

AN ACT CREATING A PHILIPPINE RED CROSS, DESIGNATING ITS POWERS AND DUTIES, AND FOR OTHER PURPOSES.

Act No. 2628., February 04, 1916

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Whereas in consequence of the great distress from time to time caused among the people by storms, inundations, volcanic eruptions, earthquakes, fires, epidemics, and other events with similar effects, relief committees have occasionally been organized and funds raised, appeal being made in the majority of cases to private charity;

Whereas it is from every point of view advisable that there be an organization always ready for the relief of the distress of the sufferers in such cases; that the losses suffered by the persons affected be investigated and as much as possible prevented and mitigated; that private charity be guided and organized, and that public confidence be maintained: Now, therefore,

By authority of the United States, be it enacted by the Philippine Legislature, that:

SECTION 1. Creation, name, and nature of the corporation.-There is hereby created a public corporation which shall be known by the name of Philippine Red Cross.

SEC. 2. Purposes of the Red Cross.-It shall be the purpose of said corporation:

- (a) To investigate and consider the damages caused to the people by storms, inundations, volcanic eruptions, earthquakes, fires, epidemics, and other events of similar effects: promote adequate measures for preventing or lessening the ravages caused; propose to the competent authorities such measures as it may deem advisable in each case, and, upon their adoption, cooperate in the execution thereof.
- (b) To establish and organize rapid and adequate measures for relieving the sufferers and rendering volunteer aid and assistance to them with the means at its disposal.
- (c) To collect funds and receive donations or voluntary contributions for its maintenance and the realization of its purpose.
- (d) To supervise, inspect, and when deemed advisable, to take direct charge of all work for the relief of persons injured by public calamities.
- (e) In cases of disturbances of the public order, riots, uprisings, strikes accompanied by bloodshed, insurrection, or war, and when the Governor-General so authorizes, to furnish volunteer aid to the sick, wounded and disabled in the form and manner in such cases prescribed, with such means as it may have at its disposal.

SEC. 3. Corporate powers.-The corporation hereby created shall have perpetual succession; may sue and be sued; may hold such real and personal estate as shall be necessary for the accomplishment of its purposes, and make contracts regarding the same; may accept donations, legacies, and trusts for the purposes, or any of them, for which it has been created; may adopt a seal and alter and change the same at pleasure; shall have the right to have and to use, as an emblem or device, a Greek red cross on a white ground, with the legend "Philippine Red Cross;" it may ordain and establish by-laws not inconsistent with the laws of the Philippine Islands, and may, in general,

do all that may be necessary to carry into effect the provisions of this Act and promote the purposes of the corporation, including the establishment of regulations for the election of the board of directors and their successors and the admission and classification of members of the corporation.

SEC. 4. Government of the Red Cross.-The governing body of the Philippine Red Cross shall be a central committee numbering nine persons, five of whom shall be elected by the members of the corporation and four appointed by the Governor-General, one of whom shall be designated as chairman. One third of the members of the Board of Directors shall hold office for two years, another third for four years, and the rest for six years, each class to be determined by the board itself at its first session, and any vacancy which may occur to be filled by the Governor-General for the unexpired portion of the term of office of the late incumbent.

The central committee shall have the power to appoint from its own members an executive committee of three persons, two of whom shall be a quorum, who, when the central committee is not in session, shall have and exercise all the powers of the central committee.

It shall be one of the urgent duties of the central committee to organize as speedily as possible provincial committees of the Philippine Red Cross, in accordance with regulations which it shall previously prescribe.

SEC. 5. Annual reports of the Red Cross.-The Philippine Red Cross shall on the first day of January of each year make and transmit to the Philippine Legislature, through the Governor-General, a report of its proceedings for the preceding year, including a complete and itemized report of its receipts and expenditures, duly certified and approved by the Insular Auditor.

SEC. 6. Penal provisions.-It shall hereafter be unlawful for any person within the jurisdiction of the Philippine Islands to solicit, collect, or receive money, material, or property of any kind, falsely representing or pretending himself to be a member, agent, or representative of the Philippine Red Cross, or to wear or display the name, emblem, or device of said Red Cross, or an imitation thereof, for the fraudulent purpose of inducing the belief that such person is a member, agent, or representative of the Red Cross.

It shall also be unlawful for any person or corporation, other than the Philippine Red Cross and its duly authorized agents and employees and the sanitary authorities of the Army and Navy of the United States or of the Philippine Government, or of the agents or employees of the Philippine Islands Committee of the American National Red Cross, for the purpose of trade or as an advertisement to induce the sale of any article or for any business or charitable purpose, to use within the territory of the Philippine Islands the Greek red cross on a white field, or any signature, emblem, or device of the Philippine Red Cross or made in imitation or resemblance thereof, or the words "Red Cross" or any words which may, by their writing, sound, or meaning be confounded or confused therewith: Provided, That no person, corporation, or association that actually used the said emblem, sign, insignia, device, or words prior to the date of the passage of this Act shall be deemed forbidden by this Act to continue the use thereof for the same purpose and for the same class of goods for which he has been using them; but it shall be his duty in order to be entitled to the benefits of this exception to forthwith register his right at the office of the secretary of the Philippine Red Cross, by means of a sworn statement setting forth in detail the emblem, insignia, signature, or words used, the purpose for which used, and the goods to which applied.

It shall likewise be unlawful for any person or corporation other than the Philippine Red Cross or the Philippine Islands Committee of the American National Red Cross, and their agents and employees duly authorized in writing, to solicit in any manner contributions of any kind for relief for other persons in cases of public calamity without reporting such action to the president of the Philippine Red Cross and those of the provincial committees thereof, if any such there be in the province or the municipality, within thirty days; or to apply the funds collected otherwise than as specified when the collection was made or as directed by said Philippine Red Cross or its duly

authorized representative; or to fail to account for the funds collected when required to do so by the said Philippine Red Cross or its duly authorized representative.

Any person or corporation violating any of the provisions of this section shall be punished, for each offense, by a fine of not more than one thousand pesos, or imprisonment for not more than one year, or both such fine and imprisonment, in the discretion of the court.

Nothing in this section provided shall be construed as repealing any provision of the existing penal laws, and where an offense provided for in this Act is punished more severely by any other existing provision of law, the penalty provided in the latter shall be applied, but if said penalty shall be less, the penalty provided herein shall be imposed.

SEC. 7. Authorities who shall take charge of the immediate organization of the Red Cross.-Upon the passage of this Act it shall be the duty of the Governor-General forth-with to take the necessary steps to constitute and organize the corporation created by this Act.

SEC. 8. This Act shall take effect on its passage.

Enacted, February 4, 1916.

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