

Malawi

Malawi Red Cross Society Act

Chapter 18:09

Legislation as at 31 December 2014

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Malawi Red Cross Society Act
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Malawi

Malawi Red Cross Society Act Chapter 18:09

Assented to on 29 December 1966

Commenced on 16 February 1968

[This is the version of this document at 31 December 2014.]

[Note: This version of the Act was revised and consolidated in the Fifth Revised Edition of the Laws of Malawi (L.R.O. 1/2018), by the Solicitor General and Secretary for Justice under the authority of the Revision of the Laws Act.]

An Act to Provide for the Incorporation of the Malawi Red Cross Society and for Matters Incidental Thereto and Connected Therewith

1. Short title

This Act may be cited as the Malawi Red Cross Society Act.

2. Interpretation

In this Act, unless a contrary intention appears—

“**Branch**” means the Malawi Branch of the British Red Cross Society that was in operation before the commencement of this Act;

“**rules**” means administrative rules made under [section 10](#);

“**Scheduled Conventions**” means the conventions specified in the Schedule;

“**Society**” means the Malawi Red Cross Society.

3. Establishment and constitution of Society, etc

On the commencement of this Act—

- (a) there shall be established and constituted the Malawi Red Cross Society which shall be the sole national Red Cross Society in Malawi;
- (b) all the assets and liabilities of the Branch shall be transferred to and be vested in the Society by virtue of this section and without further assurance, and the Society shall have all the powers necessary to take possession of, recover and deal with such assets and discharge such liabilities;
- (c) all deeds, bonds, instruments and contracts subsisting immediately before the day on which this Act comes into operation to which the 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 Branch, the Society were a party thereto;
- (d) officers of the Branch shall hold corresponding appointments in the Society until other provision is made in accordance with rules made under this Act, and Life Associates and Associates of the Branch shall become corresponding Life Associates and Associates of the Society, but subject to any provision contained in the aforesaid rules.

4. Incorporation of Society

The Society shall be a body corporate under the name of the Malawi Red Cross Society, having perpetual succession and a common seal, with power to sue and be sued, purchase, acquire, hold, manage and

dispose of movable and immovable property, and to enter into any such contracts as it may consider to be necessary or expedient for the purpose of performing its functions or achieving its objects under this Act.

5. Objects of Society

- (1) The objects of the Society shall be—
 - (a) to furnish volunteer aid to the sick and wounded in time of war and to non-belligerents and to prisoners of war and civilian sufferers from the effects of war;
 - (b) in the case of catastrophes or public disasters, to provide the victims thereof with relief;
 - (c) in time of peace or war to carry on and assist in work for the improvement of health, the prevention of diseases and the mitigation of suffering throughout the world;
 - (d) to promote the Junior Red Cross movement among the youth of all races; and
 - (e) to propagate the ideals and the humanitarian principles of the Red Cross with a view to developing a feeling of solidarity and mutual understanding among all men and all nations.
- (2) In pursuing the objects referred to in subsection (1) the Society shall not make any adverse distinction founded on sex, race, nationality, religion or faith, political opinions or any other similar criteria and shall act in accordance with the spirit and principles of the Scheduled Conventions.

6. Recognition of Society as a voluntary aid society

The Society is hereby recognized by the Government as a voluntary aid society auxiliary to the public authorities both for the purpose of the Scheduled Conventions and otherwise, and shall have the right in conformity with the Scheduled Conventions to use the heraldic emblem of a red cross on a white ground, formed by reversing the Swiss Federal colours, and the words “Red Cross”.

7. Independence of Society to be respected

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

8. Protection of emblems, etc., offences and penalty

- (1) No person, other than a person so authorized under the Scheduled Conventions, shall use for any purpose whatsoever any of the following emblems or designations—
 - (a) the emblem of a red cross with vertical and horizontal arms of the same length on, and completely surrounded by, a white ground, or the designation “Red Cross” or “Geneva Cross”;
 - (b) the emblem of a red crescent moon on, and completely surrounded by, a white ground, or the designation “Red Crescent”;
 - (c) the following emblem in red on, and completely surrounded by, a white ground, that is to say, a lion passing from right to left of, and with its face turned towards, the observer, holding erect in its raised right forepaw a scimitar, with, appearing above the lion’s back, the upper half of the sun shooting forth rays, or the designation “Red Lion and Sun”; or
 - (d) any design or wording so nearly resembling any of the emblems or designations aforementioned as to be capable of being mistaken for, or, as the case may be, understood as referring to, one of those emblems or designations.
- (2) Any person who contravenes subsection (1) shall be liable to a fine of £100 and to imprisonment for six months.

9. Council of Society

- (1) The governing body of the Society shall be a Council constituted in accordance with rules made under this Act. The Council may from time to time appoint an Executive Committee with such powers and duties as may be prescribed by rules made under this Act.
- (2) The first members of the Council shall be those persons who, immediately before the coming into operation of this Act, were the members of the Committee of the Branch.

10. Rules

- (1) The Council shall as soon as possible after the coming into operation of this Act make administrative rules for the management of the affairs of the Society and the accomplishment of its objects, and without prejudice to the generality of the foregoing may make rules providing—
 - (a) that membership of the Society shall not be withheld from any citizen of Malawi on the grounds of race, class, sex, religion or faith or political opinions;
 - (b) that all members and Associates of the Society shall have representation on the Council.
- (2) Rules made under this section may from time to time be altered, added to or repealed by the Council, and new rules may from time to time be made in like manner.
- (3) Rules made under this section need not be published in the *Gazette*.

Schedule

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

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

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

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