



# LESOTHO

## GOVERNMENT GAZETTE

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## THE LESOTHO RED CROSS SOCIETY ACT



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ACT 31 OF 1967

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Date of Assent: 9th November, 1967

Date of commencement: 17th November, 1967

## A C T

To incorporate the Lesotho Red Cross Society, to provide for transfer of all assets of the Basutoland Branch of the British Red Cross Society to the Lesotho Red Cross Society and to provide for related matters.

ENACTED BY THE PARLIAMENT OF LESOTHO

## SHORT TITLE

1. This Act may be cited as the Lesotho Red Cross Society Act 1967.

## INTERPRETATION

2. In this Act unless inconsistent with the context -  
"Branch" means the Branch of the British Red Cross Society that operated in Lesotho immediately prior to the coming into operation of this Act;  
"Rules" means the Rules of the Society for the time being in force under this Act;

"Society" means the Lesotho Red Cross Society established by section three.

#### LESOTHO RED CROSS SOCIETY

3. (1) There is hereby established the Lesotho Red Cross Society.

(2) The Society is a corporate body with perpetual succession and a common seal and is capable of suing and of being sued in its own name.

#### OBJECTS

4. (1) The objects of the Society are -

- (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 solidarity and mutual understanding among all men and all nations.

(2) The Society, in carrying out its objects, shall not make any adverse distinction on the grounds of sex, race, nationality, religion or faith, political opinions or similar criteria, and shall act in accordance with the spirit and principles of the Scheduled Conventions.

## POWERS

5. (1) The Society has the duty and power to carry out the specified objects in section four and to do, either by itself or by or in association with other bodies or persons, anything that may reasonably be deemed incidental or conducive to carrying out these objects. Without prejudice to the generality of the foregoing, the Society in carrying out these objects may -

- (a) raise or borrow money with or without security and with or without interest and subject or not subject to special trusts or conditions;
- (b) accumulate, sell, improve, manage, develop, exchange, lease, hypothecate, dispose of or otherwise deal with or turn to account all or any assets or rights of the Society, including immovable or movable property;
- (c) acquire, possess or own in accordance with the law of Lesotho movable or immovable property or rights in or to such property, and undertake, execute and perform trusts or conditions relating to the acquisition, possession or ownership of such property or rights;
- (d) employ officers and employees and appoint agents, and in particular grant, continue to pay salaries, pensions, gratuities or other sums for services rendered, (whether rendered before or after the coming into operation of this Act);
- (e) invest moneys and funds of the Society without regard to limitations concerning the form or nature of investment contained in statutory provisions or rules of law relating to investment of trust funds; and

- (f) purchase or receive by way of gift the assets of organisations, whether or not these are carrying on work similar to that of the Society.

#### MEMBERSHIP

6. (1) Persons, who immediately prior to the coming into operation of this Act, were Members of the Branch are Members of the Society.

(2) Persons who comply with the requirements and conditions prescribed for Membership in the Rules are Members. Such requirements shall not withhold Membership from any citizen of Lesotho on the grounds of race, class, sex, religion, faith or political opinions.

#### RECOGNITION BY GOVERNMENT AND RIGHTS TO EMBLEMS

7. (1) The Society is hereby recognised by the Government of Lesotho as the sole national Red Cross Society in Lesotho and as a Voluntary Aid Society auxiliary to the public authority both for the purpose of the Scheduled Conventions and otherwise.

(2) The Society has the right in conformity with the Scheduled Conventions to use the herallic emblem of a red cross on a white ground, formed by reversing the Swiss Federal colours, or the emblem of the red crescent or red lion and sun on a white ground or any colourable imitations thereof or the words "Red Cross".

#### INDEPENDENT VOLUNTARY NATURE

8. The independent and voluntary nature of the Society shall at all times be respected and maintained in accordance with the resolution relating to National Red Cross Societies adopted by the General Assembly of the United Nations on 19th November 1946.

#### GOVERNMENT OF THE SOCIETY

9. (1) The control of the Society is hereby vested in a committee to be known as the Central Committee, which, subject to the provisions of this Act and to the directions of the Society in general meeting, may exercise all such powers and perform all such acts as may be performed by the Society.

(2) The Central Committee consists of those members appointed, elected, or co-opted in such manner as may be determined by the Society in general meeting.

(3) The initial members of the Central Committee are those persons who immediately prior to the coming into operation of this Act were members of the Committee of the Branch.

(4) The Central Committee may -

- (a) appoint a Finance and General Purposes Committee and such other committee as the Central Committee determines;
- (b) establish and supervise the operation of divisions or centres in various parts of Lesotho; and
- (c) delegate to these committees, divisions or centres or to other persons any or all of the powers and duties of the Central Committee with or without power to these committees, divisions, centres or other persons further to delegate any or all such powers and duties to committees or other persons.

#### RULES

10. (1) The Central Committee shall, as soon as possible after the coming into operation of this Act, make Rules to carry out the objects of the Society, and without prejudice to the generality of the foregoing, to provide for -

- (a) the particular objects of the Society;
- (b) the holding of general meetings of the Society, including the frequency, the manner of giving notice and the manner of conducting such meetings;
- (c) the establishment and operation of committees, divisions or centres and the delegation of powers and duties to these committees, divisions or centres or to other persons;
- (d) the custody of assets and property of the Society and the keeping and auditing of accounts;

- (e) the use of the Red Cross emblems and badge by officers and Members of the Society;
- (f) the appointment, duties and rights of officers and employees of the Society;
- (g) the terms on which the Society may associate with Government or other public or voluntary organisations;
- (h) the terms on which the Society may raise, borrow or accept funds or other property; and
- (i) the qualifications and functions of Members of the Society.

(2) Notwithstanding any provisions of section sixteen of the Interpretation Proclamation, it shall not be necessary for the Rules to be published in the Gazette, but a copy of all Rules shall be furnished to the Minister responsible for health.

#### VESTING OF ASSETS OF BRANCH IN SOCIETY

11. Immediately upon the coming into operation of this Act -

- (a) all assets and liabilities of the Branch are transferred to and vested in the Society by virtue of this section and without further assurance, and the Society has all 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 prior to the coming into operation of this Act and to which the Branch is a party have full effect against or in favour of the Society and are enforceable as fully as they would be, instead of the Branch, the Society had been a party thereto; and

- (c) all assets held by the Branch for the purpose of any division of the Branch are held by the Society for the purposes of the corresponding division of the society.

#### OFFENCES

12. (1) It is unlawful for any person other than a person authorised under section seven or under the provisions of the Scheduled Conventions to use for any purpose whatever the emblems described in section seven or the words "Red Cross".
- (2) A person who contravenes the provisions of subsection (1) is guilty of an offence and liable on conviction to a fine not exceeding two hundred rands or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

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#### SCHEDULE

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Geneva Conventions for the amelioration of the condition of the wounded and sick of armed forces in the field, of the 12th August 1949.

Geneva Conventions for the amelioration of the condition of wounded, sick and shipwrecked members of armed forces at sea, of the 12th August 1949.

Geneva Conventions relative to the treatment of prisoners of war, of the 12th August 1949.

Geneva Conventions relative to the protection of civilian persons in time of war, of the 12th August 1949.

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