



ZIMBABWE

ACT

To constitute the Zimbabwe Red Cross Society as the national Red Cross Society for the purposes of the Geneva Conventions; to amend section 2 of the Welfare Organizations Act [*Chapter 93*]; and to provide for matters incidental to or connected with the foregoing.

ARRANGEMENT OF SECTIONS

Section

1. Short title and date of commencement.
2. Interpretation of terms.
3. Establishment of Society.
4. Objects of Society.
5. Powers of Society.
6. Society to be independent voluntary aid society and sole Red Cross society.
7. Use of Red Cross emblem by Society.
8. Establishment of Executive Council of Society.
9. General Assembly of Society.

Section

10. Rules.
11. Succession of Society to Branch.
12. Amendment to Cap. 93.

SCHEDULE: Powers of Society.

ENACTED by the President and the Parliament of Zimbabwe.

Short title
and date of
commencement.

1. (1) This Act may be cited as the Zimbabwe Red Cross Society Act, 1981.

(2) This Act shall come into operation on a date to be fixed by the President by notice in the *Gazette*.

Interpretation
of terms.

2. In this Act—

“Branch” means the branch of the British Red Cross Society which was in existence in Zimbabwe as a voluntary association immediately before the fixed date and which carried on its activities under the name “Zimbabwe Red Cross”;

“Executive Council” means the Executive Council of the Society established by section *eight*;

“fixed date” means the date fixed in terms of subsection (2) of section *one* as the date on which this Act shall come into operation;

“General Assembly” means the General Assembly of the Society referred to in section *nine*;

“Geneva Conventions” means the Conventions set out in the First, Second, Third and Fourth Schedules to the Geneva Conventions Act, 1981;

“rules” means rules made by the Executive Council or the General Assembly in terms of sections *eight* or *nine*;

“Society” means the Zimbabwe Red Cross Society established by section *three*.

Establishment
of Society.

3. There is hereby established a society, to be known as the Zimbabwe Red Cross Society, which shall be a body corporate capable of suing and being sued in its corporate name and, subject to the provisions of this Act, of performing all such acts as bodies corporate may by law perform.

Objects of
Society.

4. The objects of the Society shall be—

- (a) in times of armed conflict and in times of peace, to act in all the fields covered by the Geneva Conventions and on behalf of all persons, both military and civilian, suffering from the effects of armed conflict;
- (b) in times of peace to make preparations for the carrying out of its functions in the event of armed conflict;

- (c) on its own initiative to organize emergency relief to victims of disasters, however caused, where possible in accordance with a national plan;
- (d) in co-operation with public authorities where this is possible, to encourage, support and carry on any activity which relieves suffering and promotes the health and welfare of the community, and to provide public instruction in such activities:

Provided that, save in circumstances which the Society considers to be exceptional, the Society shall not subsidize any scheme or assume any responsibility which is the legitimate function of some public authority;

- (e) to inspire boys and girls of school age with the ideals of the Junior Red Cross, namely health, service and international friendship, and to form Junior Units wherever possible;
- (f) to interest and instruct public and official opinion in the work of the Red Cross, in the Geneva Conventions and in the principles which inspire the Red Cross and the Geneva Conventions;
- (g) to recruit and train members to perform the activities specified in paragraphs (a) to (f), and for this purpose to establish such regional and local committees as the Society considers appropriate;
- (h) generally, to carry out and assist in work for the improvement of health, the prevention of disease and the alleviation of suffering wherever it may occur in times of peace or armed conflict.

5. (1) For the purpose of achieving the objects set out in section four, the Society shall have power to do or cause to be done, either by itself or through its agents, all or any of the things specified in the Schedule, either absolutely or conditionally and either solely or jointly with others. Powers of Society.

(2) In the exercise of its powers in terms of this Act the Society and its agents shall not discriminate adversely on the ground of race, colour, nationality, tribe, place of origin, political opinions or creed, and shall act in accordance with the spirit and principles of the Geneva Conventions.

6. (1) The Society is hereby recognized as a voluntary aid society auxiliary to the public authorities both for the purposes of the Geneva Conventions and otherwise. Society to be independent voluntary aid society and sole Red Cross society.

(2) The independent and voluntary nature of the Society shall at all times be respected in accordance with the resolution relating to National Red Cross Societies adopted by the General Assembly of the United Nations on the 19th November, 1946.

(3) The Society shall be the only Red Cross society in Zimbabwe.

(4) The provisions of this section shall bind the State.

Use of Red
Cross emblem
by Society.

7. The Society may use, in conformity with the Geneva Conventions—

- (a) the emblem of a red cross with vertical and horizontal arms the same length on, and completely surrounded by, a white ground; and
- (b) the designation "Red Cross" and "Geneva Cross".

Establishment
of Executive
Council of
Society.

