



COLOMBO  
SWIMMING CLUB  
— 1936 —

CONSTITUTION AND RULES



# CONSTITUTION AND RULES

# CONTENTS

## GENERAL

- 1 Name — *Page 6*
- 2 Colours — *Page 6*
- 3 Objects — *Page 6*

## CLUB MANAGEMENT

- 7 Office-Bearers — *Page 13*
- 8 Trustees — *Page 13*
- 9 General Committee — *Page 15*
- 10 Election of Committee and Office-Bearers — *Page 17*
- 11 Sub-Committee — *Page 18*
- 12 Bye-Laws — *Page 19*

## MEMBERSHIP TERMINATION

- 20 Resignation — *Page 28*
- 21 Suspension — *Page 28*
- 22 Expulsion of Members — *Page 28*
- 23 Rejoining — *Page 29*
- 24 Forfeiture of Rights — *Page 29*

## MEMBERSHIP

- 4 Member Categories — *Page 8*
- 5 Classification of Members — *Page 8*
- 6 Election of Members — *Page 9*

## ADMINISTRATION

- 13 Bank Accounts — *Page 21*
  - 13 A. Audit Committees — *Page 21*
- 14 Audit — *Page 24*
- 15 Borrowing Powers — *Page 24*
- 16 Salaried Officers and Staff — *Page 24*
- 17 Insurance — *Page 25*
- 18 Indemnity to Trustees and to Committee — *Page 25*
- 19 Guest — *Page 26*

## FEE STRUCTURE

- 25 Subscription, Deposits and Cover Charge — *Page 31*
- 26 Entrance and Transfer Fees — *Page 31*
- 27 Payment of Accounts — *Page 32*

## MEETINGS

- 28 General Meeting — *Page 35*
- 29 Voting — *Page 36*

## FOOD AND BEVERAGE

- 33 Refreshments — *Page 41*

## RESIDENCY

- 41 Residency — *Page 46*

## SPORTS AND RECREATION

- 30 Competition and Entertainments — *Page 38*
- 31 Hours of Opening — *Page 39*
- 32 Unlawful and Undesirable Games — *Page 39*

## GENERAL TERMS AND CONDITIONS

- 34 Papers and Property — *Page 43*
- 35 Lost Property — *Page 43*
- 36 Breakage — *Page 43*
- 37 Alteration of Rules — *Page 43*
- 38 General — *Page 43*
- 39 Interpretation of Rules — *Page 44*
- 40 Winding Up — *Page 44*

- By-Laws — *Page 47*





**GENERAL**

### **1 Name**

The Club shall be called the COLOMBO SWIMMING CLUB.

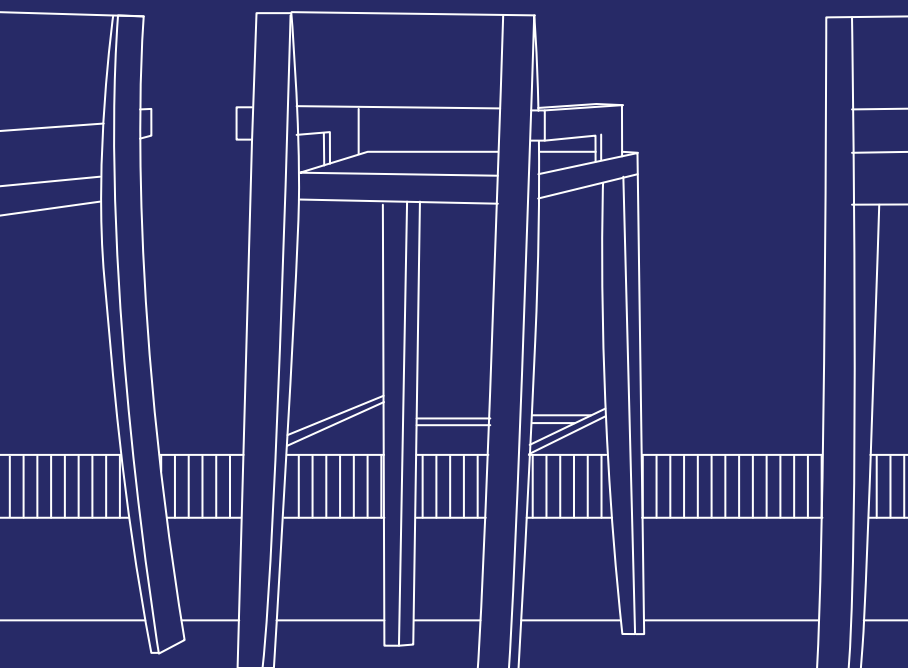
### **2 Colours**

The Club Colours shall be Silver, Royal Blue and Navy Blue.

### **3 Objects**

The Objects of the Club shall be to provide sporting and social amenities for its Members.





#### **4 Member Categories**

The Membership of the Club shall consist of:

- (a) Life Members
- (b) Preliminary Members
- (c) Ordinary Members
- (d) Honorary Members
- (e) Temporary Members
- (f) Juvenile Members
- (g) Overseas Members
- (h) Senior Members

#### **5 Classification of Members**

(a) Life Members are:

- (i) Members of the Club who have been elected as such at an Annual or Special General Meeting for services rendered to the Club; or
- (ii) Members who have paid the life Membership subscription as provided in Rule 26 (b).

Life Members are entitled to the full privileges of Membership and shall be subject to the limitations imposed on and obligations of a Member but shall not be liable to pay any further subscriptions or transfer fees.

- (b) An Ordinary Member shall be a person whose application for Membership has to be approved by the Club under Rule 6.
- (c) Honorary Members, are such persons recommended by the General Committee and elected as such at a general meeting by the Membership. They shall not be entitled to vote.
- (d) Temporary Members shall consist of Adult and Juvenile persons temporarily residing in Sri Lanka for a period not exceeding three consecutive months and who shall be admitted at the discretion of the General Committee with full privileges and obligations of Members but without voting powers, credit facilities and the privileges of

introducing guests. The Committee shall decide from time to time the period for which temporary Membership can be granted.

