

Red Cross Act, 1954



Number 28 of 1954.

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ARRANGEMENT OF SECTIONS

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Acts Referred to

[Red Cross Act, 1938](#)

No. 32 of 1938



Number 28 of 1954.

RED CROSS ACT, 1954.

AN ACT TO ENABLE, SO FAR AS IRELAND IS CONCERNED, EFFECT TO BE GIVEN TO AND ADVANTAGE TAKEN OF CERTAIN PROVISIONS CONTAINED IN THE CONVENTIONS SIGNED ON BEHALF OF IRELAND AT GENEVA ON THE 19th DAY OF DECEMBER, 1949, AND FOR THOSE AND OTHER PURPOSES TO AMEND AND EXTEND THE RED CROSS ACTS, 1938 AND 1944. [9th December, 1954.]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

Commencement. 1.—This Act shall come into operation on such day as the Government appoint by order.

Principal Act. 2.—In this Act “*the Principal Act*” means the [Red Cross Act, 1938](#) (No. 32 of 1938).

Conventions. 3.—In this Act—

“*the Wounded and Sick Convention*” means the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field which was signed on behalf of Ireland at Geneva on the 19th day of December, 1949;

“*the Maritime Convention*” means the Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea which was signed on behalf of Ireland at Geneva on the 19th day of December, 1949;

“*the Prisoners of War Convention*” means the Geneva Convention relative to the Treatment of Prisoners of War which was signed on behalf of Ireland at Geneva on the 19th day of December, 1949;

“*the Civilians Convention*” means the Geneva Convention relative to the Protection of Civilian Persons in Time of War which was signed on behalf of Ireland at Geneva on the 19th day of December, 1949.

Amendment of primary objects of the Society. 4.—(1) The primary objects of the Society are hereby declared to be—

(a) to furnish volunteer aid to the sick, wounded and shipwrecked at sea of armed forces in time of war,

(b) to furnish relief to prisoners of war and to such civilians as are protected persons,

(c) in time of peace or war to carry on and assist in work for the improvement of health, the prevention of disease and the mitigation of suffering throughout the world.

(2) In subsection (1) of this section—

(a) the reference to sick, wounded and shipwrecked at sea of armed forces is to—

(i) wounded and sick within the meaning of the Wounded and Sick Convention, and

(ii) wounded, sick and shipwrecked at sea within the meaning of the Maritime Convention,

(b) the reference to prisoners of war is to prisoners of war within the meaning of the Prisoners of War Convention,

(c) the reference to protected persons is to protected persons within the meaning of the Civilians Convention.

(3) The primary objects declared by this section are in substitution for the primary objects declared under section 1 of the Principal Act.

Authorisation to engage in activities of a humanitarian character.

5.—(1) The Society is hereby authorised to engage in any activities of a humanitarian character which it considers suitable and to make, at its discretion, charges in connection with engaging in any such activity.

(2) In particular and without prejudice to the generality of subsection (1) of this section, the authority given by that subsection includes—

(a) authority to carry on a preventorium and to make, at the discretion of the Society, charges with respect to persons availing themselves of the preventorium, and

(b) authority to provide an ambulance service and to make, at the discretion of the Society, charges with respect to persons availing themselves of the ambulance service.

Directions in relation to certain activities of the Society.

6.—(1) Where the Minister for Defence is of opinion that any activities of the Society bring the Society into competition with private enterprise, he may from time to time give to the Society such general or special directions for the purpose of regulating and controlling the Society with respect to those activities as, having regard to that opinion, he considers proper, and it shall be the duty of the Society to comply with every direction so given.

(2) Every direction under this section shall be by order and the order shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order is passed by either such House within the next subsequent twenty-one days on which that House has sat after the order has been laid before it, the order shall be annulled accordingly but without prejudice to the validity of anything previously done under the order.

Authorisations, etc., by the Government.

7.—(1) The Government may give by order—

(a) the authorisations referred to in Article 26 of the Wounded and Sick Convention,

(b) the consents referred to in Article 27 of the Wounded and Sick Convention, and

(c) the commissions referred to in Article 24 of the Maritime Convention.

(2) The Government may by order withdraw any authorisation, consent or commission given by them in pursuance of subsection (1) of this section.

Restriction on use of certain emblems.

8.—(1) Section 4 of the Principal Act (which restricts the use of certain emblems and words) is hereby amended by the insertion after subsection (1) of the following subsection:—

“(1A) It shall not be lawful for any person to use for the purpose of trade or business or any other purpose whatsoever, without the consent of the Minister for Defence, the heraldic emblem of the red crescent on a white ground, the heraldic emblem of the red lion and sun on a white ground or any emblem closely resembling either of those heraldic emblems.”

(2) The restriction effected by subsection (1) of this section shall not apply where an emblem is used pursuant to a right acquired through the use of that emblem prior to the commencement of this Act.

(3) The Minister for Defence shall not give his consent for the purposes of subsection (1) or subsection (1A) of section 4 of the Principal Act save for purposes authorised in the Wounded and Sick Convention, the Maritime Convention, the Prisoners of War Convention or the Civilians Convention.

Restriction on use of arms of the Swiss Confederation.

9.—Section 5 of the Principal Act (which restricts the use of arms of the Swiss Confederation) is hereby amended as follows:—

(a) the following subsection shall be substituted for subsection (1):—

“(1) It shall not be lawful for any person to use or display as trade marks or commercial marks, or as part of such marks, or for purposes contrary to commercial honesty, or in circumstances capable of wounding Swiss national sentiment—

(a) any design consisting of a white or silver cross on a red ground, none of the limbs of which extends to the margin of the ground, being the cross comprised in the Arms of the Swiss Confederation, or

(b) any design which is a colourable imitation of such first-mentioned design.”

(b) subsection (3) shall be deleted.

Short title, construction and collective citation.

10.—(1) This Act may be cited as the Red Cross Act, 1954.

(2) The Red Cross Acts, 1938 and 1944, and this Act shall be construed together as one Act.

(3) The Red Cross Acts, 1938 and 1944, and this Act may be cited together as the Red Cross Acts, 1938 to 1954.

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