

Zimbabwe

Zimbabwe Red Cross Society Act

Chapter 17:08

Legislation as at 31 December 2016

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Zimbabwe Red Cross Society Act (Chapter 17:08)

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Zimbabwe Red Cross Society Act Chapter 17:08

Commenced on 2 October 1981

[This is the version of this document at 31 December 2016 and includes any amendments published up to 31 December 2017.]

[Note: This version of the Act was revised and consolidated by the Law Development Commission of Zimbabwe. This version is up-to-date as at 31st December 2016.]

AN ACT to constitute the Zimbabwe Red Cross Society as the national Red Cross Society for the purposes of the Geneva Conventions; and to provide for matters incidental to or connected with the foregoing.

1. Short title

This Act may be cited as the Zimbabwe Red Cross Society Act [Chapter 17:08].

2. Interpretation

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 2nd October, 1981 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;

“**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 [Chapter 11:06];

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

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

3. Establishment of Society

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 this Act, of performing all acts that bodies corporate may by law perform.

4. Objects of Society

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. Powers of Society

- (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.
- (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. Society to be independent voluntary aid society and sole Red Cross society

- (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.
- (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) This section shall bind the State.

7. Use of Red Cross emblem by Society

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”.

8. Establishment of Executive Council of Society

- (1) There is hereby established the Executive Council of the Society which shall, subject to this Act and 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.

9. General Assembly of Society

- (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 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.

10. Rules

- (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 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. Succession of Society to Branch

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

- (2) All assets, rights and liabilities which immediately before the 2nd October, 1981, 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 constitution, rules or regulations which, immediately before the 2nd October, 1981, 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 nine.

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 thinks 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 or the pursuance of the objects of the Society.