8. (1) There is hereby established the Executive Council of the Society which shall, subject to the provisions of this Act and of rules, exercise the powers conferred upon it by the General Assembly.

(2) The Executive Council shall consist of such number of members as may be prescribed in rules, who shall be elected or appointed by the General Assembly in such manner and hold office for such period as may be prescribed in rules.

General Assembly
of Society.

9. (1) At least once in every year there shall be a meeting of the Executive Council and such members of the Society or their representatives as may be prescribed in rules, which meeting shall be known as the General Assembly.

(2) The General Assembly shall be the highest authority of the Society, with power—

- (a) to manage the affairs and property of the Society and to exercise all the powers conferred upon the Society by this Act;
- (b) to elect or appoint members and office-bearers of the Society and members of the Executive Council;
- (c) subject to the provisions of section ten, to make rules for the governance of the Society, the management of its affairs and property and the achievement of its objects, and to amend or repeal such rules;
- (d) to delegate to the Executive Council, either absolutely or subject to conditions, such of its powers, including the power to make, amend and repeal rules, as it may think fit, and to vary or revoke any such delegation.

Rules.

10. (1) Rules may provide for—

- (a) the qualifications for membership of the Society, the specification of different classes of membership, the election or appointment of each class of member and the circumstances in which members shall cease to be members of the Society;
- (b) the levying of fees and subscriptions from members of the Society;
- (c) the conduct of meetings of the General Assembly, the quorum thereat and the voting rights of each class of member of the Society;
- (d) the composition of the Executive Council, the election or appointment of members of the Executive Council,

their tenure of office and the circumstances in which they shall cease to be members;

- (e) the conduct of meetings and business of the Executive Council and the quorum at such meetings;
- (f) the establishment of committees, whether consisting of members of the Executive Council or otherwise, and the delegation by the Executive Council or the General Assembly to such committees of such of its powers as it thinks fit;
- (g) the establishment and conduct of branches of the Society;
- (h) any other matter, not inconsistent with the provisions of this Act, which the General Assembly or, as the case may be, the Executive Council considers necessary or desirable to prescribe in rules.

(2) Rules shall not provide that any person or class of person shall be excluded from or deprived of membership of the Society on the ground of race, colour, nationality, tribe, place of origin, political opinions or creed.

(3) Rules need not be published in the *Gazette*.

11. (1) The Society shall for all purposes be the successor to the Branch.

Succession
of Society
to Branch.

(2) All assets, rights and liabilities which immediately before the fixed date vested in or had been incurred by the Branch shall vest in or, as the case may be, be deemed to have been incurred by the Society.

(3) Any proceedings or cause of action pending or existing immediately before the fixed date which had been commenced by or on behalf of or against the Branch may be continued or enforced by or on behalf of or against the Society as it might have been by or on behalf of or against the Branch had this Act not been passed.

(4) All persons who, immediately before the fixed date, were members of the Branch shall, subject to the provisions of the rules, be members, of the equivalent class and with similar rights and obligations, of the Society.

(5) All persons who, immediately before the fixed date, were office-bearers of the Branch shall, subject to the provisions of rules, hold corresponding offices in the Society.

(6) All persons who, immediately before the fixed date, were members of a committee which managed the affairs of the Branch shall be members of the Executive Council.

(7) Any constitution, rules or regulations which, immediately before the fixed date, regulated the affairs of the Branch and its members shall, to the extent that they are not inconsistent with this Act, be deemed to be rules and may be amended or repealed by the General Assembly or, as the case may be, the Executive Council in terms of section ten.

Amendment
of Cap. 93.

12. Section 2 of the Welfare Organizations Act [*Chapter 93*] is amended in the definition of "welfare organization" by the insertion after paragraph (vii) of the following paragraph—

"(viii) the Zimbabwe Red Cross Society established by the Zimbabwe Red Cross Society Act, 1981;"

SCHEDULE (Section 5 (1))

POWERS OF SOCIETY

1. To do anything which this Act provides may or shall be done by the Society.
2. To appoint, upon such terms and conditions in respect of salary, pension and other benefits as the Society deems fit, such persons as it considers necessary for conducting the affairs of the Society and to suspend or discharge such persons.
3. To purchase or otherwise acquire any property, movable or immovable, and to take, accept and hold any such property which may become vested in the Society by virtue of purchase, exchange, donation, grant, lease, testamentary disposition or otherwise.
4. To sell, exchange, lease, donate, dispose of, develop, turn to account or otherwise deal with any of the assets of the Society.
5. To establish and administer any charitable or benevolent fund and contribute to any such fund.
6. To borrow or raise money in such manner and on such terms and conditions as the Society thinks fit.
7. To enter into any contract which may be necessary for or incidental to the exercise of the powers of the Society.
8. Generally, to do all such things as the Society considers are incidental or conducive to the exercise of the functions and powers or the pursuance of the objects of the Society.