

**THE ST. JOHN AMBULANCE OF KENYA
(INCORPORATION) ACT, 1979**

No. 20 of 1979

Date of Assent: 7th September, 1979

Date of Commencement: 7th September, 1979

ARRANGEMENT OF SECTIONS

Clause

- 1—Short title.
- 2—Interpretation.
- 3—Incorporation.
- 4—Objects of the Corporation.
- 5—The aims and purposes of the Corporation.
- 6—Management.
- 7—Common seal of the Corporation.
- 8—Register of members.
- 9—Rules.
- 10—Transfer of property and liabilities, etc.
- 11—Application of income and property.
- 12—Unauthorized possession of badges, etc.
- 13—Possession and restriction on use of badges.
- 14—Restriction on use of "St. John" etc. for advertising purposes.
- 15—Wrongful exercise of authority.
- 16—Unauthorized organizations.
- 17—Offences and penalties.

An Act of Parliament to incorporate the St. John Ambulance of Kenya and to provide for matters incidental thereto

WHEREAS the St. John Ambulance is a Foundation of an Order formerly designated the Grand Priory of the Order of the Hospital of St. John of Jerusalem in England, which was duly incorporated by a charter granted on the 14th day of May, 1888, by Her Late Majesty Queen Victoria, and now designated the Grand Priory of the Most Venerable Order of the Hospital of St. John of Jerusalem by virtue of a supplemental charter granted by Her Majesty Queen Elizabeth the Second on the 29th day of April, 1974;

AND WHEREAS the Order has two Foundations, that is—

(a) the St. John Ophthalmic Hospital in Jerusalem; and

(b) the St. John Ambulance Association and Brigade;

AND WHEREAS, while a division of the St. John Brigade was formed in the Kenya Police, Nairobi, in 1928, Kenya became a separate District of the St. John Ambulance Brigade in 1939 and the Council of the Order of St. John for Kenya was formed on the 10th day of June, 1953, and has overall control of the activities of the St. John Ambulance Association and Brigade in Kenya;

AND WHEREAS provision has been made in the statutes of the Order whereby National St. John Councils (of which the St. John Council for Kenya is one) may take any necessary steps to form the members of the time being of the St. John Ambulance residing within their territorial areas of jurisdiction into a body corporate in accordance with the local law;

AND WHEREAS it is expedient that the St. John Ambulance of Kenya should be so incorporated to enable it to carry out the activities of the Order in Kenya:

NOW, THEREFORE, BE IT ENACTED by the Parliament of Kenya, as follows:—

1. This Act may be cited as the St. John Ambulance of Kenya (Incorporation) Act, 1979. Short title.

2. In this Act, unless the context otherwise requires— Interpretation.

“Association” means the Association Branch of St. John Ambulance Foundation operating in Kenya and includes all ambulance, nursing and cadet divisions of the Brigade;

“Council” means the Council of the Order of St. John in Kenya established on the 10th June, 1953, and now constituted or as hereinafter constituted in accordance with the Rules;

“Order” means the Grand Priory of the Most Venerable Order of the Hospital of St. John of Jerusalem;

“Rules” means the Rules made pursuant to section 9 and for the time being in force, but includes at the commencement of this Act all the existing rules and regulations of the Council, the Association and the Brigade.

Incorporation.

3. There shall be and is hereby established a body corporate by the name of the St. John Ambulance of Kenya (in this Act referred to as the "Corporation"), with perpetual succession and a common seal and which shall—

- (a) in its corporate name be capable of suing and being sued;
- (b) be capable of holding, purchasing or otherwise acquiring, managing and disposing of any property, movable or immovable, raising and administering funds, borrowing money and securing repayment thereof, entering into contracts and doing all things necessary for the proper performance of its duties and the discharge of its functions under this Act.

Objects of the Corporation.

4. The objects of the Corporation shall be to provide an organization which shall be open to all persons in Kenya to enable them to give effect to the aims and purposes of the Corporation set out in section 5, and to do all other things which the Corporation may deem incidental or conducive to the attainment of such objects.

The aims and purposes of the Corporation.

5. The aims and purposes of the Corporation shall be—

- (a) to encourage and promote all works of humanity and charity for the relief of persons in sickness, distress, suffering and danger without any distinction of race, class, colour or creed;
- (b) to render aid to the sick and wounded in war or in peace and promote such permanent organization in time of peace so that such aid may immediately be available in time of emergency, and such aid shall include the provision of the technical reserves for the medical services of the Government and the armed forces of Kenya;
- (c) to have control and management in Kenya of St. John Ambulance and to promote, encourage and co-ordinate its work in all aspects in Kenya; and
- (d) to promote, encourage and co-ordinate contacts between themselves and similar organizations under the name of St. John in other countries, the Kenya Red Cross Society and other similar voluntary or statutory organizations.

6. The affairs of the Corporation shall be managed by the Council, which shall be its supreme governing body. Management.

7. (1) The Corporation shall have a common seal, and such seal may from time to time be broken, changed, altered and made anew as the Corporation deems fit. Common seal of the Corporation.

