BARRBADOS RED CROSS SOCIETY ACT, 1969-35

Arrangement of Sections

Section

1. Short title.
2. Interpretation.
3. Incorporation of Barbados Red Cross Society.
4. Purposes and functions of the Society.
5. Recognition as Voluntary Aid Society.
6. Government of the Society, Validity of meetings etc. of Council.
7. Power to make rules.
8. Vesting of assets of former Branch.
10. Commencement.
1 assent,
A. WINSTON SCOTT,
Governor-General.

1969-35

An Act to Incorporate the Barbados Red Cross Society and to provide for matters related thereto.

(By Proclamation)  Commencement

WHEREAS:

(1) the International Red Cross is an Association for the promotion of divers humanitarian purposes throughout the world and comprises all duly recognised National Red Cross Societies together with two other Associations known as the International Committee of the Red Cross and the League of Red Cross Societies;

(2) one of the conditions for the recognition of a National Red Cross Society is that it shall be constituted in the territory of an independent State where
one of divers international conventions relative to
the Relief of Sick and Wounded is in force;

(3) the Government has succeeded to certain
of such conventions further particulars whereof are
set out in the Schedule (in this preamble referred to
as the scheduled conventions);

(1) the scheduled conventions provide, among
other things, for certain of the functions of National
Red Cross Societies and other Voluntary Aid Societies
recognised and authorised by their Government,
and for the use of the distinctive emblem of a Red
Cross on a white ground and of the words "Red Cross",
and for the prevention of their misuse;

(5) there has been in operation in Barbados
for some years past an association affiliated to the
British Red Cross Society now known as the Barbados
Branch of the British Red Cross Society (in this pre-
amble referred to as the former Branch);

(6) the Committee of the former Branch being
the governing body of that Branch, is desirous of
forming a body corporate, to be known as the Barba-
dos Red Cross Society, and obtaining recognition for
such body corporate as a Voluntary Aid Society with-
in the meaning of the scheduled conventions, to en-
able it to be recognised as a National Red Cross
Society by the International Committee of the Red Cross
and to obtain membership of the League of Red Cross
Societies;

(7) the formation of such a body corporate and
its recognition as a Voluntary Aid Society would facili-
tate the promotion of the humanitarian purposes of the
International Red Cross in Barbados:
AND WHEREAS it is expedient to make provision by legislation for the various matters aforesaid:

NOW, THEREFORE, BE IT ENACTED by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Assembly of Barbados, and by the authority of the same as follows:—

1. This Act may be cited as the Barbados Red Cross Society Act, 1969.

2. For the purposes of this Act—

"the Council" means the governing body of the Society constituted under section 6;

"the former Branch" means the association affiliated to the British Red Cross Society and known as the Barbados Branch of the British Red Cross Society in operation immediately before the commencement of this Act;

"the scheduled conventions" means the international conventions to which the Government of Barbados has succeeded set out in the Schedule;

"the Society" means the Barbados Red Cross Society constituted under section 3.

3. (1) For the purpose of maintaining and carrying on the purposes and functions set out in section 4, the President, other officers and members of the former Branch, and all persons who may hereafter become President, other officers or members of the Society in the manner laid down by rules made under
section 7, are hereby constituted a body corporate by
the name of the Barbados Red Cross Society.

(2) Section 21 of the Interpretation Act, 1966
shall apply to the Society.

4. (1) The general purposes and functions of the
Society shall be—

(a) in time of war, to furnish aid to the sick
and wounded both of armies and among
non-belligerents, and to prisoners of
war and civilian sufferers from the ef-
fect of war;

(b) to perform all the duties devolving upon
a national Society of a nation which has
acceded to the scheduled conventions;

(c) in time of peace or war, to carry on and
assist in work for the improvement of
health, the prevention of disease and
the mitigation of suffering throughout the
world;

(d) to succeed to and take over all the right
and property heretofore or now held and
enjoyed by and all the duties heretofore
performed by the former Branch;

(e) to organise classes and lectures and
publish and sell or distribute papers,
books, pamphlets and information for the
purpose of stimulating interest in and
promoting the objects of the Society and
of qualifying persons to assist therein
and to take all other measures which
may seem necessary for providing and maintaining an efficient organisation for the purposes of the Society;

(f) to borrow or raise money with or without security for any of the purposes of the Society and either subject or not subject to any special trust and conditions;

(g) without prejudice to the scope or effect of any of the provisions of this Act to accept and take by way of gift and absorb upon any terms the undertaking and assets of any association or Society whether incorporated or not carrying on work similar to any work for the time being carried on by the Society and to undertake any of the liabilities of any such other association or body;

(h) to make and carry out any arrangement for joint working co-operation with any other association or body whether incorporated or not carrying on work similar to any work for the time being carried on by the Society;

(i) to undertake execute and perform any trusts or conditions affecting any real or personal property of any description deemed likely to be useful for any of the purposes of the Society;

(j) to grant continue and pay such salaries pensions gratuities or other sums in recognition of services (whether ren-
(k) to invest all moneys and funds of the Society which are not immediately required to be expended for the purposes thereof and to vary and transpose such investments without in any of such cases being in any way limited as to the form or nature of investment by any statutory provision or rule of law relating thereto or otherwise relating to the investment of trust funds;

(l) to do all such other acts and things as are or may be incidental or conducive to the attainment of any of the purposes of the Society or the exercise of any of its functions.

