

Supplement to Official Gazette dated 7th August, 1969.

BARBADOS 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.
9. Offences.
10. Commencement.

I assent,
A. WINSTON SCOTT,
Governor-General.
31st July, 1969.

1969-35

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

(By Proclamation) Commencement.

WHEREAS:

Preamble.

(1) the International Red Cross is an Association for the promotion of diverse 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);

(4) 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 preamble 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 Barbados Red Cross Society, and obtaining recognition for such body corporate as a Voluntary Aid Society within the meaning of the scheduled 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 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:—

Enactment.

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

Short title.

2. For the purposes of this Act—

Interpretation.

“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;

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

Incorporation of Barbados Red Cross Society.

section 7, are hereby constituted a body corporate by the name of the Barbados Red Cross Society.

1966-10.

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

Purposes and functions of 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 effect 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-

BARBADOS RED CROSS SOCIETY ACT, 1969-71

dered before or after the commencement of this Act) as may from time to time be sanctioned by the Council;

(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.

Recognition as
Voluntary Aid
Society.

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.

Governing body of the Society.

(2) The Council shall have the power to provide for the organisation of such divisions, detachments 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 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 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.

Validity of meetings etc. of Council.

(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.

Power to make Rules.

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.

Vesting of assets of former Branch.

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.

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 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.

Commencement.

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.