- (e) Juvenile Members shall be those under 20 years of age on the first day of the month for which their subscription is due. They shall neither be entitled to vote nor to Membership or to credit facilities unless at least one of their parents or guardians is a Member.

A Juvenile Member who has been such a Member for a continuous period of six years, shall, upon reaching the age of 21, qualify to become a full Member on the payment of 25% (twenty-five percent) of the Entrance Fee payable otherwise by the full Member. However, all requirements of Rule 6 will apply.

- (f) Overseas Members shall be those Members who cease to be resident in Sri Lanka and choose to retain Membership. The criteria of how an Overseas Membership is defined and the subscription and other charges paid by such Members shall be decided by the General Committee and shall be listed under the by-laws of the club.
- (g) It is mandatory for all Members to include their spouse and children under the age of 20 years to their Membership and pay the relevant fees applicable under Rule 26. However, all requirements of Rule 6 will apply.

A Member who has served 15 years or more and reaching the age of 70 will fall into the category of Senior Member. Subscription fees for Senior Members shall be limited to 33% of the subscription fees applicable for Members.

## 6 Election of Members

- (a) The power of electing new Members (other than Life Members) shall be vested in the General Committee.
- (b) Each candidate for election must be proposed by one full Member, seconded by another full Member not of the same family of the proposer and supported by a current

Committee Member. Such proposer and seconder shall be Members of not less than five years and three years standing respectively. The proposer, seconder and candidate(s) must duly complete an Application Form which must be sent to the General Secretary.

- (c) The General Secretary may, if upon scrutiny he finds the said application to be in order, may call the applicant to be present at a personal interview before a sub-committee so appointed by the General Committee for such purpose of interviewing applicants. The sub-committee for interviews will consist of –
1. The President
  2. Vice-President/Finance Member
  3. General Secretary
  4. At least one other Member of the General Committee

If the Membership of the applicant is approved by the sub-committee after the interview, the applicant shall be admitted as a Preliminary Member, subject to ratification by the General Committee by secret ballot after twelve months from the date of the applicant being admitted as a Preliminary Member.

The sub-committee may refuse to approve the application of any Candidate without assigning a reason.

- (d) A ballot shall be taken once every month and there shall be submitted for ballot the names of those Preliminary Members who have been such Members for a period prescribed in Rule 6 (c) and for ratification of the names of those Temporary Members who have been admitted under Rule (5) (d). The Secretary shall issue to each Member of the General Committee a ballot paper on which shall be detailed the name, nationality, nature of employment of the Candidate, and the names of the proposer, seconder and Committee supporter.

The result of the ballot shall be ascertained by two Committee Members at a General Committee Meeting. Votes in favour of the Candidate from seven Members of the Committee shall be necessary for election, while two adverse votes shall exclude the Candidate. The Committee may refuse to elect a Candidate without assigning a reason.

- (e) A Candidate who receives three or more adverse votes shall not be eligible for future nomination.
- (f) Every Member shall, on request, be presented with a printed copy of the Rules of the Club by which he or she shall be and be deemed to be bound upon admission as a Member.
- (g) Pending approval of the application of a Preliminary Member the Committee shall be entitled to confer upon the applicant the privileges of Temporary Membership.
- (h) The proposer and seconder of any person who shall be so granted the privileges of the Club or admitted to Preliminary or Temporary Membership shall be jointly and severally liable for moneys which may become due from that person to the end of the 24th calendar month after that in which such person shall have been so granted the privileges of have been admitted to Membership of the Club. In the case of Temporary Members, the proposer shall at all times be responsible for the settlement of unpaid bills.
- (i) Membership is open to only Sri Lankans and Foreigners holding valid Sri Lanka visas issued by the Department of Immigration and Emigration. Sri Lankans shall be required to submit a copy of their passport as proof of their nationality while foreigners shall provide a copy of their visa together with a copy of their passport in order to apply for Membership of the Club.

All Diplomats attached to any Embassy are required to bring in a letter from the Administration Officer of the Embassy stating the position of the said Diplomat which will be accepted by the Club as a valid document to gain Membership of the Club.



**CLUB  
MANAGEMENT**

## 7 Office-Bearers

- (a) The Office-Bearers shall be the President, Vice-President and Finance Member (hereinafter both in such capacity and as Trustees under the next following rule referred to as "Office-Bearers").
- (b) If by reason of resignation, death or otherwise of an Office-Bearer, his office shall fall vacant. The General Committee is required to call for a Special General Meeting within one month of the post having fallen vacant for election of an Office-Bearer to fill in the vacant post.

## 8 Trustees

- (a) There shall be two Trustees of the Club one of whom shall be the President and the other the Vice-President.

Should either the President or the Vice-President vacate office, their successors in office shall automatically become a Trustee of the Club in terms of Section 113 of the Trusts Ordinance without any conveyance vesting order or other assurances otherwise necessary for vesting the property and investment for the time being of the Club.

- (b) All the property and investments of the Club (except cash and consumable stores) shall be vested in the Trustees upon trust for the Members of the Club and they shall upon the direction of the General Committee sign all leases, agreements and any other documents that may from time to time be considered by the General Committee as necessary on behalf of the Club. They shall have power to invest the funds of the Club subject always to such directions as may at any time be given by the General Committee. They shall hold and deal with property of the Club as directed by the General Committee. An entry in the minute book of the General Committee recording any of the aforesaid appointments or directions shall be conclusive evidence that such appointments or directions were given or discretion exercised.

