



Tonga

# **TONGA RED CROSS SOCIETY ACT**

**1988 Revised Edition**





## TONGA RED CROSS SOCIETY ACT

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# TONGA RED CROSS SOCIETY ACT

Act No. 12 of 1972

## AN ACT TO INCORPORATE THE TONGA RED CROSS SOCIETY

Commencement [22nd December, 1972]

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### 1 Short title.

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

### 2 Interpretation.

In this Act unless the context otherwise requires the following expressions have the meaning assigned to them, that is to say—

“**the Committee**” means the Tonga Red Cross Committee which has been in operation for some time past;

“**the Society**” means the Tonga Red Cross Society established by section 3 of this Act;

“**the Rules**” means the Rules of the Society in force under this Act.

### 3 Constitution.

For the purpose of maintaining and carrying on the objects set out in section 4 of this Act, the Members of the Committee and all persons who may hereafter becomes Members of the Society pursuant to this Act or to the Rules are hereby

constituted a body corporate by the name of the Tonga Red Cross Society, and shall have perpetual succession and a common seal and power to sue and be sued in its corporate name and to acquire, hold and dispose of moveable and immoveable property in so far as the Laws of the Kingdom allow.

#### **4 Objects.**

- (1) The objects of the Society shall be to carry on and assist in work for the improvement of health, the prevention of disease and the mitigation of suffering throughout the world in time of peace and war.
- (2) In pursuing the above mentioned objects 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 Geneva Conventions.

#### **5 Recognition by Government.**

The Society is hereby recognised by the Government of the Kingdom of Tonga as a Voluntary Aid Society auxiliary to the public authorities both for the purpose of the said Geneva Conventions and otherwise and shall have the right in conformity with the said Geneva Conventions to use the heraldic emblem of a red cross on a white ground, formed by reversing the Swiss Federal colours.

#### **6 Independence.**

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 General Assembly of the United Nations on November 19th, 1946.

#### **7 Executive Committee.**

The Governing Body of the Society shall be the Executive Committee constituted in accordance with the Rules. The Executive Committee may from time to time appoint Divisional Committees with such powers and duties as may be prescribed by the Rules.

#### **8 Rules.**

- (1) The Executive Committee shall as soon as possible after the coming into operation of this Act make Rules for the management of the affairs of the Society and the accomplishment of its objects including Rules providing—

- (a) that membership of the Society shall not be withheld from any citizen of the Kingdom of Tonga on the grounds of race, class, sex, religion or faith or political opinions;
  - (b) that all members and associates of the Society have representation on the Executive Committee.
- (2) Any of the Rules may from time to time be altered added to or repealed by the Executive Committee and any new Rules may from time to time be made in like manner.

## **9 Use of Red Cross emblem.**

- (1) It shall not be lawful for any person other than those authorised under section 5 of this Act or under the provisions of the said Geneva Conventions to use for any purpose whatever the emblem of the red cross on a white ground mentioned in section 5 of this Act or any colourable imitations thereof or the words “Red Cross”.
- (2) If any person contravenes the foregoing provisions of this section he shall be guilty of an offence and liable on conviction to a fine not exceeding \$200 or to imprisonment for a period not exceeding 6 months or to both.

## **10 Vesting.**

On the date on which this Act comes into operation—

- (a) all the assets and liabilities of the Committee shall be transferred to and 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 and instruments and contracts subsisting immediately before the day on which this Act comes into operation to which the Committee is party shall be of full force and effect against or in favour of the Society and enforceable as fully and effectually as if, instead of the Committee, the Society had been a party thereto; and
- (c) officers of the Committee shall hold corresponding appointments in the Society until other provision is made pursuant to the Rules; and Life Associates and Associates of the Committee shall become corresponding Life Associates or Associates of the Society, but subject to any provision in the Rules.