



STATUTORY INSTRUMENTS.

S.I. No. 133 of 2012



IRISH RED CROSS SOCIETY (AMENDMENT) ORDER 2012

(Prn. A12/0695)

IRISH RED CROSS SOCIETY (AMENDMENT) ORDER 2012

The Government, in exercise of the powers conferred on them by section 1 of the Red Cross Act 1938 (No. 32 of 1938) (amended by the Red Cross Act 1954 (No. 28 of 1954)), hereby order as follows:

1. This Order may be cited as the Irish Red Cross Society (Amendment) Order 2012 and shall be read together with the Principal Order.

2. In this Order, “the Principal Order” means the Irish Red Cross Society Order 1939 (S. R. & O., No. 206 of 1939).

3. The Principal Order is amended by substituting in each place where it occurs—

(a) “General Assembly” for “Central Council”,

(b) “Board of Directors” for “Executive Committee”, and

(c) “chairperson” for “chairman”.

4. Article 6(1) of the Principal Order is amended—

(a) in subparagraph (a) by inserting “auxiliary to the public authorities in the humanitarian field,” after “to act as a voluntary aid society,”,

(b) in subparagraph (d) by substituting “Corps” for “Service”,

(c) by deleting subparagraph (p), and

(d) by inserting the following subparagraph before subparagraph (q):

“(pp) to manage the organisation and membership of the Society;”.

5. Article 8 of the Principal Order is amended—

(a) in paragraph (4)—

(i) by substituting the following subparagraph for subparagraph (a):

“(a) the General Assembly shall consist of such number of members as may from time to time be fixed by the rules of the Society, provided that—

(i) not more than 10 per cent of the number so fixed shall be persons nominated by the Government and

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 4th May, 2012.

appointed to the General Assembly in accordance with the rules of the Society, and

- (ii) the remainder of the number so fixed shall be persons elected or appointed to the General Assembly in accordance with the rules of the Society;”,

(ii) by substituting the following subparagraph for subparagraph (b):

“(b) each member of the General Assembly (other than a member nominated, elected or appointed to fill a casual vacancy) shall, unless he sooner dies or resigns, hold office for such term as may be specified in accordance with the rules of the Society;”,

(iii) in subparagraph (c)—

(I) in clause (i) by inserting “to be appointed” after “a person”, and

(II) in clause (ii) by inserting “or appointed” after “elected”,

and

(iv) in subparagraph (d) by substituting “nominated, elected or appointed” for “nominated or elected”,

(b) in paragraph (5), by substituting “nominated, elected or appointed” for “nominated or elected”,

(c) in paragraph (7), by substituting “re-nomination, re-election or re-appointment” for “re-nomination or re-election”,

and

(d) by deleting paragraph (8).

6. (1) The Principal Order is amended by substituting the following Article for Article 9—

“Chairperson of the Society.

9. (1) There shall be a Chairperson of the Society (in this Order referred to as the Chairperson).

(2) The Chairperson shall be appointed in accordance with the rules of the Society.

(3) The Chairperson shall, unless he sooner dies or resigns, hold office for such period as may be determined in accordance with the rules of the Society.”

(2) (a) Where a Chairman stands appointed under Article 9 of the Principal Order prior to the coming into operation of paragraph (1) and the period of that appointment expires prior to the relevant date, notwithstanding that expiration, the appointment of the Chairman shall continue until the relevant date.

(b) In subparagraph (a) “relevant date” is the date following the coming into operation of paragraph (1) on which a Chairperson is appointed under Article 9 of the Principal Order.

7. Article 10 of the Principal Order is deleted.

8. The Principal Order is amended by substituting the following Article for Article 11—

“Meetings of the General Assembly.

11. (1) Meetings of the General Assembly shall be held at such frequency, time and place as may be determined in accordance with the rules of the Society.

(2) The procedure at meetings of the General Assembly shall be determined in accordance with the rules of the Society.”

9. Article 12 of the Principal Order is amended in paragraph (2) by substituting “Chairperson of the Society” for “Chairman of the Central Council”.

10. Article 13 of the Principal Order is amended—

(a) by substituting the following paragraph for paragraph (1):

“(1) There shall be established a board (in this Order referred to as the Board of Directors) of the General Assembly to be called and known as the Board of Directors of the General Assembly of the Irish Red Cross Society.”,

(b) in paragraph (2) by substituting “through a board” for “through a committee”,

(c) by substituting the following paragraph for paragraph (3):

“(3) The Board of Directors shall be constituted in accordance with the rules of the Society, provided that the number of members of the Board who are persons nominated by the Government and appointed to the General Assembly in accordance with Article 8 shall not be such that those members have control of power of voting on any question concerning the Board.”,

(d) by deleting paragraph (4), and

(e) by substituting the following paragraph for paragraph (6):

“(6) The procedure at meetings of the Board of Directors shall be determined in accordance with the rules of the Society.”.

11. Article 14 of the Principal Order is amended—

(a) by substituting “duly qualified external auditor” for “duly qualified auditor”,

(b) by substituting “annually” for “half-yearly”, and

(c) by substituting “meeting” for “ordinary general meeting”.

12. The Second Schedule of the Principal Order is deleted.



GIVEN under the Official Seal of the Government,
17 April 2012.

ENDA KENNY,
Taoiseach.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation).

This Order makes a number of changes to the Irish Red Cross Society Order 1939 (S.R. & O. No. 206 of 1939) including the renaming of the Society's Central Council to General Assembly and the renaming of its Executive Committee to Board of Directors. This Order also withdraws the power of the President to nominate the Chairman of the Society and to call an Extraordinary General Meeting. Amongst other changes made by this Order is provision that not more than 10% of the General Assembly shall be nominated by Government and that the Chairperson shall be appointed in accordance with the Rules of the Society.

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