- (c) The Trustees shall be empowered to sue on behalf of the Club.
- (d) There shall be three Additional Trustees who have been Members of the Club for a minimum period of five years elected by the house. Trustees would take charge of the running of the club in case the Office-Bearers cease to function as such, for whatever reasons of resignation or being restrained through due legal process or removal by resolution passed at an Special General Meeting (SGM). The Additional Trustees will call for a SGM within one month of taking charge for the purpose of electing of new Office-Bearers. All powers vested in the Office-Bearers as Trustees shall be deemed to be vested in the Additional Trustees at the time the Office-Bearers cease to function in their said capacity. The said powers of the Trustees shall then be vested again back to the Office-Bearers no sooner the selection for Office-Bearers are held at the SGM within one month as determined earlier.

Eligibility for Additional Trustee – Only those Ordinary Members or Life Members of less than 5 years of standing shall offer themselves for the post of Additional Trustees. Having previously obtained the consent of the nominee, name of each Member so nominated shall be sent in writing to the Secretary at least 10 days before the General Meeting.

Additional Trustees once appointed shall continue to act as such for a period of no more than two years. Such Additional Trustees can be re-elected for a further period of two years, should the Membership so desire, subject to the Trustees offering themselves for re-election as well as nomination form being properly filled in as governed by the rules of Elections for Trustees.

- (e) Normal rules concerning election of Additional Trustees would continue as follows:

Each Candidate for election of post of Additional Trustee must be proposed and seconded by any two full Members, not of the same family. The Nomination Form should be



received by the General Secretary for scrutiny not less than 10 days prior to the holding of AGM/SGM for such purpose.

A list of those names proposed for the post of Additional Trustees shall be put on the Club Noticeboard 7 days prior to the meeting. If two or more Candidates obtain the same number of votes, the issue will be decided by the toss of a coin.

A vacancy arising among the Additional Trustees between one Annual General Meeting and the next shall be filled by the General Committee and such Trustees shall hold office until the next Annual General Meeting at which the vacancy shall be filled as henceforth provided.

## 9 General Committee

- (a) The affairs of the Club shall be managed by a General Committee consisting of:
1. President
  2. Vice-President/Finance Member
  3. General Secretary
  4. Food and Beverage Member
  5. Assistant Food and Beverage Manager
  6. House and Works Member
  7. Club Captain
  8. Entertainment Member
  9. Immediate Past President/Additional Finance Member
- (b) Five Members of the General Committee shall form a quorum for Committee Meetings. The Chairman of the meeting shall be the President of the Club, in whose absence the Vice-President shall chair the Committee Meetings. In the absence of both these officers of the Club, those present at the meeting may select one from among themselves to chair the meeting. The Chairman shall have a casting vote in addition to his initial vote.

- (c) Any elected Member of the General Committee who shall be absent for three consecutive meetings of the Committee without leave being obtained from that Committee shall *ipso facto* cease to be a Member of the Committee but shall be eligible for re-election under Rule 9 (e).
- (d) The elected Members of the General Committee shall be elected at each Annual General Meeting and shall hold office until the next Annual General Meeting when they shall retire but shall be eligible for re-election.
- (e) The General Committee shall have power to fill any casual vacancy in the number of its elected Members and the person so appointed by the General Committee shall hold office until the next Annual General Meeting when he shall retire but be eligible for re-election.
- (f) Capital expenditure in excess of Rs. 1,000,000 for any one new entire project has to be approved by Members at a General Meeting of the Membership. This excludes maintenance due to normal wear and tear of buildings, pool, machinery and equipment.
- (g) Code of Conduct for Committee Members:
  - (i) Every Member of Committee should be aware of the objectives of the Colombo Swimming Club.
  - (ii) His/her contributions to the deliberations of the Committee should be designed to further these objectives.
  - (iii) He/she should never let his/her personal interest to take precedence over the need of the club.
  - (iv) If there is conflict of interest in connection with any of the proposal he/she should inform the Committee of it and not be present when the matter is discussed.
  - (v) He/she should express an independent objective view on all matters that come up for discussion especially when there is some disagreement. He/she should not sit in the discussion location in such a situation.

- (vi) He/she should not encourage fractions and splits within the Committee.
- (vii) He/she should master the art of disagreeing without giving offence. Whenever he/she disagrees to any of the proposals the reasons should be given calmly and clearly. Under no circumstances should he/she become emotional, agitated, abusive or insulting.
- (viii) Details of discussions that take place in the Committee should be kept confidential.
- (ix) It is the Chairman's or President's duty to ensure that all Committee Members observe the standards of behaviour.
- (x) On any matter when there is strong disagreement among some Members, he/she should ensure that every Member has opportunity to express their views.

## **10 Election of Committee and Office-Bearers**

- (a) Any two Members of the Club with a minimum of two years Membership prior to proposing or seconding shall be at liberty to propose or second to nominate not more than one person who is full Member of the Club for a minimum period of two years to serve on the Committee having previously obtained the consent of the nominee. The name of each Member so nominated shall be sent in writing to the Secretary at least 10 days before the Annual General Meeting, giving the position the Member is willing to fill.

Any Member nominated for the post of President should have been a Member of the club for a minimum period of five years, while any Member nominated for the post of Vice-President should have been a Member of the Club for a minimum period of five years.

- (b) A list of names in alphabetical order for each position shall be posted in the Clubhouse seven days before the Annual General Meeting. Balloting lists shall be prepared containing the names of the Nominated Candidates and from those lists each Member present at the Annual General Meeting shall select names in number sufficient to complete the Committee.
- (c) If any elected Candidate declines to serve, the Candidate who has the next largest number of votes shall be deemed to be elected.
- (d) If two or more Candidates obtain the same number of votes for the last place or places then this place or these places shall be filled by fresh elections within 30 days of the last election.
- (e) A meeting of the new General Committee shall be called within one week of election.
- (f) A meeting of the General Committee shall be held at least once in every two months, with a minimum of twelve meetings to be held during the term of office of the Committee. Each Member of the Committee may put forward proposals and/or recommendations in connection with his/her assigned task for discussion and ratification where necessary at these meetings.
- (g) Minutes will be taken of all meetings of the General Committee and ratified at the next meeting.

