



**THE REPUBLIC OF KENYA**

LAWS OF KENYA

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**KENYA RED CROSS SOCIETY ACT**

CHAPTER 256

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**CHAPTER 256**

**KENYA RED CROSS SOCIETY ACT**

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## CHAPTER 256

## KENYA RED CROSS SOCIETY ACT

[Date of assent: 24th November, 1965.]

[Date of commencement: 21st December 1965.]

**An Act of Parliament to provide for the incorporation of the Kenya Red Cross Society and for matters incidental thereto and connected therewith**

[Act No. 29 of 1965, L.N. 341/1965, Act No. 12 of 2012.]

**1. Short title**

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

**2. Interpretation**

In this Act, except where the context otherwise requires—

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

“**the Scheduled Conventions**” means the conventions set out in the Schedule to this Act;

“**the Society**” means the Kenya Red Cross Society established by section 3 of this Act.

**3. Establishment and constitution of Society, etc.**

(1) There is hereby established and constituted the Kenya Red Cross Society which shall be the sole national Red Cross Society in Kenya.

(2) On the commencement of this Act—

- (a) 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;
- (b) all deeds, bonds, instruments and contracts subsisting immediately before such commencement 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 had been a party thereto;
- (c) 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 Kenya 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 the 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.
- (f) to carry out training and certification in areas related to emergency services, pre- and post- hospital care, humanitarian assistance and disaster management.

(2) In pursuing the objects referred to in subsection (1) of this section, 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.

[Act No. 12 of 2012, Sch.]

#### **6. Recognition of Society as a voluntary aid society**

The Society is hereby recognized by the National and County Governments 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, or the emblems of the red crescent or red lion and sun on a white ground or any colourable imitations thereof or the words "Red Cross".

[Act No. 12 of 2012, Sch.]

#### **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. Council of Society**

(1) The governing body of the Society shall be a Council constituted in accordance with rules made under this Act.

(2) 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.

(3) The first members of the Council shall be those persons who immediately before the coming into operation of this Act are the members of the Committee of the Branch.

**9. Rules**

(1) The Council shall as soon as possible after the commencement of this Act make 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 Kenya 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) Any 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.

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**SCHEDULE**

[Section 2, Act No. 12 of 2012, Sch.]

1. Geneva Convention for the amelioration of the condition of the wounded and sick of armed forces in the field, of the 12th August 1949.
2. Geneva Convention for the amelioration of the condition of wounded, sick and shipwrecked members of armed forces at sea, of the 12th August 1949.
3. Geneva Convention relative to the treatment of prisoners of war, of the 12th August 1949.
4. Geneva Convention relative to the protection of civilian persons in time of war, of the 12th August 1949.
5. Protocol Additional to the Geneva Convention of 12th August, 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) of 8th June, 1997.
6. Protocol Additional to the Geneva Convention of 12th August, 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) of 8th June, 1997.

7. Protocol Additional to the Geneva Convention of 12th August, 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III) of 8th December, 2005.

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