

Republic of the Philippines
Congress of the Philippines

Metro Manila

Fourteenth Congress

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-seventh day of July, two thousand nine.



[REPUBLIC ACT NO. 10072]

AN ACT RECOGNIZING THE PHILIPPINE NATIONAL RED CROSS AS AN INDEPENDENT, AUTONOMOUS, NONGOVERNMENTAL ORGANIZATION AUXILIARY TO THE AUTHORITIES OF THE REPUBLIC OF THE PHILIPPINES IN THE HUMANITARIAN FIELD, TO BE KNOWN AS THE PHILIPPINE RED CROSS

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

SECTION 1. *Short Title.* — This Act shall be known as the “Philippine Red Cross Act of 2009”.

SEC. 2. *Declaration of Principles and State Policies.* — Pursuant to Article II, Section 2 of the Constitution which provides for the adoption of the generally accepted principles of international law as part of the law of the land, the State shall at all times act in conformity with the Geneva Conventions of 1949 and their additional protocols, and the

Statutes of the International Red Cross and Red Crescent Movement, and shall establish and promote the development of a duly recognized independent and autonomous nongovernmental Red Cross Society that shall provide humanitarian relief and assistance in times of peace and armed conflict. The State shall at all times respect the adherence by the Red Cross Society to the fundamental principles of humanity, impartiality, neutrality, independence, voluntary service, unity and universality.

SEC. 3. *Philippine Red Cross.* – The Philippine Red Cross shall be recognized as the voluntary, independent and autonomous nongovernmental society auxiliary to the authorities of the Republic of the Philippines in the humanitarian field, to assist said authorities in discharging the obligations set forth in the Geneva Conventions and the Statutes of the International Red Cross and Red Crescent Movement. Pursuant to the fundamental principle of unity, the Philippine Red Cross shall be the only national society of the Red Cross in the Republic of the Philippines and be directed by a central body, and shall perform the duties inherent upon such status over the entire Philippine territory.

SEC. 4. *Purposes.* – The purposes of the Philippine Red Cross shall be as follows:

(a) To cooperate with public authorities in the prevention of disease, the promotion of health and the mitigation of human suffering by their own programs in such fields as education, health and social welfare, for the benefit of the community;

(b) To organize, in liaison with public authorities, emergency relief operations and other services to assist the sick and wounded of armed forces in time of armed conflict, in accordance with the spirit of and under the conditions prescribed by the Geneva Conventions to which the Republic of the Philippines proclaimed its adherence;

(c) For the purposes mentioned in the preceding paragraphs, to perform all duties devolving upon the Philippine Red Cross as a result of the adherence of the Republic of the Philippines to the said Convention;

(d) To act in matters of voluntary relief and of communication between the people of the Republic of the Philippines and their Armed Forces, in time of peace and in time of armed conflict, and to act in such matters between similar national societies of other countries and the Governments and people and the Armed Forces of the Republic of the Philippines;

(e) To establish and maintain a system of national and international relief in time of peace and in time of armed conflict and apply the same in meeting emergency needs caused by typhoons, floods, fires, earthquakes, and other natural or man-made disasters, and to devise and carry on measures for alleviating the suffering caused by such disasters;

(f) To devise and promote such other services in time of peace and in time of armed conflict as may be found desirable in improving the health, safety and welfare of the Filipino people, and of all peoples in general; and

(g) To devise such means as to make every citizen and/or resident of the Philippines a member of the Philippine Red Cross.

SEC. 5. *Privileges.* – To allow it to fully realize its mandate under the Geneva Conventions, the Statutes of the International Red Cross and Red Crescent Movement and this Act, the Philippine Red Cross shall:

(a) Enter into agreements with public authorities, and accept provisions for the cost of any service or activity which may be entrusted to it, within the scope of its object and functions, pursuant to such agreements;

(b) Own and hold real and personal properties and accept bequests, donations and contributions of property of all classes;

(c) Be exempt from payment of all direct and indirect taxes, all provisions of law to the contrary notwithstanding, including value-added tax (VAT), fees and other charges of all kinds on all income from its operations, including the use, lease or sale of its real property, and provision of services. The Philippine Red Cross shall also be exempt from direct and indirect taxes, including VAT, duties, fees and other charges on importations and purchases for its exclusive use.

Likewise, all donations, legacies and gifts made to the Philippine Red Cross to support its purposes and objectives shall be exempt from the donor's tax and shall be deductible from the gross income of the donor for income tax purposes or from the computation of the donor-decedent's net estate as a transfer for public use for estate tax purposes.

Finally, the Philippine Red Cross shall be exempt from the payment of real property taxes on all real properties owned by it; and

(d) Be allotted by the Philippine Charity Sweepstakes Office at least one (1) lottery draw yearly for the support of its disaster relief operations in addition to its existing lottery draws for the Blood Program.

SEC. 6. *Membership.* – Membership in the Philippine Red Cross shall be open to the entire population in the Philippines regardless of citizenship. Any contribution to the Philippine Red Cross Annual Fund Campaign shall entitle the contributor to membership for one (1) year and the said contribution shall be deductible in full for taxation purposes.

