



# The Constitution

Old Boys' Association  
St. Mary's College, Negombo

Revised Edition  
31<sup>st</sup> March 2012

**ARTICLES 1-19****1. NAME**

The Association shall be known as "OLD BOYS' ASSOCIATION OF ST. MARY'S COLLEGE, NEGOMBO" hereinafter referred to as 'The Association'

**2. REGISTERED ADDRESS**

The Address of the Association shall be the address of the OBA House from where its general activities are carried out.

However, for the purpose of correspondence the residential address of the incumbent General Secretary shall be used.

**3. DEFINITIONS**

In these Articles unless the circumstances require otherwise:

- College shall mean the St Mary's College, Negombo
- Church shall mean the St Mary's Church, Grand Street, Negombo
- Member shall mean member of the Old Boys Association
- AGM shall mean the Annual General Meeting
- SGM shall mean the Special General Meeting
- Old Boys shall mean the past students of St. Mary's College, Negombo
- Present Boys shall mean the current students of St. Mary's College, Negombo
- Committee shall mean the Committee of Management
- Term shall mean a period of one year from 1st June to 31st May

**4. AIMS & OBJECTS**

- 4.1. To foster and maintain the spirit of fraternal union among the Old Boys of the College.
- 4.2. To promote loyalty to the Alma Mater and to stimulate interest, in its activities and progress
- 4.3. To promote the spirit of service among all members.
- 4.4. To work closely with the College administration in continuously improving identified areas of the College and assisting its students with their identified needs by drawing upon the skills and strengths of the old boys.
- 4.5. To promote; the preservation of the College traditions and its heritage
- 4.6. Fostering excellent relationship with the Church, the College administration, the School Development Society and the Negombo City Administration

**5. MEMBERSHIP**

- 5.1. The membership of the Association shall be open to all old boys of the College
- 5.2. **Categories of Members**
  - 5.2.1. Honorary Members
  - 5.2.2. Ordinary Members
  - 5.2.3. Life Members

**5.3. Honorary Members**

- 5.3.1. Old Boys of the College who are members of the clergy.
- 5.3.2. Old Boys of the College who are elected Members of Parliament
- 5.3.3. Old Boys of the College who are elected Members of Western Provincial Council holding the office of a Minister and whose permanent residence is situated within the Negombo Electorate.
- 5.3.4. His Worship the Mayor of Negombo.
- 5.3.5. Old Boys of the College holding public office referred to in the Articles 5.3.2, 5.3.3 and 5.3.4 who were granted Honorary Membership shall continue in that capacity for life unless they have resigned on their own in terms of Article 5.5 or been disqualified to be a member of the OBA in terms of Article 16.
- 5.3.6. Non Old Boys of the College shall cease to be Honorary Members once they relinquish the public office held unless they have resigned on their own in terms of Article 5.5 or been disqualified to be a member of the OBA in terms of Article 16.

**5.4. Ordinary and Life Members**

- 5.4.1. Any Old Boy is eligible to obtain membership as an Ordinary or a Life member by application.
- 5.4.2. Membership applications shall be in the prescribed form and be forwarded together with appropriate membership fees to the General Secretary or the Membership Secretary. Such membership applications, upon review by the Membership Sub Committee, shall be forwarded for approval by the Committee. Once approved the applicant shall become a member of the Association and shall be issued with a membership card. He shall continue to be a member unless he resigns on his own in terms of Article 5.5 or been disqualified to be a member of the OBA in terms of Article 16.  
In the event the application is rejected, the fees paid by the applicant would be refunded.

**5.5. Resignation**

Members who wish to resign may do so providing they give one month's prior written notice to the General Secretary. No refunds of membership fees will be made in this event.

**5.6. Responsibilities of a member**

- 5.6.1. Members shall be bound by the constitution, rules and by-laws of the Association and any section thereof, which are then in force or which subsequently may be altered or amended and in force at any future time. No

member shall be absolved from the effect and application of the constitution, rules and by-laws by reason of the fact that he may not have received a copy thereof.

