

AN ACT TO INCORPORATE THE PHILIPPINE NATIONAL RED CROSS

REPUBLIC ACT NO. 95, March 22, 1947

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Whereas, there was developed at Geneva, Switzerland, on 22 August 1864, a convention by which the nations of the world were invited to join together in diminishing, so far as lies within their power, the evils inherent in war; Whereas, more than sixty nations of the world have ratified or adhered to the subsequent revision of said convention, namely the "Convention of Geneva of July 29, 1929 for the Amelioration of the Condition of the Wounded and Sick of Armies in the Field" (referred to in this Charter as the Geneva Red Cross Convention);

Whereas, the Geneva Red Cross Convention envisages the establishment in each country of a voluntary organization to assist in caring for the wounded and sick of the armed forces and to furnish supplies for that purpose;

Whereas, the Republic of the Philippines became an independent nation on July 4, 1946 and proclaimed its adherence to the Geneva Red Cross Convention on February 14, 1947, and by that action indicated its desire to participate with the nations of the world in mitigating the suffering caused by war and to establish in the Philippines a voluntary organization for that purpose as contemplated by the Geneva Red Cross Convention;

Whereas, there has existed in the Philippines since 1917 a Chapter of the American National Red Cross which must be terminated in view of the independence of the Philippines; and

Whereas, the volunteer organizations established in other countries which have ratified or adhered to the Geneva Red Cross Convention assist in promoting the health and welfare of their people in peace and in war, and through their mutual assistance and cooperation directly and through their international organizations promote better understanding and sympathy among the peoples of the world: Now, therefore,

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. There is hereby created in the Republic of the Philippines a body corporate and politic to be the voluntary organization officially designated to assist the Republic of the Philippines in discharging the obligations set forth in the Geneva Red Cross Convention and to perform such other duties as are incumbent upon a national Red Cross society. The headquarters of this Corporation shall be located at the National Capital of the Republic of the Philippines.

SEC. 2. The name of this Corporation shall be "The Philippine National Red Cross" and by that name shall have perpetual succession with the power to sue and be sued; to own and hold such real and personal estate as shall be deemed advisable and to accept bequests, donations and contributions of property of all classes for the purposes of this Corporation hereinafter set forth; to adopt a seal and to alter and destroy the same at pleasure; and to have the right to adopt and to use, in carrying out its purposes hereinafter designated, as an emblem and badge, a red Greek cross on a white ground, the same as has been described in the Geneva Red Cross Convention, and adopted by the several nations ratifying or adhering thereto; to ordain and establish by-laws and regulations not inconsistent with the laws of the Republic of the Philippines, and generally to do all such acts and things as may be necessary to carry into effect the provisions of this Act and promote the purposes of said organization; and the corporation

hereby created is designated as the organization which is authorized to act in matters of relief under said Convention. In accordance with Article 21 of the Geneva Red Cross Convention, the delivery of the brassard allowed for individuals neutralized in time of war shall be left to military authority. The red Greek cross on a white ground, as has been described in the Geneva Red Cross Convention is not, and shall not be construed as a religious symbol, and shall have equal efficacy and applicability to persons of all faiths, creeds, and beliefs. The Philippine National Red Cross shall have jurisdiction over the entire territory of the Philippines.

SEC. 3. That the purposes of this Corporation shall be as follows:

- (a) To furnish volunteer aid to the sick and wounded of armed forces in time of war, in accordance with the spirit of and under the conditions prescribed by the Geneva Red Cross Convention to which the Republic of the Philippines proclaimed its adherence on February fourteen, nineteen hundred and forty-seven;
- (b) For the purposes mentioned in the preceding subsection, to perform all the duties devolving upon the Corporation as a result of the adherence of the Republic of the Philippines to the said Convention;
- (c) To act in matters of voluntary relief and in accord with the authorities of the Armed Forces as a medium of communication between the people of the Republic of the Philippines and their Armed Forces, in time of peace and in time of war, and to act in such matters between similar national societies of other governments and the Government and people and the Armed Forces of the Republic of the Philippines;
- (d) To establish and maintain a system of national and international relief in time of peace and in time of war and apply the same in meeting the emergency needs caused by typhoons, floods, fires, earthquakes, and other natural disasters and to devise and carry on measures for minimizing the suffering caused by such disasters; and
- (e) To devise and promote such other services in time of Peace and in time of war as may be found desirable in improving the health, safety and welfare of the Filipino people and as do not infringe upon the functions of government.

SEC. 4. Regular membership in the Philippine National Red Cross shall be open to all the adult population in the Philippines. Any contribution to the Philippine National Red Cross Annual Fund Campaign shall entitle an individual to membership for one year. Junior membership in the Philippine National Red Cross may be authorized under such rules, regulations and policies as shall be prescribed by the Board of Governors.

