



LAWS OF MALAYSIA

REPRINT

Act 690

SALVATION ARMY (INCORPORATION) ACT 1956

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SALVATION ARMY (INCORPORATION) ACT 1956

First enacted	1956 (Ordinance No. 35 of 1956)
Revised	2008 (Act 690 w.e.f. 4 December 2008)

LAWS OF MALAYSIA**Act 690****SALVATION ARMY (INCORPORATION) ACT 1956**

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LAWS OF MALAYSIA**Act 690****SALVATION ARMY (INCORPORATION) ACT 1956**

An Act to incorporate the General of the Salvation Army.

[25 October 1956]

WHEREAS it is expedient to repeal the Salvation Army Ordinance 1939, of the Straits Settlements in order to replace the said Ordinance by an Ordinance having effect throughout the Federation:

AND WHEREAS by a Deed Poll (hereinafter called “the Deed of Constitution”) dated 7 August 1878, and under the hand and seal of William Booth (the founder and General Superintendent of a Religious Society or Organisation known as “the Christian Mission”) and afterwards enrolled in the Chancery Division of the High Court of Justice in England the origin, name, doctrines and purposes of the said Christian Mission were recited and stated:

AND WHEREAS at some time before 24 June 1880, the name of the said Religious Society or Organisation was changed from “the Christian Mission” to “The Salvation Army” as appears by a Memorandum of that date under the hand of the said William Booth endorsed on the Deed of Constitution and afterwards enrolled in the Central Office of the Supreme Court of Judicature in England:

AND WHEREAS the said Religious Society or Organisation has since been and is now known as The Salvation Army and the General Superintendent thereof has since been and is now known as The General of the Salvation Army:

AND WHEREAS by a Deed Poll (hereinafter called “the Supplemental Deed of Constitution”) dated 26 July 1904, under the hand and seal of the said William Booth and afterwards enrolled in the Central Office of the Supreme Court of Judicature in England the provisions of the Deed of Constitution were supplemented by provisions dealing with matters and contingencies not taken account of in the Deed of Constitution:

AND WHEREAS by a Deed Poll dated 21 November 1930, under the hand and seal of Edward John Higgins and afterwards enrolled in the Central Office of the Supreme Court of Judicature in England the provisions of the Supplemental Deed of Constitution were (pursuant to a power in that behalf thereby reserved) added to and varied:

AND WHEREAS by an Act of the Parliament of Great Britain and Northern Ireland intituled the Salvation Army Act 1931 [*21 and 22 GEO. 5 Chap. XCIV*], the provisions of the Deed of Constitution and the Supplemental Deed of Constitution were further added to and varied:

AND WHEREAS the present holder of the office of the General of the Salvation Army is Wilfred Kitching and he and his predecessors in office have acquired certain movable and immovable property in the Federation of Malaya for the purposes of and upon trust for the Salvation Army and it is expedient that provision be made for the vesting of such movable and immovable property in a corporation sole having perpetual succession for the benefit of and upon trust for the Salvation Army.

Short title

1. This Act may be cited as the Salvation Army (Incorporation) Act 1956.

Incorporation of the General of the Salvation Army and powers of the corporation

2. (1) The General for the time being of the Salvation Army (hereinafter referred to as “the General”) shall for all purposes be a body corporate by the name of “The General of The Salvation Army” and the said body corporate (in this Act referred to as “the corporation”) shall have perpetual succession and a corporate seal.

(2) The corporation may enter into contracts and may sue and be sued and take all legal proceedings in any of the Courts of Peninsular Malaysia in its said name.

(3) The seal of the corporation may from time to time be broken, changed, altered and made anew as to the corporation seems fit, and until a seal is provided under this section a stamp bearing the inscription “The General of The Salvation Army”, may be used as the corporate seal.

(4) The corporation may acquire by purchase, gift, devise, bequest or otherwise, and hold movable and immovable property of every description and any interest therein, and may sell, convey, transfer, assign, demise, lease, surrender, exchange, partition, charge, mortgage or otherwise dispose of or deal with any movable or immovable property so acquired by the corporation or vested in the corporation by this Act.

Use of corporate seal

3. (1) All deeds, documents and other instruments requiring the seal of the corporation shall be sealed with the seal of the corporation in the presence of the General for the time being of the Salvation Army or his attorney duly authorized by a power of attorney registered under the Powers of Attorney Act 1949 [*Act 424*], and shall also be signed by the General or his attorney so authorized as aforesaid.

(2) Such signing shall be and be taken as sufficient evidence that the said seal was duly and properly affixed and that the same is the lawful seal of the corporation.

Appointment

4. (1) Upon the lodging at the office of the Minister charged with responsibility for social welfare of a copy or copies certified by the Chief of the Staff of the Salvation Army or the Commissioner acting for the time being as the Chief of the Staff of the Salvation Army of a document or documents purporting to be or to record

the appointment of and acceptance of office of a General of the Salvation Army it shall be deemed to be conclusive in evidence that the person named in such certified copy or copies is the person duly authorized to exercise the office of the General until the recording and lodging of a similarly certified copy or copies as aforesaid.

(2) The lodging at the office of the Minister charged with responsibility for social welfare of such certified copy or copies shall be notified in the *Gazette*.

Power to appoint attorney

5. (1) The General shall have power to appoint an attorney for such time and purposes and with such powers as may be stated in the power of attorney which shall be registered under the Powers of Attorney Act 1949, and a certified copy whereof shall be lodged at the office of the Minister charged with responsibility for social welfare and the donee of the said power of attorney shall be deemed to be the duly authorized attorney of the General until the recording and lodging of a subsequent and similarly certified copy power of attorney duly registered under the Powers of Attorney Act 1949.

(2) Every such attorney shall from time to time by notice under his hand give to the Minister for Women, Family and Community Development an address for service particulars of which shall be inserted in the *Gazette*. All writs of summons, notices and legal process may be served upon the corporation by leaving them at such address for service.

Vesting of property

6. All movable and immovable property situated in Peninsular Malaysia heretofore held by or conveyed, assigned, granted, leased, transferred, transmitted to or otherwise vested in the General of the Salvation Army incorporated under the Salvation Army Ordinance 1939 [*S.S. Ord. No. 23 of 1939*], of the Straits Settlements or held in trust by any person or corporation for the said corporation or for the Salvation Army or the General is hereby vested in the corporation for the respective estates and interests for which the same is held.

Saving of Crown and other rights

7. Nothing in this Act shall affect the rights of Her Majesty or of Their Highnesses the Rulers of the Malay States or of any body politic or corporate or of any other persons except such as are mentioned in this Act and those claiming by, from or under them.

Repeal

8. The Salvation Army Ordinance 1939, of the Straits Settlements is hereby repealed.

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LIST OF AMENDMENTS

Amending law	Short title	In force from
L.N. 332/1958	Federal Constitution (Modification of Laws) (Ordinances and Proclamations) Order 1958	13-11-1958

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LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
4	L.N. 332/1958	13-11-1958
5	L.N. 332/1958	13-11-1958
