



THE PAKISTAN RED CRESCENT SOCIETY ACT



CONTENTS

PREAMBLE.

- 1 Short title and extent
- 2 Constitution of [Pakistan Red Crescent Society]
- 3 Appointment of Managing Body
- 4 Incorporation
- 5 Power to make rules
- 6 Dissolution and transfer of property of Joint War Committee
- 7 Purposes to which funds of society may be applied
- 8 Constitution of Branch Committees
- 9 Affiliation of other Societies
- 10 Decision of Managing Body as to purposes final
- 11 Receipt and use of gifts
- 12 Powers of Branch Committees

FIRST SCHEDULE.

Objects to which the funds of the society may be applied

SECOND SCHEDULE.

THE ¹[PAKISTAN RED CRESCENT SOCIETY] ACT

²ACT NO. XV OF 1920

[20th March, 1920]

An Act to constitute ³[a ¹[Pakistan] Red Crescent Society]

⁴[WHEREAS it is expedient to provide for the future administration of the various monies and gifts received from the public for the purposes of medical and other aid to the sick and wounded and other purposes of a like nature, and more especially for the administration of the monies and properties which maybe allotted to Pakistan out of the assets of the Indian Red Cross Society.]

AND WHEREAS it is expedient to constitute a ¹[Pakistan Red Crescent Society] with a view to the continuation of the work carried on by the Indian Red Cross Society and to provide for the affiliation therewith of the other societies and bodies having similar objects and of the Provincial Branches of the Indian Red Cross Society falling in ⁵* * * Pakistan; It is hereby enacted as follows :-]

1. Short title and extent.— (1) This Act may be called the ⁶[Pakistan ⁷[Red Crescent] Society Act],⁸* * *

⁹[(2) It extends to all the territories of Pakistan].

¹⁰**[2. Constitution of ⁶[Pakistan Red Crescent Society].** There shall be constituted a Society to be known as¹¹[the] ¹²[Pakistan] Red Crescent Society (hereafter called the society).

The first members of the Society shall be such persons as were members of the Indian Red Cross Society immediately before the appointed day and are resident in Pakistan.]

¹ Subs. by the Pakistan Red Cross Society (Amdt.) Act, 1974 (14 of 1974), ss. 2 and 3, for “Pakistan Red Cross Society”.

² For Statement of Objects and Reasons, see Gazette of India, 1920, Pt. V, p. 83; and for proceedings in Council, see *ibid.*, 1920, Pt. VI, pp. 511 and 830. This Act has been extended to the Leased Areas of Baluchistan by the Leased Areas (Laws) Order, 1950 (G.G.O. 3 of 1950); and also applied in the Federated Areas of Baluchistan, see Gazette of India, 1937, Pt. I, p. 1499.)

³ Subs. by the Federal Laws (Revision and Declaration) Act, 1951 (26 of 1951), s. 4 and Sch. III for “and Indian”.

⁴ Subs. by the Pakistan Red Cross Society Order, 1947 (G.G.O. 5 of 1947, dated the 20th December, 1947), for the original preamble.

⁵ The words “the Domination of” were omitted by A.O., 1961, Art. 2 and Sch. (with effect from the 23rd March, 1956).

⁶ Subs. by A.O., 1949, for “Indian Red Cross Society Act, 1920”.

⁷ Subs. by the Pakistan Red Cross Society (Amdt.) Act., 1974 (14 of 1974), s. 4, for “Red Cross”.

⁸ The words and figures “as adapted by the Pakistan Red Cross Society Order, 1947” which were added by the Pakistan Red Cross Society Order, 1947 (G.G.O. 5 of 1947), dated the 20th December, 1947), rep. by the Federal Laws (Revision and Declaration) Act, 1951 (26 of 1951), s. 3 and Sch. II.

⁹ Subs. by G.G.O. 5 of 1947, dated the 20th December, 1947, for the original sub-section (2).

¹⁰ Subs. *ibid.*, for the original section 2.

¹¹ Subs. by A.O., 1949, for “Pakistan”.

¹² Subs. by Act 14 of 1974, s. 5, for “Pakistan Red Cross Society”.

¹**[3. Appointment of Managing Body]**—(i) Until such time as a Managing Body of the Society is elected under the provisions of sub-section (iv) the Managing Body shall consist of (a) such persons as were members of the Managing Body of the Indian Red Cross Society immediately before the appointed day and are resident in Pakistan ; and (b) such other persons not exceeding 30 in number as may be nominated by the ²[President of Pakistan.]

³**[(ii)]** The President of Pakistan shall be the President of the Society.]

[(iii)] The ²[President of Pakistan] may nominate as office bearers of the first Managing Body such persons as he may select for the purpose.

[(iv)] Before the expiry of 6 months from the date of constitution of the first Managing Body a new Managing Body shall be elected by the members of the Society in accordance with the rules made under section 5. Until such rules are made, the rules made by the Indian Red Cross Society shall be followed with such adaptations as may be necessary.]

