

**THE GENEVA CONVENTION IMPLEMENTING
ACT, 1936**

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**THE GENEVA CONVENTION IMPLEMENTING
ACT, 1936**

¹ACT NO. XIV OF 1936

[27th October, 1936]

**An Act to implement Article 28 of the Geneva
Convention of the 27th day of July, 1929.**

²[WHEREAS it is expedient to provide for the discharge of obligations under Article 28 of the International Convention for the Amelioration of the Conditions of the Wounded and Sick in Armies in the Field, drawn up in Geneva and dated the 27th day of July, 1929, and Article 53 of the Convention for the Amelioration of the Conditions of the Wounded and Sick in Armed Forces in the Field, dated the twelfth day of August, 1949 ;

It is hereby enacted as follows :-]

1. (1) This Act may be called the Geneva Convention Implementing Act, 1936. Short title and extent

³[(2) It extends to the whole of⁴[Bangladesh].]

⁵[**2.** No person other than a person entitled thereto under the Geneva Convention shall use, or in any manner exhibit, whether for the purpose of trade or business or for any other purpose or object whatsoever, the emblem or the designation "Red Cross", "Red Crescent", "Red Lion and Sun" or "Sun" or any sign of designation constituting an imitation thereof, irrespective of the date of the adoption of any such emblems or designation by such person: Prohibition of use of emblems "Red Cross", "Red Crescent", etc.

¹ For Statement of Objects and Reasons, see Gazette of India, 1936, pt., page 310.

² Substituted by Act VIII of 1973, as amended by Act LIII of 1974, for "the preamble and the enacting clause" (w.e.f the 26th March, 1971).

³ Substituted by Ord. No. XXI of 1960, s. 3 and 2nd Sch. (w.e.f. the 14th October, 1955), for sub-section (2) as amended by A.O., 1949, and Act XXVI of 1951, s.8.

⁴ Substituted by Act VIII of 1973, as amended by Act LIII of 1974, for "Pakistan" (w.e.f. the 26th March, 1971).

⁵ Substituted by Act XXI of 1963, s. 2, for section 2, which was substituted by Act III of 1954, s.2 (w.e.f. the 7th April, 1995).

Provided that the emblem "Red Cross" may, with the permission in writing of the Society, be used in time of peace to identify vehicles used as ambulances or to mark the position of aid stations set up exclusively for giving free medical treatment to the wounded or sick.

Explanation.- In this section,-

(i) "Geneva Convention" means the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the field, dated the twelfth day of August, 1949; and

¹[(ii) "the Society" means the Bangladesh Red Cross Society constituted under the Bangladesh Red Cross Society Order, 1973.]

Prohibition of use of emblem of white cross on red ground or imitations thereof

3. No person shall use for the purposes of his trade or business the heraldic emblem of the white cross on a red ground, being the federal colours of Switzerland, or any sign constituting a colourable imitation of that heraldic emblem.

Penalty

4. Any person contravening the provisions of section 2 or section 3 shall be punishable with fine which may extend to fifty ²[Taka], and when such Contravention is committed by a company, association or body of individuals, then, without prejudice to the liability of such company, association or body, every member thereof who is knowingly a party to the contravention shall be liable to the like penalty.

Previous sanction for prosecution

5. No criminal Court shall take cognizance of any offence punishable under this Act except with the previous sanction of the ³[Government] ⁴[***].

6. [Saving. Omitted by the Geneva Convention Implementing (Amdt.) Act, 1954 (III of 1954), s.4 (with effect from the 7th April, 1955).]

¹ Substituted by Act VIII of 1973, as amended by Act LIII of 1974, for "clause (ii)" (w.e.f. the 26th March, 1971).

² Substituted *ibid.*, for "rupees".

³ Substituted *ibid.*, for "Central Government".

⁴ The words "or the L.G." were omitted by A.O., 1937.