## **11 Sub-Committee**

- (a) Sub-committees may be formed at any time by any one of the General Committee Members, after the approval of the General Committee, to help in the task assigned to that Member of the Committee.
- (b) The Office-Bearers shall be ex-office Members of all Sub-Committees.

- (c) A Disciplinary Sub-Committee shall be formed by the General Committee to inquire into, and recommend disciplinary action pertaining to Members and Members of staff.

## **12 By-Laws**

The General Committee shall have power to make By-Laws not inconsistent with those Rules or any amendments thereof and to alter or rescind the same. All By-laws, alterations or rescissions shall be displayed on the noticeboard in the Clubhouse for a period of one month, and shall then become binding on all Members of the Club. Such By-Laws, alterations or rescissions shall also be tabled for confirmation at the next Annual General Meeting.



**ADMINISTRATION**

## **13 Bank Accounts**

The Club accounts shall be kept with such bank or banks as the General Committee may determine. The Club Manager shall submit to the General Committee a monthly statement of accounts of the Club drawn up in such form as the General Committee may from time to time require and determine.

The President, Vice-President/Finance Member, General Secretary and the Additional Finance Member shall be the authorised signatories to all cheques. Any two of these persons is authorised to sign cheques on behalf of the Club.

### **13 A. Audit Committee**

There shall be appointed an Independent Committee called the “Audit Committee” which shall be comprised of and shall meet and be empowered to carry out the duties and functions, as follows:

#### **I. Composition of the Audit Committee and Meetings**

- (a) The Audit Committee shall be constituted by 5 members of the Club, as follows:
  - (i) The 3 Additional Trustees of the Club, who shall be ex-officio Audit Committee members;
  - (ii) 2 members of the club with suitable experience/ expertise who shall both be nominated by the Additional Trustees, of whom at least one shall be a qualified Accountant [hereinafter, the “Nominated Audit Committee Members”]
- (b) Notice of the Nominated Audit Committee Members shall be given by the Additional Trustees to the General Committee within thirty (30) days of the Annual General Meeting (AGM) of the Club.
- (c) The Nominated Audit Committee Members shall take office as Audit Committee members upon notice of their nominations being communicated to the General Committee, who shall forthwith cause the said notice to be displayed on the Notice Board of the Club.

- (d) The Nominated Audit Committee Members shall serve for a term of two (2) years, and may be re-appointed, except that they shall not serve as such continuously for more than 2 consecutive terms. Any vacancy shall be filled by the Additional Trustees, with notice to the General Committee, for the balance period of office. For clarity, the aforesaid term shall expire at the Annual General Meeting of the Club held in the third calendar year of holding office.
- (e) The Chairman of the Audit Committee shall be appointed by the Additional Trustees from amongst themselves.
- (f) Any Nominated Audit Committee Member may be removed at a meeting of the Audit Committee by the unanimous vote of the Additional Trustees.
- (g) The quorum for any meeting of the Audit Committee shall be 3 members, of which at least 2 shall be Additional Trustees.
- (h) The Audit Committee shall meet at least once quarterly and shall determine the procedure for the convening and conduct of such meetings.

## II. Scope of the Audit Committee

- a) Meet with external Auditor to plan and identify the scope of work of the year-end financial audit.
- b) Independent review and discussion with the external Auditor regarding the draft Auditor's Report and Management Letter, and making observations to the General Committee on the audit findings, prior to finalization of the Audited Final Accounts.
- (c) Recommending the Final Audited Accounts for adoption by the General Committee and presentation to the Membership.
- (d) Periodical review of Accounting practices of the Club, and recommending internal audit assignments as and when deemed necessary.



- (e) Make recommendations as regards the presentation of Final Accounts, to improve transparency and good governance.
- (f) Make recommendations to the General Committee on improving internal controls and to recommend engaging an independent audit firm (other than the external Auditor) to examine internal controls and processes and suggest improvements thereto, as and when deemed necessary.
- (g) Make recommendations to the General Committee on strengthening internal controls and processes.
- (h) Review and make recommendations to the General Committee on the investment policy.
- (i) Provide advice or recommendations on any audit or finance related matter as referred to the Audit Committee by the General Committee.
- (j) Recommend an Auditor for appointment at Annual General Meeting.
- (k) To prepare and present an Audit Committee Report for each financial year to the General Committee at least 30 days prior to the next succeeding Annual General Meeting, for publication to the membership along with the year-end Audited Financial Statements.

#### General matters

- (a) The members of the Audit Committee shall maintain strict confidentiality of all matters except where required to be disclosed as above. This restriction shall apply without limitation in time.
- (b) The members of the Audit Committee shall disclose any conflict of interest they may have in any matter relating to their work, and shall not participate in any discussion or decision on the said matter.

#### **14 Audit**

The accounts of the Club shall be audited by an Accountant or Firm of Accountants once a year or more frequently if so decided by the General Committee or by a resolution of Members at a General Meeting. Such Accountant or Firm of Accountants shall be appointed at the Annual General Meeting each year.

#### **15 Borrowing Powers**

If at any time the Club in General Meeting shall pass a resolution authorising the General Committee to borrow money, the General Committee shall thereupon be empowered to borrow for purposes of the Club such amount of money either at one time or from time to time and at such rate of interest and in such form and manner and upon such security as shall be specified in such resolution and thereupon the Trustees shall at the direction of the General Committee make all such dispositions of the Club property or any part thereof and enter into such agreements in relation thereto as the General Committee may deem proper for giving security for such loans and interest. All Members of the Club, whether voting on such resolution or not and all persons becoming Members of the Club after the passing of such resolution shall be deemed to have assented to the same as if they had voted in favour of such resolution.

