

THE PAKISTAN RED CRESCENT SOCIETY ACT

ACT No. XV OF 1920

(As amended upto February, 1974)

An Act to constitute a Pakistan Red Crescent Society

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 may be allotted to Pakistan out of the assets of the Indian Red Cross Society.

AND WHEREAS it is expedient to constitute a 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 *** Pakistan ;

It is hereby enacted as follows :—

1. Short title and extent.—(1) This act may be called the Pakistan Red Crescent Society Act ;****

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

2. Constitution of Pakistan Red Crescent Society.—There shall be constituted a Society to be known as the 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.

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 President of Pakistan.

(ii) The President of Pakistan shall be the President of the Society.

(iii) The 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 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 immovable, and shall sue and be sued by the said name.

5. Power to make Rules.—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. Dissolution and transfer of property of Joint War Committee.—The following property shall vest in the Society :—

- (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 subscription or gifts to or for the purposes of the Committee, the Managing Body may in its discretion apply :—

- (a) either the corpus or the income or any part of such corpus or income of any property vested in it under clause (a) of section 6 for the relief of sickness, suffering or distress caused by the operation of war in Pakistan or in any other country in which Expeditionary Forces from Pakistan may, from time to time, be employed and for purposes cognate to that object and in maintaining 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.

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***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 Crescent Society Order in 1947 shall continue to be so vested :—

- (1A) There shall be a Branch Committee for the Capital of 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 Crescent 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.
- (1C) All property vested in the Branch Committee for the Karachi Division functioning immediately before the commencement of the Pakistan Red Crescent 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 Crescent Society (Amendment) Act, 1972, shall be followed with such adaptation as may be necessary.

(2) There shall be a Branch Committee for the Province of East Pakistan.

(3) The first East Pakistan Branch Committee shall consist of such persons as were members of the Bengal Branch Committee of the India Red Cross Society immediately before the appointed day and are resident in East Pakistan on the day on which the Pakistan Red Crescent Society Order, 1947 comes into force and such other persons as the Governor of East Pakistan may appoint.

(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 object referred to in clause (b) of section 7.

(5) The 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.

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 Committee.—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.

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 purpose of the Society.

FIRST SCHEDULE

(See section 7)

Objects to which the funds of the Society may be applied.

(1) The care of the sick and wounded who are or were members of the Pakistan Forces or who were members of the Forces of India as constituted immediately before the appointed day and are resident in Pakistan.

(2) The care of those suffering from tuberculosis, having regard in the first place to soliders 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 organisations which have or may come into being in Pakistan and which are recognised by the Society.

(6) Home Service Ambulance Work.

(7) Provision of comforts and assistance to persons who are or were members of the Pakistan Forces or who were members of the Forces of India as constituted immediately before the appointed day and are resident in Pakistan.

(8) Such other cognate objects as may, from time to time be approved by the Society.

(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.

SECOND SCHEDULE

(See section 8)

Name of Branch Committee	Approximate percentage of claim				
1. Karachi Division	2
2. West Pakistan	55.46
3. East Pakistan	42.54

