

Powers of Association to hold land.

(2) The Association shall not at any time hold more than twelve acres of land.

(3) The Association shall not purchase or take by way of letting agreement any land except such land as is *bona fide* required for the purposes of the Association, and where any land is acquired by the Association by way of gift or devise the area of the land so acquired together with any area of land then already being held by the Association exceeds twenty-five acres, the Association may hold the land so acquired subject to the following conditions, that is to say —

the Association shall not later than three years after acquisition divest itself of so much of the land as is equivalent in area of the excess over twenty-five acres which resulted from such acquisition.

(4) The Association in furtherance of its purposes, shall have power to sell, exchange, lease, let or mortgage any land held by the Association, being land held by the Association for such an estate or interest as would enable an individual person to deal with the land.

5. The Association shall have power to acquire by purchase or exchange, or by gift or bequest, any personal property and to hold and administer for the purposes of the Association any personal property so acquired, and to sell, exchange, mortgage or otherwise dispose of any such property in furtherance of the purposes of the Association:

Power of the Association to acquire, hold and dispose of personal property.

Provided that where any funds or gifts in kind are given or bequeathed to the Association, the powers conferred by this section shall not be exercised in any manner inconsistent with any condition or direction imposed or given by the donor or testator.

Power of the Association to enter into contracts, etc.

6. The Association may enter into contracts incidental to the administration of the affairs and property of the Association or to the carrying out of any of the purposes of the Association.

Power of the Association to invest funds.

7. The Association may invest any funds in its hands or at its disposal —

- (a) in any investment authorised by the Trustee Act, 1876, for the investment of trust moneys;
- (b) in the stocks, shares, bonds or debentures of any company incorporated in these Islands or of any municipal corporation in these Islands; and may vary any such investment and may realise any fund received by it in a state of investment;
- (c) in such stocks, shares, bonds or debentures issued within or outside these Islands (whether or not the same are trust securities) as the Council may from time to time specifically authorise.

Power of the Association to regulate its constitution and procedure.

8. The Association shall have power generally to regulate its own constitution and procedure and change the same from time to time but the constitution shall make provision for the annual election or appointment of a governing body to be known as "the Council" which shall consist of not less than five persons and may delegate to the Council any of the powers conferred upon the Association by this Act.

Liability for debts, etc., of the Association.

9. The liability of any member of the Association for the debts and legal obligations of the Association shall be limited to the amount for the time being owing by that member to the Association by way of subscription or otherwise, except as respects any debt or legal obligation of the Association for which he has expressly agreed in writing to be responsible either by himself or with another member or person; but the property of the Association shall be liable for its debts and obligations.

Transitory provisions.

10. All property, assets and rights whatsoever which immediately before the commencement of this Act were vested in the Bermuda Football Association as then constituted, shall on the commencement of this Act vest in The Bermuda Football Association as incorporated by this Act; and any legal obligations or liabilities incurred before the commencement of this Act, by the

Bermuda Football Association as then constituted, and remaining unsatisfied shall on the commencement of this Act devolve on the Bermuda Football Association as incorporated by this Act.

11. Nothing in this Act contained shall be construed to affect the rights of Her Majesty, Her heirs and successors or of any body politic or corporate or of any other person or persons except such as are mentioned in this Act, and those claiming by, from or under them.

Saving of
rights of
Crown and
others.