SEC. 7. *Central Body.* – Pursuant to its obligations under the Geneva Conventions of 1949 and their additional protocols, as well as the Statutes of the International Red Cross and Red Crescent Movement, the State recognizes the following:

(a) The central body of the Philippine Red Cross as the Board of Governors, composed of thirty (30) members, six (6) of whom shall be appointed by the President of the Philippines, eighteen (18) elected by chapter delegates in biennial conventions, and the remaining six (6) elected by the twenty-four (24) members of the Board already chosen.

(1) The term of office of all members of the Board of Governors shall be four (4) years, including those appointed by the President of the Philippines, renewable at the pleasure of the appointing power or elective bodies.

(2) 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.

(b) The President of the Philippines shall be the Honorary President of the Philippine Red Cross, and the officers shall consist of a Chairman, Vice Chairman, Secretary, Treasurer, Counselor, Assistant Secretary and an Assistant Treasurer, all of whom shall be elected by the Board of Governors from among its membership for a term of two (2) years and may be re-elected. The election of officers shall take place within sixty (60) days after all the members of the Board of Governors have been chosen and have qualified.

(c) The biennial meeting of chapter delegates shall be held on such date and place as may be specified by the Board of Governors to elect its members and advise them on the activities of the Philippine Red Cross: *Provided, however,* That during periods of great emergency, the Board of Governors in its discretion may determine that the best interest of the Philippine Red Cross shall be served by postponing such biennial meeting.

(d) The power to ordain, adopt and amend bylaws, as well as its rules and regulations, including those governing its chapters, shall be vested in the Board of Governors.

(e) The members of the Board of Governors, as well as the officers, shall serve without compensation. The compensation of the paid staff of the Philippine Red Cross shall be determined by the Board of Governors upon the recommendation of the Secretary General.

(f) As a national voluntary society, the Philippine Red Cross shall be financed primarily by contributions obtained through solicitation campaigns throughout the year which shall be organized by the Board of Governors and conducted by the chapters in their respective jurisdictions. These fundraising campaigns shall be conducted independently of other fund drives and service needs.

(g) The Board of Governors shall promulgate rules and regulations for the chapters of the Philippine Red Cross. Said rules and regulations shall conform to the bylaws and rules and regulations created under Section 7 of this Act, and fix the relationship of the chapters to the Philippine Red Cross, define their territorial jurisdictions, and determine the number of delegates for each based on population, fund campaign

potentials and service needs. This shall include the organization of Councils in all public schools and universities to promote civic consciousness among the youth. Participation in the Philippine Red Cross as part of the National Service Training Program for tertiary level students shall also be promoted.

(h) The Philippine Red Cross shall, at the end of every calendar year, submit to the President of the Philippines an annual report containing its activities and showing its financial condition.

SEC. 8. *Unlawful Solicitation.* – It shall be unlawful for any person to solicit, collect or receive money, materials or property of any kind by falsely representing himself to be a member, agent or representative of the Philippine Red Cross.

SEC. 9. *Red Cross Name and Emblem.* – The use of the name Red Cross is reserved exclusively to the Philippine Red Cross and the use of the emblem of the Red Greek Cross on a white ground is reserved exclusively to the Philippine Red Cross, medical services of the Armed Forces of the Philippines and such other medical facilities or other institutions as may be authorized by the Philippine Red Cross as provided under Article 44 of the Geneva Conventions. 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.

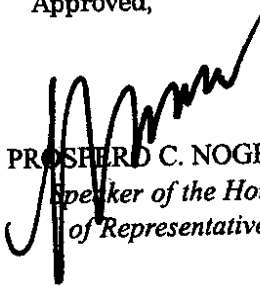
SEC. 10. *Penal Clause.* – Any person, whether natural or juridical, violating any section of this Act shall, upon conviction therefore, be liable to a fine of not less than Fifty thousand pesos (P50,000.00) or imprisonment for a term not exceeding one (1) year, or both, at the discretion of the court for each and every violation. In case the violation is committed by a corporation or an association, the penalty shall devolve upon the president, director or any other officer responsible for such violation.

SEC. 11. *Repealing Clause.* – Republic Act No. 95, as amended, is hereby repealed. All other laws or parts thereof, decrees, orders, rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 12. *Separability Clause.* – If any provision of this Act is declared invalid, the remainder of this Act or any provision not affected thereby shall remain in full force and effect.


SEC. 13. *Effectivity.* – This Act shall take effect fifteen (15) days following its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.


Approved,


PROSPERO C. NOGRALES
*Speaker of the House
of Representatives*



JUAN PONCE ENRILE
President of the Senate

This Act which is a consolidation of Senate Bill No. 3285 and House Bill No. 6509 was finally passed by the Senate and the House of Representatives on November 17, 2009 and February 1, 2010, respectively.


MARILYN B. BARUA
*Secretary General
House of Representatives*


EMMA LIRIO-RAYES
Secretary of the Senate

Approved: APR 20 2010


GLORIA MACAPAGAL-ARROYO
President of the Philippines

O

