



THE  
JAMAICA  
RED CROSS  
SOCIETY  
ACT, 1964

No. 40-1964

I assent,

[L.S.]

C. C. CAMPBELL,  
*Governor-General*

9th July, 1964.

AN ACT to Incorporate the Jamaica Red Cross Society  
and to provide for matters related thereto.

Title.  
Commence-  
ment.

[The date of any Proclamation issued by the Governor-  
General bringing the Act into operation.]

*Proc. 28.3.64*  
*Operation 21.3.64*

WHEREAS (1) the International Red Cross is an Associa-  
tion 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:

Preamble.

(2) one of the conditions for the recognition  
of a National Red Cross Society is that it shall be con-  
stituted on 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 of Jamaica has acceded  
to certain of such conventions further particulars whereof

are set out in the Schedule to this Act (hereinafter referred to as the said conventions):

(4) the said 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" or "Geneva Cross", and for the prevention of their misuse:

(5) there has been in operation in Jamaica for some years past an association affiliated to the British Red Cross Society now known as the Jamaica Branch of the British Red Cross Society (hereinafter referred to as the former Branch):

(6) the Executive Committee of the former Branch, being the governing body of the said Branch, is desirous of forming a body corporate, to be known as the Jamaica Red Cross Society, and obtaining recognition for such body corporate as a Voluntary Aid Society within the meaning of the said Conventions, to enable 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 facilitate the promotion of the humanitarian purposes of the International Red Cross in Jamaica:

AND WHEREAS it is expedient to make provision by legislation for the various matters aforesaid:

Enactment. 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 Representatives of Jamaica, and by the authority of the same as follows:—

Short title  
commence-  
ment and  
application.

1—This Act may be cited as the Jamaica Red Cross Society Act, 1964, and shall come into operation on a

day to be appointed by the Governor-General by notice in the *Gazette*, after the signification of the pleasure of Her Majesty thereon.

2—In this Act “the Society” means the Jamaica Red Cross Society constituted by this Act. Interpretation.

3—For the purpose of maintaining and carrying on the objects set out in section 4 of this Act, the President, Trustees, Officers and Members of the former Branch, and all persons who may hereafter become President, Officers or Members of the Society in the manner laid down in the Rules of the Society, are hereby constituted a body corporate by the name of the Jamaica Red Cross Society, and shall have perpetual succession and a common seal and power to sue and be sued in its corporate name and to acquire, hold and dispose of movable and immovable property. Incorporation of Jamaica Red Cross Society.

4—(1) The general purposes and powers of the Society shall be— Purposes and Powers of the Society.

- (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 effects of war;
- (b) to perform all the duties devolving upon a national Society of a nation which has acceded to the said 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 or 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) without limiting the scope or effect of any of the provisions of this Act to accumulate sell improve manage develop exchange lease mortgage dispose of or otherwise deal with or turn to account all or any property or rights of the Society;

- (k) to grant continue and pay such salaries pensions gratuities or other sums in recognition of services (whether rendered before or after the coming into operation of this Act) as may from time to time be sanctioned by the Central Committee;
- (l) 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;
- (m) to do all such other acts and things as are or may be deemed incidental or conducive to the attainment of any of the purposes of the Society or the exercise of any of its said powers.

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

5—(1) The Society shall be recognised by the Government of Jamaica as a Voluntary Aid Society, auxiliary to the public authorities in particular for the purposes of the said 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.

Recognition  
as Voluntary  
Aid Society.

(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 the Legislature, to act in matters of relief under the said conventions.

Government  
of the  
Society.

6—(1) The Governing body of the Society shall be the Central Committee consisting of not more than fifty members appointed in the first instance by the governing body of the former branch and thereafter appointed elected or co-opted in such manner as may be determined from time to time by the General Assembly.

Subject to any rules made in accordance with section 7, the General Assembly shall consist of

- (a) Members of the Central Committee
- (b) Chairmen of local branches or divisions or their representatives
- (c) such other persons as may be determined from time to time by the Central Committee.

(2) the Central Committee shall have power to provide for the organisation of such divisions and branches in various parts of Jamaica as may seem expedient for the more effectual carrying out of the purposes of the Society under such rules as the Central Committee may prescribe. The existing governing body of the former Branch shall continue until other provision is made by the Central Committee of the Society.

(3) The Central Committee shall have power to delegate any or all of its rights powers and duties to anyone or more committees 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 Central Committee may in its absolute discretion think fit.

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



7—(1) The Central Committee shall make such rules as appear to it expedient for carrying out the purposes of the Society and in particular, and without prejudice to the generality of the foregoing, for providing for:

Power to  
make rules.

- (a) the particular purposes of the Society, in accordance with subsection (2) of section 4 of this Act;
- (b) the organisation and functions of branches and divisions of the Society;
- (c) the appointment and duties of the officers of the Society;
- (d) the custody of the property of the Society and the keeping and auditing of accounts;
- (e) the use of the Red Cross emblem and badge by officers and members of the Society;
- (f) the making of appeals to the public for financial or other support for the Society;
- (g) the terms on which the Society may accept grants or subventions from Governments or other public authorities;
- (h) the terms on which the Society may associate with other voluntary organisations for any purpose which is included among the purposes of the Society;
- (i) the qualifications and functions of the members of the Society and their organisation in various classes according to their qualifications:

Provided that the Society shall not withhold membership from any citizen of Jamaica on grounds of race, sex, religion or political opinion.

(2) Notwithstanding anything contained in section 27 of the Interpretation Act, it shall not be necessary for any rules made by the Central Committee 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.



Vesting of  
assets of  
former  
Branch.

8—(1) On the day on which this Act comes into operation, 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 day on which this Act comes into operation to which the trustees of the former Branch are parties 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 trustees 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.

Offences.

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 article of clothing, badge, piece of paper, or in any other way whatsoever, or any insignia coloured in 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 conviction to a fine not exceeding two hundred pounds or to imprisonment for a period not exceeding two years, or to both such fine and imprisonment.

10—Nothing in this Act shall prejudice or affect the rights of Her Majesty the Queen, Her Heirs and Successors or 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, through or under them. Saving of  
prerogative.

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SCHEDULE

FURTHER PARTICULARS OF CERTAIN INTERNATIONAL CONVENTIONS TO WHICH THE GOVERNMENT OF JAMAICA HAS ACCEDED Preamble.

- Geneva Convention for the amelioration of the condition of the wounded and sick in armed forces in the field, of 12th August 1949
- Geneva Convention for the amelioration of the condition of wounded sick and shipwrecked members of armed forces at sea, of 12th August, 1949
- Geneva Convention relative to the treatment of prisoners of war, of 12th August, 1949
- Geneva Convention relative to the protection of civilian persons in time of war, of 12th August, 1949.