4. Incorporation. The first members of the Society and all persons who may hereafter become members thereof so long as they continue so to be, are hereby constituted a body corporate under the name of the ⁴[Pakistan] [Red Crescent Society], and the said body shall have perpetual succession and a common seal with power to hold and acquire property, moveable and immoveable and shall sue and be sued by the said name.

5. Power to make rules. ⁵[The Managing Body shall within 6 months of its constitution make rules for the management, control and procedure of the Society.] The rules may provide among other matters for the following namely:-

(a) the conditions of membership of the Society ;

(b) the appointment and term of office of members of the Managing Body ;

(c) the choice of representatives of international and other Committees ;

(d) representation on the Managing Body of Provincial and State Branch Committees and affiliated societies and bodies ;

(e) the constitution of Finance, Medical and other Committees and the delegation of powers to them ; and

(f) the regulation of the procedure generally of the Society and Managing Body.

⁶**[6. Dissolution and transfer of property of Joint War Committee.** The following property shall vest in the Society :

¹Subs. by G.G.O. 5 of 1947, dated the 20th December, 1947, for the original s. 3.

²Subs. by A.O., 1961, Art. 2 and Sch., for "Governor-General" (with effect from the 23rd March, 1956).

³Subs. *ibid.*, for the existing sub-section (ii) (with effect from the 23rd March, 1956).

⁴Subs. by the Pakistan Red Cross Society (Amdt.) Act, 1974 (14 of 1974), s. 6, for "[Pakistan] Red Cross Society", the words in crotchets were previously amended by G.G.O. 5 of 1947, for "India".

⁵Subs. by G.G.O. 5 of 1947 for certain words.

⁶Subs. *ibid.*, for the original s. 6.

- (a) All property moveable or immoveable which may be allotted to the Society out of the assets held immediately before the appointed day by the Indian Red Cross Society ; and
- (b) All gifts made to the Society for purposes which are purposes of the Society.]

7. Purposes to which funds of Society may be applied. Notwithstanding anything contained in any appeal for subscriptions or gifts to or for the purposes of the Committee, the Managing Body may in its discretion apply—

- (a) either the corpus of the income or any part of such corpus or income of any property vested in it under ¹[clause (a) of section 6] for the relief of sickness, suffering or distress caused by the operation of war in ²[Pakistan] or in any other country in which Expeditionary Forces from ²[Pakistan] may, from time to time, be employed and for purposes cognate to that object and in maintaining ³[Red Crescent Depots] for military purposes;
- (b) in accordance with the provisions of section 8 the income only of any such property but not the corpus or any part thereof for the relief of sickness or suffering in Pakistan, whether due to the operation of war or not, or in pursuance of any of the objects set forth in the First Schedule.

⁴[8. Constitution of Branch Committees.-(1) All Branch Committees of the Indian Red Cross Society which immediately before the appointed day had their headquarters at any place which has thereafter been included in ⁵* * *Pakistan, shall be deemed to have been constituted under this Act, and all property vested in them before the coming into force of the Pakistan Red Cross Society Order, 1947, shall continue to be so vested :

6* * * * *

- ⁷[(1A) There shall be a Branch Committee for the Capital, of the Federation which shall consist of such persons one of whom shall be the Chairman, as the President may appoint.
- (1B) There shall be a Branch Committee for each of the Provinces of Baluchistan, the North-West Frontier, Sind and the Punjab (excluding the Islamabad Capital Territory) constituted in accordance with the provisions of sub-section (1D), and all property vested in the Branch Committee for the Province of West Pakistan functioning immediately before the commencement of the Pakistan Red Cross Society (Amendment) Act, 1972, shall, upon the constitution of the Branch Committee for each such Province, vest in that Committee in such manner, and to such extent, as may be determined by the President.

¹Subs. by the Pakistan Red Cross Society Order, 1947 (G.G.O. 5 of 1947), dated the 20th December, 1947, for "clause (b) of section 6".

²Subs. *ibid.*, for "India".

³Subs. by the Pakistan Red Cross Society (Amdt.) Act, 1974 (14 of 1974), s. 7, for "Red Cross Depots".

⁴Subs. by the Pakistan Red Cross Society Order, 1947 (G.G.O. 5 of 1947), dated the 20th December, 1947, for the original section 8, as amended by the Indian Red Cross Society (Amdt.), Act, 1937 (17 of 1937), s. 2.

⁵The words "the Dominion of" omitted by A.O., 1961, Art. 2 and Sch. (with effect from the 23rd March, 1956).

⁶Proviso rep. by the Federal Laws (Revision and Declaration) Act, 1951 (26 of 1951), s. 3 and Sch. II.

⁷Subs. by the Pakistan Red Cross Society (Amdt.) Act, 1972 (26 of 1972), s. 2 for sub-section (1A) (1B) and (1C), which were previously amended by various enactments.

(1C) All property vested in the Branch Committee for the Karachi Division functioning immediately before the commencement of the Pakistan Red Cross Society (Amendment) Act, 1972, shall vest in the Branch Committee constituted under sub-section (1B) for the Province of Sind.

