

Seychelles

Cheshire Homes Decree

Decree 27 of 1977

Legislation as at 30 June 2012

FRBR URI: /akn/sc/act/decreed/1977/27/eng@2012-06-30

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PDF created on 21 February 2024 at 16:07.

Collection last checked for updates: 30 June 2014.

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Cheshire Homes Decree
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Seychelles

Cheshire Homes Decree

Decree 27 of 1977

Commenced on 28 November 1977

[This is the version of this document at 30 June 2012 and includes any amendments published up to 30 June 2014.]

1. Short title

This Decree may be cited as the Cheshire Homes Decree.

2. Establishment and purpose of Cheshire Homes

- (1) There shall be established in Seychelles a Cheshire Home or Cheshire Homes which shall be known as the Cheshire Homes of Seychelles.
- (2) The purpose of such Homes shall be to provide the necessary facilities and staff for the care of the disabled irrespective of race, sex or creed.

3. Board of Trustees

There shall be established in accordance with this Decree a Board of Trustees under the name of "The Trustees of the Cheshire Homes of Seychelles".

4. Board of Trustee constituted into a body corporate

- (1) The Board of Trustees shall be and is hereby constituted a corporate body.
- (2) The Board of Trustees shall act, sue and be sued in its corporate name and service on the Chairman for the time being shall be equivalent to service on the Board.

5. Composition of the Board of Trustees

- (1) The Board of Trustees shall consist of not less than five persons who shall be appointed by the president for three years or for such lesser period as shall be specified on appointment.
- (2) In the case of death, absence from Seychelles, resignation, revocation of appointment or incapacity to act of any member of the Board of Trustee or when a vacancy arises from any other cause, the President may make the necessary appointments to fill such vacancy, either temporarily or permanently.
- (3)
 - a. The members of the Board of Trustee shall elect one of their members to be Chairman of the Board.
 - b. The Chairman shall hold office for one year from the date of his election. He shall vacate office if he ceases to be a member of the Board.
 - c. When the Chairman is absent from any meeting of the Board or a vacancy arises in the chairmanship and a new election has not yet been held, the members of the Board may choose one of their members to preside at the meeting.

6. Quorum and voting

- (1) Three members shall form a quorum.

- (2) Decisions of the Board shall be taken on a majority of votes of members present and voting but on any matter on which the votes of the Board are equally divided the Chairman, or in his absence, the member of the Board presiding over the meeting, shall have a second or casting vote.

7. Chairman and one other member to sign documents

All deeds, acts and documents, concerning the corporate body shall be signed by the Chairman or by the person delegated by him in writing to exercise his powers under this section, either generally or for a particular purpose, and by one other member of the Board.

8. title to ownership

All property, whether movable or immovable, funds, monies, investments and other assets which are or become the property of the Cheshire Homes shall vest in the Board of Trustees and shall be held by them in that name.

9. Power of corporate body

- (1) The Board of Trustees as a corporate body shall have power to acquire, hold, manage, mortgage, dispose of or alienate property, movable or immovable, and to do all such acts or things as any person of full age or capacity may do and perform, consistent with its corporate status.
- (2) The Board of Trustees may exercise any of its powers under subsection (1) in relation to the property which vests in and is held by the Board.

10. Legacies and donations exempted from stamp duty

All legacies and donations for the benefit of the Cheshire Homes of Seychelles shall be exempted from stamp duty under the Stamp Duty Act.

11. Books, accounts and audit

The Board of Trustees shall cause proper books and accounts to be kept. The accounts shall be audited every year by an auditor qualified under section 157 of the Companies Act and appointed by the Board.

12. Appointment of staff

The Board of Trustees shall appoint matrons and such other members of staff as may in their opinion be necessary who shall receive such salaries or wages as the Board may think fit.

13. Management Committees

There shall be a Management Committee or Management Committees which shall be responsible for the well-being of the residents and staff of the Cheshire Homes and for ensuring that the Homes are run at all times and in all matters in accordance with the policy formulated by the Board of Trustees or with the regulations made under [section 14](#).

14. Regulations

The Board of Trustees may make regulations to carry out the objects and provisions of this Decree. Without prejudice to the generality of the foregoing power, the Board of Trustees may make regulations to provide for the management of the Cheshire Homes, for the appointment or election of Management Committees and for the functions and powers thereof.