

CHAPTER N130 NIGERIAN RED CROSS SOCIETY ACT

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LAWS

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CHAPTER N130 NIGERIAN RED CROSS SOCIETY ACT

An Act to incorporate the Nigerian Red Cross Society.

[L.N. 205 of 1961. 1960 No. 52.]

[1st January, 1961]

[Commencement.]

1. Short title and application

(1) This Act may be cited as the Nigerian Red Cross Society Act.

[L.N. 139 of 1965.]

(2) This Act shall apply throughout the Federation, so however that it shall not have effect in a State unless and until the Governor of the State by notice in the State Gazette declares it shall apply.

2. Interpretation

In this Act—

“the Society” means the Nigerian Red Cross Society constituted by this Act.

3. Incorporation of Nigerian Red Cross Society

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, officer 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 Nigerian 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.

4. Purposes of the Society

(1) The general purposes of the Society shall be—

(a) in time of war, to furnish volunteer 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, in accordance with the spirit and conditions of the conventions set out in the Schedule to this Act;

[Schedule.]

(b) to perform all the duties devolved upon a national society by each 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 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.

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

Provided that nothing in such purposes shall be inconsistent with the provisions of this Act or with the spirit and intention of the said conventions.

5. Recognition as Voluntary Aid Society

(1) The Society shall be recognised by the Government of the Federation as a Voluntary Aid Society, auxiliary to the public authorities, for the purposes of the said conventions and shall have the right to have and use in carrying out its purposes as an emblem and badge a red cross with vertical and horizontal arms of the same length on and completely surrounded by a white ground.

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

6. Government of Society

(1) The governing body of the Society shall be a Central Council, consisting of not more than fifty members appointed or elected in such manner as may be determined from time to time by the Central Council:

Provided that not less than half the members of the Central Council shall be persons elected thereto by the divisions or branches of the Society organised in accordance with subsection (2) of this section.

(2) The Central Council shall have power to provide for the organisation of such divisions and branches in various parts of the Federation as may seem expedient for the more effectual carrying out of the purposes of the Society under such rules as the Central Council may prescribe; and the existing organisation of the former branch shall continue until other provisions is made by the Central Council of the Society.

(3) There shall be an Executive Committee of the Society consisting of not less than twenty and not more than thirty persons appointed or elected by the Central Council from among its members; and ten members of the Executive Committee shall form a quorum.

(4) The Executive Committee shall have and exercise all the powers granted by this Act when the Central Council is not in session subject, however, to such regulations or restrictions as the Central Council may from time to time determine.

(5) Until a Central Council and an Executive Committee of the Society have been constituted under this section, the members of the Central Council and of the executive committee of the former branch shall respectively exercise the powers of the Central Council and the Executive Committee of the Society.

7. Power to make rules

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

(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 Nigeria on grounds of race, sex, religion, or political opinions.

(2) Rules made under this section shall be such as to ensure the impartiality and the political, religious and economic independence of the Society and its existence as a voluntary, public and self-governing organisation.

(3) Notwithstanding anything contained in section 10 of the Interpretation Act, it shall not be necessary for any rules made by the Central Council under this section to be published in the Federal Gazette, but a copy of any such rules shall be furnished to the Minister responsible for defence.

8. Offences

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 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 N400 or to imprisonment for a period not exceeding two years, or to both such fine and imprisonment.

9. Vesting of assets of former branch

(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 vest 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 State Branch or Division of the former branch shall continue to be held by the Society for the purposes of the corresponding State Branch or Division of the Society.

Schedule

FURTHER PARTICULARS OF CERTAIN INTERNATIONAL CONVENTIONS TO WHICH THE GOVERNMENT OF THE FEDERATION HAS ACCEDED

[Section 4 (1) (a).]

Geneva Convention for the amelioration of the condition of the wounded and sick in armed forces in the field of 12 August 1949.

Geneva Convention for the amelioration of the condition of wounded, sick and shipwrecked members of armed forces at sea of 12 August 1949.

Geneva Convention relative to the treatment of prisoners of war of 12 August 1949.

Geneva Convention relative to the protection of civilian persons in time of war of 12 August 1949.

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SUBSIDIARY LEGISLATION

No Subsidiary Legislation