5.6.2. Members shall refrain from any conduct, prejudicial to the interest and good name of the College or unworthy of the Association.

## **6. MEMBERSHIP REGISTERS**

6.1. There shall be three (3) membership registers.

6.1.1. Register of Honorary Members

6.1.2. Register of Ordinary Members

6.1.3. Register of Life Members

6.2. Membership Registers shall be in the custody of the Membership Secretary and shall be updated by him. The register should be made available for inspection by members on request subject to approval from the President or the General Secretary.

6.3. All members whose names are registered in the membership registers are entitled to receive notices and other relevant documents for the AGM and SGM.

## **7. MEMBERSHIP FEES**

7.1. The Committee may decide to revise membership fees from time to time subject to ratification by Members of The Association at an AGM or SGM.

7.2. Ordinary membership fee for one calendar year or part thereof is Rupees Five Hundred (Rs.500/-) payable on or before the first day of the year. Any Ordinary Member who has not paid the annual membership fees on the due date will forfeit his right to vote and to other privileges as a member until such time arrears are paid up in full.

7.3. Life membership fee is Rupees Two Thousand Five Hundred (Rs. 2,500/-) as a once and for all payment.

## **8. ELECTION PROCEDURE**

8.1. Office Bearers and Members to the Committee will be elected each year at the AGM. Any member, whose name is proposed and seconded for any available position as stipulated in the Article 9.2.; and if such proposal is uncontested, that member shall be declared as having been duly elected. However, if more than one name is proposed to an available position then such name for that position shall be determined by a vote.

8.2. Voting will be by show of hands, or by secret ballot if requested by the majority. The majority decision shall prevail.

- 8.3. The President or the chairman presiding at the meeting shall entertain objections to nominations only if such objections are valid and substantiated.
- 8.4. In the event of a tie in the voting, the President or the chairman presiding at the meeting shall either exercise his right to a casting vote or arrive at an amicable settlement with the contestants which will be declared as being final.
- 8.5. If a member wishes to be elected to the committee, but is unable to attend the Annual General Meeting, his letter of consent should be presented by the proposer.
- 8.6. All members with a valid membership and whose names appear in the membership registers are eligible to attend and vote at the AGM. Members should have the receipt issued for payment of Annual Membership Fees for the year; or the membership Card/Certificate issued by the Association. No member will be permitted to vote at the AGM unless he has been a member of the Association according to the membership register for a period of at least 30 days prior to the date of AGM.

## **9. OFFICE BEARERS AND THE COMMITTEE OF MANAGEMENT**

### **9.1. Ex-Officio**

- 9.1.1. Patron of the Association shall be His Grace the Archbishop of Colombo.
- 9.1.2. Vice Patrons shall be The Principal of the College, The Parish Priest of the Church and as a third Vice Patron, an old boy Priest shall be appointed by the Executive Committee for the ensuing Term.
- 9.1.3. The Immediate Past President, appointed ex-officio, shall serve in the committee and he will have voting rights.
- 9.1.4. The Committee shall invite Past Presidents of the Association (excluding the IPP who by virtue of Article 9.1.3 is an Ex-Officio member of The Committee) subject to a maximum of three in the reverse order of their service, to serve in the Committee. Their role would be purely in an advisory level, assisting the Committee on various projects undertaken during its tenure and shall have no voting rights.

### **9.2. Committee of Management (Elected)**

The Committee shall comprise of the following members and they shall serve the Association in an Honorary Capacity.

- 9.2.1 President
- 9.2.2 Eight Vice Presidents
- 9.2.3 Two Junior Vice Presidents
- 9.2.4 General Secretary

- 9.2.5 Asst. General Secretary
- 9.2.6 Treasurer
- 9.2.7 Asst. Treasurer
- 9.2.8 Sports Secretary
- 9.2.9 Asst. Sports Secretary
- 9.2.10 Social Secretary
- 9.2.11 Asst. Social Secretary
- 9.2.12 Membership Secretary
- 9.2.13 Asst. Membership Secretary
- 9.2.14 Twenty one Committee Members

9.3. **Auditor**

A member with experience in Accounts and Auditing shall be elected as the Auditor in an Honorary Capacity. He shall have no voting rights and his participation at the committee meetings will be by invitation.