#### **16 Salaried Officers and Staff**

The General Committee shall have the power as required to appoint and dismiss officers and staff for the purpose of running the Club and shall fix the rate of remuneration to be paid to such officers and staff who shall be under the orders of the General Committee only. No Member shall reprimand a Club Officer or Staff Member. If any Member has a cause of complaint he shall notify the General Committee of such complaint in writing through the Secretary. No paid Member shall be entitled to vote. On account of the fact that General Committees may change frequently, they shall endeavour to employ persons as far as may be possible on Fixed Term Contracts of employment for period of one year at a time.

## **17 Insurance**

The General Committee shall insure themselves and the Club against any and all claims of whatsoever nature or kind, the same may be (provided they are normally the subject of insurance) against the General Committee, the Trustees, or any Member of the Club, arising out of or in any way connected with the occupation and use by the Club or Members thereof or by any visitors or other third parties of the Club premises or any part thereof and against any loss which the Club may sustain in respect of any insurable risk. All policies taken out in pursuance of this rule shall be issued in the names of the Trustees and shall as far as possible where necessary be in such form as will enable the Club to comply with the provisions of any mortgage on any part of the Club property regarding insurance.

## **18 Indemnity to Trustees and to Committee**

It is expressly declared and understood that the Trustees as a body and each Trustee as an individual and the General Committee as a body and each Committee Members as an individual shall at all times be indemnified from and out of the funds, property and assets of the Club against the consequences of any act, deed, matter or thing done or omitted to be done by the Trustees in respect of or in connection with the business of the Club or of any contract entered into on behalf of the Club and by the Committee or by any Committee Members in respect of or in connection with the business of the Club and in respect of any claims preferred against them or the Club as is mentioned in Rule 17 whether covered by insurance or not, and that in the event of such funds, property and assets not being full and sufficient indemnity for the purpose, then all Members of the Club shall be responsible to the Trustees and to each Trustee and to the General Committee and to each Committee Member for, and shall be liable to make good, any deficiency that may be ascertained. Such deficiency (if any) shall be paid by the adult Members of the Club as far as possible in proportion to the amount of their subscriptions for the then current year but this provision shall not effect or be deemed to affect the obligations in law of the adult Members to indemnify the Trustees and the Committee as aforesaid.

## 19 Guest

- (a) Any Member may bring a guest or guests to the Club and their names must be entered in the Guest Book which shall be kept in the entrance hall of the Club. Juvenile Members may introduce only juveniles as guests to make use of the pool. The Member shall be responsible for the behaviour of his guest or guests and shall also be liable for any loss or damage which in the opinion of the Committee, has been caused by such guest or guests. No person shall be admitted to the Club as a guest more than twice in one calendar month or more than six times in one calendar year.
- (b) The Committee may at its discretion limit the number of guests that a Member may bring to the Club at any one time.
- (c) The Club may levy guest fees from Members' guests to be charged to the account of the introducing Member. These fees shall be determined by the General Committee at its discretion.
- (d) No Member shall at any time bring to the Club any person from whom the privileges of the Club have been withdrawn by the General Committee by temporary or permanent suspension or otherwise or whose Membership has been terminated by the General Committee or who has resigned his Membership at the General Committee's request, or who is not eligible for Membership of the Club.
- (e) The General Committee may without assigning any reason withdraw the privileges of the Club from any guests or on any occasion may declare the Club closed to all guests.
- (f) The General Committee may at their discretion invite any individual to become a guest of the Club.



**MEMBERSHIP  
TERMINATION**

## **20 Resignation**

A Member wishing to resign his or her Membership shall notify the General Secretary in writing who shall thereupon render a detailed account of all monies owing by the Member of the Club, such account to include the current month's subscription and on payment of which Membership shall cease. After tendering his or her resignation a Member shall not be permitted to use the Club premises except under Rule 19.

## **21 Suspension**

It shall be the duty of the General Committee, if at anytime they shall be of opinion that the interests of the Club so require, by registered letter stating briefly the matters complained of, to suspend any Member from use of the Club and from the privileges of Membership for such period not exceeding six months at a time as the General Committee may determine.

## **22 Expulsion of Members**

If in the opinion of the General Committee the behaviour of any Member is or has been prejudicial to the interests of the Club or objectionable to other Members he or she shall be so advised by registered letter. A Member so charged is entitled to defend himself or herself either personally or by a letter of explanation at inquiry conducted by the sub-committee appointed by the General Committee for the purpose. He or she must advise the General Secretary immediately should he or she intend to do so. In the absence of any defence or in the event of the General Committee declining to accept the Member's defence, his or her name shall be struck off the Club register and the Member advised by registered letter that such action has been taken.

### **23 Rejoining**

- (a) A Member who has previously resigned from the Club under Rule 20 is eligible for re-nomination at any time but must be proposed, seconded, supported and elected according to Rule 6. The current deposit and the difference in the current entrance fee and the original amount paid, is also payable.
- (b) A Member leaving the Club under Rule 22 can make a special application for re-admission one year after being struck off the Club register, to the General Committee of whom at least six Members must be in favour of a re-nomination before this can be allowed. Rules 6 and 26 shall apply to a candidate requesting re-admission under this Sub-clause.

### **24 Forfeiture of Rights**

Any Member shall upon ceasing to be a Member of the Club forfeit all right to claim upon the Club and its property and funds.