SEC. 5. The governing powers and authority shall be vested in the Board of Governors, a body of thirty members, six of whom shall be appointed by the President of the Philippines, fifteen of whom shall be elected by the Chapter delegates in an Annual Meeting, and the remaining nine shall be selected by the twenty-one members of the Board of Governors already chosen. At least one but not more than three of the Presidential appointees shall be chosen from among members of the Armed Forces of the Philippines. The term of office of all members of the Board of Governors shall be three years. Any member of the Board of Governors who has served two consecutive full terms of three years each shall be ineligible for membership on the Board for at least two years. The six appointed, the fifteen elected, and the nine selected members first chosen under the provisions of this Act shall, by lot, divide themselves into three groups equal in number, with terms expiring at the end of one year, two years and three years, respectively, so that thereafter one-third of the members shall be chosen each year. Vacancies in the Board of Governors caused by death or resignation shall be filled by election by the Board of Governors at its next meeting, except that vacancies among the Presidential appointees shall be filled by the President. The President of the Philippines shall be the Honorary President of the Philippine National Red Cross. The officers shall consist of a Chairman, a Vice-Chairman, a Secretary, a Treasurer, and a Councilor, all of whom shall be elected by the Board of Governors from among its membership. The officers shall be elected for a term of one year and may be re-elected. The election of officers shall take place within sixty days after all the members of the Board of Governors have been chosen and have qualified. A meeting of Chapter delegates shall be held within the first sixty days of each calendar year to elect members of the Board of Governors and advise the Board of

Governors on the activities of the Philippine National Red Cross. The power to ordain, adopt and amend by-laws and regulations shall be vested in the Board of Governors. The members of the Board of Governors, as well as the officers of the corporation, shall serve without compensation. The compensation of the paid staff of the Corporation shall be determined by the Board of Governors upon the recommendation of the Manager.

SEC. 6. As a national voluntary organization, the Philippine National Red Cross shall be financed primarily by contributions obtained through personal solicitation campaigns which shall be organized by the Board of Governors and conducted by the Chapters in their respective jurisdictions. These funds raising campaigns shall be conducted independently of other drives for funds.

SEC. 7. The Board of Governors shall establish rules and regulations for the organization of local units of the Philippine National Red Cross to be known as Chapters. Said rules and regulations shall fix the relationship of the Chapters to the Corporation, define the territorial jurisdiction of the Chapters and allocate the number of Chapter delegates to which each Chapter shall be entitled. In fixing such allocation, consideration shall be given both to the size of the membership of the Chapters and to the size of the populations in the territories served by the Chapters. For the purpose of electing members of the first Board of Governors the Philippine Red Cross is hereby authorized to allocate voting delegates for each of the existing branches of the Philippine Red Cross and to take such action as may be required to bring about the election by said voting delegates of the fifteen members of the Board of Governors required by section four hereof.

SEC. 8. Upon its organization the Philippine National Red Cross Society shall be authorized to assume all the responsibilities of the Philippine Red Cross and to succeed to all the right, title and interest of the Philippine Red Cross to property of all classes within the territory of the Philippines in accordance with the resolution of the Central Committee of the American National Red Cross dated December eleven, nineteen hundred and forty-six.

SEC. 9. The Corporation shall, at the end of every calendar year submit to the President of the Philippines, an annual report containing the activities of the Corporation and showing clearly its exact financial condition, the sources of all receipts and the purposes of all disbursements.

SEC. 10. It shall be unlawful for any person 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 National Red Cross; or for any person to wear or display the sign of the Red Cross or any insignia made or colored in imitation thereof for the fraudulent purpose of inducing the belief that he is a member or representative of or agent for the Philippine National Red Cross. The use of the name Red Cross is reserved exclusively to the Philippine National Red Cross and the use of the emblem of the red Greek cross on a white ground is reserved exclusively to the Philippine National Red Cross and the medical services of the Armed Forces of the Philippines as provided in Article 28 of the Geneva Red Cross Convention. It shall be unlawful for any other person or entity to use the words Red Cross or Geneva Cross or to use the emblem of the red Greek cross on a white ground or any designation, sign or insignia constituting an imitation thereof for any purpose whatsoever. As used in this article, the term person shall include any legal person, group, or legal entity whatsoever nature, and any person violating any section of this article shall upon conviction therefore be liable to a fine of not more than one thousand pesos or imprisonment for a term not exceeding one year, or both, at the discretion of the court, for each and every offense. In case the violation is committed by a corporation or association, the penalty shall devolve upon the president, director or any other officer responsible for such violation.

SEC. 11. All acts or parts of acts which are inconsistent with the provisions of this Act are hereby repealed.

SEC. 12. This Act shall take effect upon its approval.

Approved, March 22, 1947.

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