(2) The particular purposes of the Society shall be defined by rules made by the Council in accordance with section 7.

5.(1) The Society shall be recognised by the Government as a Voluntary Aid Society, auxiliary to the public authorities, in particular for the purposes
of the scheduled conventions and shall have the right
to have and use or permit to be used in carrying out
its purposes as an emblem and badge the heraldic
emblem of the red cross on a white ground, formed by
reversing the Federal colours of Switzerland.

(2) The Society is hereby authorised with or
without co-operation of any other society, organisation
or association which may have been accorded
similar powers by Act of Parliament, to act in matters of relief under the scheduled conventions.

6. (1) The governing body of the Society shall
be the Council consisting in the first instance of those
persons who at the commencement of this Act are the
members of the Committee of the former Branch and
thereafter of such members to be elected or appointed
in such manner as may be provided for by rules made
under section 7.

(2) The Council shall have the power to pro-
vide for the organisation of such divisions, detach-
ments and units in various parts of Barbados as it
considers expedient for the more effectual carrying
out of the purposes of the Society under such rules
as the Council may make in that behalf.

(3) The Council shall have power to delegate
any or all of its functions to any one or more com-
mittees either with or without power to such committee
or committees further to delegate any or all of such
rights powers and duties to sub-committees as the Council may in its absolute discretion think fit.

(4) No member of the Council or of any committee or sub-committee shall be personally liable for any act or default of the Council or of any committee or sub-committee done or omitted to be done in good faith.

(5) No act done or proceedings taken under this Act shall be questioned on the ground—

(a) of the existence of any vacancy in the membership of, or any defect in the constitution of the Council; or

(b) of any omission, default or irregularity not affecting the merits of the case.

7. (1) The Council may make such rules as appear to it to be expedient for carrying out the purposes of the Society and in particular, and without prejudice to the generality of the foregoing, may make rules providing for:

(a) the particular purposes of the Society, in accordance with section 4(2);

(b) the composition and manner of election or appointment of members of the Council;

(c) the organisation and functions of branches and divisions of the Society;

(d) the appointment and duties of the officers and employees of the Society;
(e) the custody of the property of the Society and the keeping and auditing of accounts;

(f) the use of the Red Cross emblem and badge by officers and members of the Society;

(g) the making of appeals to the public for financial or other support for the Society;

(h) the terms on which the Society may accept grants or subventions from Governments or other public authorities;

(i) the terms on which the Society may associate with Governments and other voluntary organisations for any purpose which is included among the purposes of the Society;

(j) the qualifications and functions of the members of the Society and their organisation in various classes according to their qualifications.

(2) Nothing contained in any rules made under this section shall enable the Society to withhold membership from any citizen of Barbados on grounds of race, sex, religion or political opinion.

(3) Notwithstanding anything contained in section 16(1) of the Interpretation Act, 1966 it shall not be necessary for any rules made by the Council under this section to be published in the Gazette, but a copy of any such rules shall be furnished to the Minister responsible for defence.
8. (1) At the commencement of this Act all the assets and liabilities of the former Branch shall be transferred to and vested in the Society by virtue of this section and without further assurance.

(2) All deeds, bonds, instruments and contracts subsisting immediately before the commencement of this Act to which the former Branch is a party shall be of as full force and effect against or in favour of the Society and enforceable as fully and effectually as if, instead of the former Branch, the Society had been a party thereto.

(3) All assets held by the former Branch for the purpose of any division of the former Branch shall continue to be held by the Society for the purposes of the corresponding division of the Society.

9. Any person who falsely and fraudulently —

(a) holds himself out to be or knowingly allows himself to be supposed to be a member of or an agent for the Society for the purpose of soliciting, collecting or receiving money or material; or

(b) wears or displays the emblem of the Red Cross on any article of clothing, badge, piece of paper, or in any other way whatsoever, or any insignia coloured imitation thereof in such a way as to be likely to deceive those to whom it is visible, for the purpose of inducing the belief that he is a member of, or an agent for, the
Society, or that he has been recognised by the Society as possessing any qualification for administering first aid or other treatment for the relief of sickness, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

10. This Act shall come into operation on such date as the Governor-General may appoint by proclamation.

Read three times and passed the House of Assembly this first day of July, one thousand nine hundred and sixty-nine.

THEODORE BRANCKER
Speaker.

Read three times and passed the Senate this twenty-fourth day of July, one thousand nine hundred and sixty-nine.

C. ASQUITH PHILLIPS
Acting President.