# FEES STRUCTURE



## **25 Subscription, Deposits and Cover Charge**

- (a) Subscriptions for all Members shall be payable yearly and in advance. The subscriptions will be reflected in the Member statements of December and payable on or before 31st January.
- (b) Subscription rates for all Members shall be recommended by the General Committee and ratified at the Annual General Meeting. The Committee may at its discretion vary the rates by not more than 20% from the ratified rates.
- (c) Upon approval to Preliminary Membership the first family Member shall pay a refundable deposit as determined from time to time by the General Committee.
- (d) The General Committee may fix rates for Temporary Members.
- (e) A Cover Charge may be levied by the Club at the discretion of the General Committee. The quantum of the cover Charge and basis of charging same will be determined by the General Committee.

## **26 Entrance and Transfer Fees**

- (a) Candidates for Membership shall pay the current Entrance Fees applicable at the time of joining. The Entrance Fee shall be payable by:
  - i. Primary or First Member
  - ii. Spouse
  - iii. Child of age 0–5 years
  - iv. Child of age 5–18 years
  - v. Child of age 18–20 years

The rates applicable to each category above shall be recommended by the General Committee and ratified at the Annual General Meeting. The Committee may at its discretion vary the rates by not more than 20% from the ratified rates.

Age shall be that attained on the last day of the month following that in which the application is submitted. Dependant children aged 20 to 25 years who are undergoing full-time education as proved to the satisfaction of the General Committee shall be liable to pay a discounted levy as determined by the General Committee. Any other person above the age of 20 would be charged at the rate applicable to a Primary or First Member.

- (b) Life Members under Rule 5 (a) (ii) shall pay a subscription of ten times the current Entrance Fees for Primary Membership in respect of each Member of their family applying for this class of Memberships.
- (c) When called upon to do so by the Committee the Primary or First Family Member shall pay the applicable entrance and subscription fees on account of such Member's spouse and children under the age of 20.
- (d) Child Members, who have been Members for over a period of ten years, shall be qualified to join the Club as Ordinary Members, on reaching 20 years of age, at 25% of the entrance fees currently applicable. Rule 6 shall be applicable nevertheless.

## **27 Payment of Accounts**

- (a) Members accounts are payable on presentation. Should the account be unpaid by the end of the month following that to which it relates a surcharge of 10% will automatically become due and will be added to the next account.
- (b) The Committee may by registered post at any time and without assigning any reason, request any Member to pay forthwith the amount of his account up to-date. If such Member fails to pay within 48 hours after a notice from the Secretary on behalf of the Committee has been posted to him, such Member may thereupon be suspended from all the privileges of Membership for such period as Committee may determine.

Application for restoration of the privileges of Membership shall be made to the Secretary in writing and provided payment has been made in full together with all surcharges, may be granted from such date and on such conditions as the Committee may determine.

- (c) Should a Member fail to pay his account by the end of the month following that in which it is rendered, notice may be sent to the Member by registered post informing him that if his account is not paid within seven days his name may be posted as a Defaulter on the Club's Noticeboard. If the account remains unpaid for seven days after his name has been posted he shall cease to be a Member of the Club.



**MEETINGS**

## 28 General Meeting

- (a) (i) The Annual General Meeting of the Club shall be held within 90 days of the close of each financial year. Fifty voting Members present shall form a quorum.

The Committee shall submit their Report and Accounts for the previous year's working and Office-Bearers, Committee Members and Auditors (see Rules 7, 9, 10 and 14) shall be elected at this Meeting. At least 30 days prior to the Annual General Meeting, a Notice of the Meeting shall be posted in the Clubhouse and be sent to every voting Member.

- (ii) Any Member who has any business to bring before the Annual General Meeting must send particulars thereof to the Secretary in writing signed by himself or herself and one other Member, not less than 20 days prior to the date fixed for the Meeting.
- (iii) At least fourteen days prior to the Annual General Meeting the business to be transacted thereat shall be posted in the clubhouse and a copy thereof shall be sent to every member. The report, balance sheet and statement of accounts shall be placed in the principal clubrooms at least 14 days prior to the Annual General Meeting and a downloadable version shall be uploaded on to the club website. A printed version will be provided upon the request of any member.
- (iv) Any amendments to the business to be transacted which any Member desires to propose must be notified by such Member to the Secretary at least 7 days prior to the Meeting.
- (v) The accidental omission to give notice of any Meeting to or the non-receipt of such notice by any of the Members shall not invalidate any resolution passed or thing done at any such Meeting.
- (b) A General Meeting may be called
- (i) By order of the General Committee.

- (ii) On the written request of any 50 Members who are entitled to vote who shall notify the Secretary in writing of the business to come before such Meeting. The Committee shall fix a date for such Meeting on receipt of such request.
- (iii) The business to be transacted at any General Meeting shall be notified to all Members at least 14 days before the date of such Meeting. Any amendments thereto which are to be proposed must be notified to the Secretary at least 7 days prior to the Meeting. The adoption of any amendment by such Meeting shall be operational with immediate effect unless otherwise determined by the Secretary. Fifty Members who are present and who are entitled to vote shall form a quorum. For clarity, the requirement of the period of notice may be waived by any Member and shall be deemed to be waived if such Member participates at such Meeting.
- (iv) Minutes of the Annual General Meeting and all Special General Meetings must be placed on the Club's Noticeboard no later than 30 days after such Meetings.

## **29 Voting**

- (a) At all General Meetings of the Club the President and in his absence a Vice-President and in his absence a Member selected by the General Committee shall take the chair. Every Life, Colombo, Outstation and Overseas Member present shall be entitled to one vote upon every motion, and in case of an equality of votes the Chairman shall have a second or casting vote.
- (b) Only those Life Members, Ordinary Members and Overseas Members are entitled to vote at all General Meetings.

This would include the First Member and the Spouse of the First Member. No other dependants are entitled to vote. No Preliminary Members are entitled to vote.