(1D) The first Branch Committee for each of the Provinces referred to in sub-section (1B) shall consist of such persons, not exceeding ten in number, one of whom shall be the Chairman, as may be appointed by the Governor of the Province concerned.

(1E) Regulations shall be made in pursuance of section 12 by the first Committee for each of the Provinces referred to in sub-section (1B) and, until regulations are so made, the procedure provided for the Branch Committee for the Province of West Pakistan functioning immediately before the commencement of the Pakistan Red Cross Society (Amendment) Act, 1972, shall be followed with such adaptations as may be necessary.]

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(4) Subject to the requirements of the Managing Body for the purposes of clause (a) of section 7 and any provision for expenses of management, the income of any property which vests in the Society under the provisions of clause (a) of section 6 shall be distributed annually among the Branch Committees according to the percentages specified in the Second Schedule, to be expended by them and at their discretion upon all or any of the objects referred to in clause (b) of section 7.

(5) The ²[President of Pakistan] may, by notification in the official Gazette, direct that any Branch Committee specified in the Second Schedule shall be excluded therefrom or that any newly constituted Branch Committee not specified therein shall be included therein, and that the percentages specified in that Schedule shall be varied as required by any such exclusion or inclusion.

(6) On the issue of a notification under sub-section (5) the Second Schedule shall be deemed to be amended in accordance with such notification.

(7) No notification under sub-section (5) shall be made without the consent of every Branch Committee which is for the time being included in the Second Schedule.]

9. Affiliation of other Societies. The Managing Body may also affiliate to the Society any other society or body having all or any of the objects and purposes referred to in section 7, and may provide for the allocation and distribution of funds, through such society or body, to or for any such objects or purposes.

10. Decision of Managing Body as to purposes final. The Managing Body shall have authority to determine in all cases what matters properly fall within the scope of clause (b) of section 7, and its decision in all such matters shall be binding on all Branch Committees and affiliated societies or bodies.

¹Sub-sections (2) and (3) omitted by the Federal Laws (Revision and Declaration) Ordinance, 1981 (27 of 1981), s. 3 and Sch. II.

²Subs. by A.O., 1961, Art. 2 and Sch., for "Governor-General" (with effect from the 23rd March, 1956).

11. Receipt and use of gifts. The Managing Body may also receive and hold gifts of whatsoever description either for the general purposes of the Society or for any particular purpose for which the corpus or income of the property vested in it under clause (b) of section 6 may be applied under the provisions of section 7, and on receipt of such gifts may, subject to the provisions of rules made under section 5, apply the same to such purposes, either directly or through Branch Committees, or societies or bodies affiliated under section 9.

12. Powers of Branch Committees. Subject to the provisions of rules made under section 5, each Branch Committee shall have all power to regulate its own procedure and constitution, to receive gifts and expend all monies received by it for its purposes, either directly or through other societies or bodies.

¹[Provided that ten per cent. of all cash donations received by any Branch Committee for any of the general objects set out in the First Schedule shall be placed at the disposal of the Managing Body to be applied by it for the general purposes of the Society.]

FIRST SCHEDULE

(See Section 7)

Objects to which the funds of the Society may be applied

- ²[(1) The care of the sick and wounded who are or were members of the Pakistan Forces.]
- (2) The care of those suffering from tuberculosis, having regard in the first place to soldiers and sailors, whether they have contracted the disease on active service or not.
- (3) Child welfare.
- (4) Work parties to provide the necessary garments, etc., for hospitals and health institutions in need of them.
- (5) Assistance required in all branches of nursing health and welfare work, ancillary to any organizations which have or may come into being in ³[Pakistan] and which are recognised by the Society.
- (6) Home Service Ambulance Work.
- ⁴[(7) Provision of comforts and assistance to persons who are or were members of the Pakistan Forces.]
- (8) Such other cognate objects as may, from time to time be approved by the Society.

¹ Proviso added by the Pakistan Red Cross Society (Amdt.) Act, 1953 (18 of 1953), s. 3.

² Subs. by the Federal Laws, (Revision and Declaration) Ordinance, 1981 (27 of 1981), s. 3 and Sch., II, for paragraph (1), which was previously amended by G.G.O. 5 of 1947, for the original clause (1).

³ Subs. by G.G.O. 5 of 1947, for "India".

⁴ Subs. by Ord. 27 of 1981, s. 3 and Sch., II, for paragraph (7), which was previously amended by G.G.O. 5 of 1947, for the original clause (7).

- (9) The expenses of management of the Society and its branches and affiliated societies and bodies.
- (10) The representation of the Society on or at international or other Committees formed for furthering objects similar to those of the Society.

¹[SECOND SCHEDULE

(See section 8)

<i>Name of Branch Committee</i>	<i>Approximate percentage of claim.</i>		
1. Karachi Division.	2
2. West Pakistan.	55.46
3. East Pakistan	42.54]

