

Resolution (B) Outstanding Dues
Moham + Shamin
9383

4th March, 2024

I, K. G. G. R. M Wijesinghe, Membership Number 9383, wish to bring the following before the Annual General Meeting, pursuant to Article 28 (a) (ii) and request that the General Committee to provide responses, accordingly:

We are informed that Membership dues outstanding for over Sixty (60) days and unpaid pursuant to Article 27 (c) is approximately Fourteen Million (14,000,000).

I have no doubt that the required letters of demand and legal action, where required would have been already initiated to recover the outstanding amounts.

However, I am surprised that this is the situation, as such outstanding could only be from Ex-members or deceased Members. The reason being, that Article 27 (c) requires that a Member, whose account remains unpaid, at the end of each month, should be terminated after following the procedure provided in Article 27 (c). This is a mandatory requirement imposed on the General Committee (GC), and hence the GC has no discretionary powers not to act accordingly, until such time the Article is amended. The maximum period would not be more than Sixty (60) days from the end of the month in which a Member fails to pay an outstanding amount.

Has the Club Auditors brought this to the notice of the GC?

Whist agreeing that there may have been compelling reasons for such non-payments, no Member has to date, brought in a resolution to change this requirement. Thus, regretfully, the GC has no alternative but to impose the requirement, rather than observing same in breach.

The General Committee, if they so require may bring a resolution to amend this requirement, if not, the GC has no alternative but to act according to Article 27 (c)

"27(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".

As the said unpaid amount is a burden on the Club, the following information is requested?

1. Details of Members who have not settled outstanding amounts for a minimum of (90) consecutive Days. The GC cannot state that this is personal information as the Constitution clearly provides that "his name may be posted as a Defaulter on the Club's Noticeboard" and hence, tabling same at the GC will not breach any privacy requirements.

R. M. Wijek
Shri Wijek

2. Has the GC, followed the requirements, in Article 27 (c), and acted to post the name of the defaulters and after seven (7) days and then treated the Membership of the Members who have not paid the outstanding amount as having ceased. If not why?

3. It is recommended to:

3.1 Deceased, who have no spouse continuing as a Member

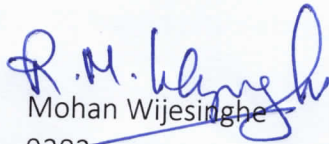
Deduct the deposit from the outstanding amount, and write off the balance as a bad debt. If approved, amend the Constitution accordingly.


3.2 Present Members, and Spouse Members of Members who are deceased (Members)

3.2.1 Write to the Members requesting the outstanding amount be paid within Seven (7) Days. If not paid with Seven (7) days, the GC would have no alternative but to deem that such persons have ceased to be Members and notify the members accordingly.

3.2.2 It is also recommended that the deposit be deducted from the outstanding amount of the ceased members and then take appropriate legal action to recover the balance

3.2.3 The cessation of Membership, as required would entail the enlisting of new Members, who would be required pay the deposits, which would adequately compensate for the outstanding amounts (I would think so).


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