# SPORTS AND RECREATION

## **30 Competition and Entertainments**

- (a) Swimming
  - (i) All aquatic events held by the Club shall conform in all respects to the laws governing such functions laid down by Governing Body for such sports in Sri Lanka.
  - (ii) The rules pertaining to pool usage shall be determined by the General Committee.
- (b) Gymnasium
  - (i) All Members using the Gym should obtain the Gym Membership. The General Committee shall determine the fees applicable.
  - (ii) The General Committee shall determine the rules pertaining to gym usage and conduct.
  - (iii) Temporary Members and Guests of Members may use the gym facilities. The General Committee shall determine the fees applicable.
  - (iv) Guest rule 19 shall apply at all times.
- (c) Badminton, Squash and Tennis
  - (i) The General Committee shall determine the rules pertaining to badminton, squash and tennis court usage and conduct.
  - (ii) The badminton and squash courts maybe booked by any Member on a first come, first served basis. The General Committee shall determine the fees applicable.
  - (iii) Members need to obtain separate Tennis Membership to play in the tennis courts. The General Committee shall determine the fees applicable.
  - (iv) Tennis Membership can be withdrawn at any time by a written request handed over to the Gym Instructor.
  - (v) Temporary Members and Guests of Members may use the badminton, squash and tennis facilities. The General Committee shall determine the fees applicable.



- (vi) Rule 19 shall apply to guests using the badminton, squash and tennis facilities at all times.
- (d) Library
  - (i) Members using the library will need to become Library Members. The General Committee shall determine the fees applicable.
  - (ii) The General Committee shall determine the rules pertaining to library usage and conduct.
  - (iii) Library Membership can be withdrawn at any time by a written request handed over to the Librarian.

### **31 Hours of Opening**

The Clubhouse, swimming pools or ground shall be opened or closed to Members at such times as the General Committee shall determine.

### **32 Unlawful and Undesirable Games**

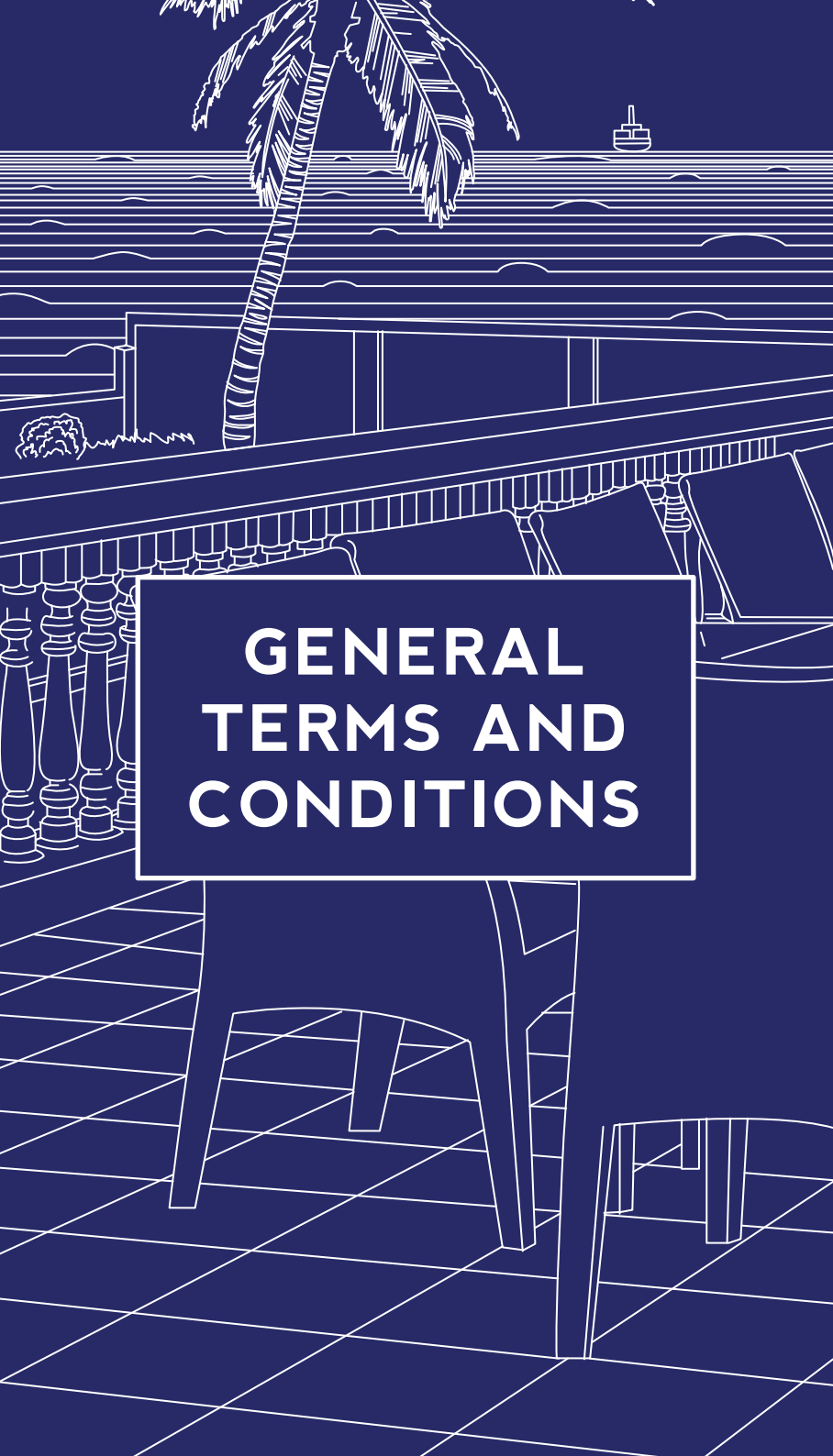
The Committee shall have power to prohibit any games which in their opinion are unlawful games or the playing of which would be injurious, prejudicial or otherwise not in the interest of the Club or its Members and may limit the points or stakes for any games.