(2) All deeds, documents and other instruments requiring the seal of the Corporation shall be sealed with the seal of the Corporation in the presence of two members for the time being of the Council who shall sign every such deed, document or other instrument to which the seal is affixed, and such signing shall be sufficient evidence that such seal was duly and properly affixed and that the same was the lawful seal of the Corporation.

8. (1) The Corporation shall cause a register to be kept in which the name of every person who immediately before the commencement of this Act was a member of the Association or the Brigade or who may thereafter become a duly admitted member of the Association or the Brigade shall be recorded and in which shall be recorded any cessation of such membership and any such other matters as may from time to time be determined by the Corporation. Register of members.

(2) The register may be kept in such manner as the Corporation may from time to time decide and the duty of keeping parts of the register may be delegated to any member or official of the Corporation.

9. (1) The Council shall make, alter or revoke Rules as it may deem expedient for the management of the affairs of the Corporation and the accomplishment of its objects and all such Rules shall be binding upon the members for the time being of the Corporation provided that all such Rules shall so long and so far as, in the opinion of the Council, circumstances permit continue to accord with the Statutes and Regulations of the Order. Rules.

(2) Rules need not be published in the Gazette.

10. (1) All property belonging immediately before the commencement of this Act to the St. John Ambulance of Kenya, whether held in the name of the Council, the Association or the Brigade or in the name or names of any person in trust for the Council, the Association or the Brigade shall, at the commencement of this Act and without any further Transfer of property and liabilities, etc.

conveyance, assignment or transfer whatsoever, vest in the Corporation, or be held by such persons in trust for the Corporation, as the case may be, and the same together with all after acquired property, movable or immovable, and all subscriptions, or loans and advances received or to be received, shall be held by the Corporation or by persons in trust for the Corporation for the purposes of this Act and subject to the Rules.

(2) All debts and liabilities of the Council, the Association or the Brigade existing immediately before the commencement of this Act shall be paid by the Corporation, and all debts due to and subscriptions payable to the Council, the Association or the Brigade immediately before the commencement of this Act shall be paid to the Corporation.

Application of
income and
property.

11. The income and property of the Corporation shall be applied solely towards the promotion of the objects of the Corporation as set out in section 5 and no portion thereof shall be paid or transferred directly or indirectly by way of dividends, bonus or otherwise by way of profit to the members of the Corporation:

Provided that nothing in this section shall prevent the payment in good faith of remuneration to any officer or servant of the Corporation or to any other person in return for services actually rendered to the Corporation.

Unauthorized
possession of
badges, etc.

12. No person shall, except with the authority of the Corporation, distribute or expose for sale—

- (a) any badge, token or emblem specifically adopted for use of the Order or the Corporation; or
- (b) any badge, token or emblem containing the words St. John Ambulance Association or St. John Ambulance Brigade or any similar badge, token or emblem.

Possession and
restriction on
use of badges.

13. (1) No person shall, not being a member of the Order or the Corporation, publicly wear, carry or bear in such manner as to convey the impression that such person is a member thereof any badge, token or emblem specifically adopted by the Order or the Corporation, as the case may be, for use by members thereof.

(2) No person shall, without lawful authority or excuse, have in his possession—

(a) any device which so closely resemble any badge, token or emblem specifically adopted by the Order or the Corporation for use by members thereof respectively as to lead to the belief that the device in question is such badge, token or emblem; or

(b) any badge, token or emblem containing any words or characters so closely resembling any words or characters ordinarily used to describe any such member as to be calculated to deceive or mislead:

Provided that this subsection shall not apply to the badges, tokens or emblems of the Sovereign Military Hospitaller Order of St. John of Jerusalem, of Rhodes and of Malta as and when used by members of that Order.

14. No person, other than the Corporation or a person authorized in writing so to do by the Corporation, shall make use of the words "St. John Brigade" or "St. John Ambulance" or any badge, token or emblem of the Corporation for the purpose of advertisement.

Restriction on use of "St. John" etc. for advertising purpose.

15. No member of the Order or the Corporation shall, by virtue of wearing, carrying or bearing any badge, token or emblem of the Order or the Corporation or otherwise, attempt to enforce or exercise authority otherwise than in accordance with the Regulations of the Order or the Rules, as the case may be.

Wrongful exercise of authority.

16. No person shall form, work in connexion with, or be a member of any organization which, without authority from the Corporation, claims or purports to be the St. John Ambulance Association or the St. John Ambulance Brigade, or any organization, other than the Corporation, which uses the title St. John Ambulance Association or the St. John Ambulance Brigade or the equivalent to that title therefor with or without additional words or characters which so closely resembles the St. John Ambulance Association or the St. John Ambulance Brigade as to deceive or mislead, or any organization which, by the use of any such titles or otherwise, without due authority, purports or claims to be connected with the Order or the Corporation.

Unauthorized organizations.

No. 20*St. John Ambulance of Kenya (Incorporation) 1979*

Offences and
penalties.

17. Any person who contravenes sections 12, 13, 14, 15, or 16 shall be guilty of an offence and liable to a fine of one thousand shillings or to imprisonment for a term not exceeding two months or to both such fine and imprisonment.