**FOOD  
AND  
BEVERAGE**

### **33 Refreshments**

- (a) The charge for refreshments, meals, drinks and all other articles sold on the Club premises shall be fixed by the General Committee.
- (b) Members are served strictly on credit basis. Bills cannot be settled in cash.
- (c) Temporary Members should settle their bills daily before they leave.



**GENERAL  
TERMS AND  
CONDITIONS**

### **34 Papers and Property**

No person shall take away or permit to be taken away from the Clubhouse, for any reason whatsoever or shall injure or destroy any property (including but not limited to any newspaper, pamphlet, book, furniture, fittings, cutlery, crockery, glassware, equipment or any other article) which is the property of the Club.

### **35 Lost Property**

The Club accepts no responsibility whatsoever for any property left at the Club by any person. A list of any property found on the Club's premises will be posted on the Notice Board in the Clubhouse and such property as may remain unclaimed after a period of six months will be disposed of in such manner as the Committee may from time to time decide.

### **36 Breakage**

Any Member breaking or damaging any of the furniture or other property of the Club shall pay for the same such sum not exceeding the replacement value of the article broken or damaged as the General Committee may think proper.

### **37 Alteration of Rules**

No amendment or addition or rescission shall be made to or from these Rules except at an Annual or Special General Meeting of the Club at which not less than two-thirds of those Members present and eligible to vote are in favour of such amendment or addition or rescission.

### **38 General**

- (a) Anything occurring not within the scope of the foregoing Rules shall be dealt with at the absolute discretion of the General Committee.

### **39 Interpretation of Rules**

The General Committee shall have power to decide all questions relating to the interpretation of the Rules and By-Laws of the Club and their decision upon any question of interpretation or upon any matter affecting the Club and not provided for by these Rules or by the By-Laws and Regulations made thereunder shall be final and binding on the Members. Further, any power that the General Committee is bestowed with under these Rules and By-Laws may be exercised by the General Committee from time to time.

### **40 Winding Up**

The Club shall be wound up only with the consent in writing of not less than four-fifths ( $4/5$ th) of all Ordinary Members with voting powers.



**RESIDENCY**

## **41 Residency**

- (a) The Club may offer residential facilities in the Residency of the Club.
- (b) The General Committee shall determine the Rules and Procedure pertaining to room bookings, usage and conduct of occupants.
- (c) The General Committee shall determine the rates applicable to the rooms.



## By-Laws

1. The General Committee shall determine the rules and conduct pertaining to the usage of the swimming pool facilities.
2. Juvenile Members or guests under 18 are not allowed in the bar.
3. Nannies are not allowed usage of Membership facilities other than being served light refreshments.
4. Persons other than Member's guests shall not proceed into any part of the Club premises beyond the Reception/ Enquiries Counter.
5. The giving of gratuities to the Club is forbidden. Any employee who accepts a gratuity is liable for instant dismissal and the Member offering such gratuity will be severely reprimanded.
6. Members signing chits jointly will be individually responsible for the full amount of such chits.
7. The unauthorised playing of musical instruments including music reproduction equipment (radios, digital music players, CDs etc.) on the Club premises is prohibited.
8. Pets and animals are not allowed on the Club premises.
9. Juvenile Members under ten years, are not allowed on the Club premises unless accompanied by an adult Member.
10. No Member is permitted to bring food or beverages into the Club for consumption on the premises. The only exception to this would be infants' food or where the prior express approval has been obtained for same from the General Committee and or General Manager of the Club.
11. The General Committee is empowered to determine the Rules and Regulations pertaining to the booking and usage of the guest rooms

12. Members are allowed to park their cars as long as they are in the Club premises and are required not to use the club premises as a parking lot when they are not present at the Club. Any offender shall be charged Parking fees as applied by the Municipality and double fees for an offense committed between 10 p.m. and 6 a.m.
13. Members in bathing/swimming attire are not permitted in the bar, restaurant and lobby areas.
14. All Members are required to sign in when entering the Club.
15. Members are required to produce their Membership Cards when requested at the reception and or by any of the service staff.
16. Members or guests in shorts are not permitted in the bar after 7 p.m.
17. At all AGMs and SGMs Members are required to be present in 'proper attire'. Members in shorts will not be permitted to attend AGM or SGM.
18. The bar will be closed as per the directives of the General Committee. Members are expected to observe the bar closing times and leave the bar as this time is reached.
19. Members have to be present at all times whenever there are accompanying guests.
20. The Manager on duty is authorised to stop serving liquor to Members to whom in his opinion the serving of any more liquor could be harmful to or not in their interests of the Member or other Members at the Club.
21. Committee Members shall not canvas or influence decisions regarding purchase or supplies for the Club. This would constitute a conflict of interest and an offender may be liable to be expelled from the Committee.

22. Subject to Clause 39 above, any dispute or difference between any Member and the General Committee and or between Members of the General Committee in respect of any matter whatsoever relating to or arising from any person's Membership in the Club or the use of any facility of the Club by any person, shall be resolved as follows:
- (a) Firstly, amicably by discussion.
  - (b) If not resolution materialises, then by an inquiry conducted internally by an Inquiry Officer jointly appointed by the parties to the dispute, or where the parties cannot agree on an Inquiry Officer, then by a Panel comprising an Officer appointed by each party and an Umpire (who shall be the Chairman of the Panel) appointed jointly by the two officers appointed by the parties.
  - (c) The Inquiry Officer or Panel aforesaid may adopt any fair procedure as they may determine in their absolute discretion for the conduct of the inquiry and the taking of evidence.
  - (d) The decision of the Inquiry Officer or Panel aforesaid shall be final and shall not be called in question in any Court or Tribunal.