9.4. **Trustees**

Three senior members of the Association who are held in high esteem shall be appointed as Trustees by the Executive Committee before the first committee meeting is held. They may attend committee meetings but will not have voting rights.

The role of the Trustees will be in assisting the Committee by providing advisory oversight, acting as informed advocates for the Association collectively or individually.

9.5. **Term of the Committee**

9.5.1. The Term of the Committee shall be for a period not exceeding twelve months commencing from 1<sup>st</sup> June to 31<sup>st</sup> May.

9.5.2. In the event of The Committee reaching the end of its Term without having elected a New Committee for the new Term; the management of the Association shall be temporarily vested at midnight of 31<sup>st</sup> May of such year in an interim committee comprising, minimum of two Vice Patrons and another member of the OBA selected by the Vice Patrons. The sole purpose of this Committee is to hold elections to appoint a new Committee of Management before 31<sup>st</sup> July of such year.

**9.6. Criterion for Nominees for Office Bearers**

- 9.6.1. The nominee for the post of President should have served in the Committee for a minimum period of one Term and should have been a member of the Executive Committee previously.
- 9.6.2. Nominees for the posts of Vice President or Junior Vice President should have served in the committee for a minimum period of one Term.
- 9.6.3. Nominees for the posts of Junior Vice President should be not more than thirty years of age at the time of the AGM.
- 9.6.4. A member shall not hold the position of the President or the General Secretary or the Treasurer for more than three consecutive Terms in the respective capacity.

**10. MANAGEMENT:**

- 10.1. The Committee shall;
  - 10.1.1. Formulate the general policies and guidelines of the Association which forms the basis for its constitution and pledge to protect and safeguard the constitution individually and collectively.
  - 10.1.2. Conduct its affairs within the framework of the constitution of the Association including the management of its finances.
  
- 10.2. The President shall;
  - 10.2.1. Lead the Association to achieve the objectives as specified in these articles of the constitution and give leadership in terms of wishes and ambitions of the membership.
  - 10.2.2. Appoint, with the concurrence of the Executive Committee, one of the elected Vice Presidents as the Chief Co-ordinator who shall liaise with Project and Sub Committees to expedite their programs.
  - 10.2.3. Appoint, from the Vice Presidents, Chairmen of sub committees and project committees with the concurrence of the Executive Committee.
  
- 10.3. The General Secretary shall;
  - 10.3.1. convene all meetings in consultation with the Committee or the President,
  - 10.3.2. record minutes of proceedings, and maintain the Minutes Book,
  - 10.3.3. table the minutes of the previous meeting for members approval,
  - 10.3.4. keep documents and papers in such a manner as the Committee may decide,
  - 10.3.5. present the Annual Report of the Committee for the Term at the AGM,

- 10.3.6. attend to the correspondence of the Association
- 10.3.7. hand over Registers, Files and all other relevant documents in his possession together with a report on any outstanding matters and issues to his successor and obtain a valid receipt at the end of his term of office, before the first meeting of the new Committee or within one month whichever is earlier.
- 10.3.8. attend to the media related matters of the Association including the maintenance of its website.
- 10.4. The Assistant General Secretary shall act and deputise for the General Secretary in the latter's absence.
- 10.5. The Treasurer shall;
  - 10.5.1. act under the direction of the Committee, and
  - 10.5.2. make payments from the funds of the OBA after obtaining due authority from the Committee,
  - 10.5.3. keep a correct account of the receipts and payments of the Association
  - 10.5.4. submit a statement of monthly accounts at the committee meetings,
  - 10.5.5. explain the financial transactions and provide a true and fair overview of financial position of the OBA to the Committee.
  - 10.5.6. submit the annual audited accounts as detailed in Article 13,
  - 10.5.7. maintain the Register of Fixed Assets,
  - 10.5.8. maintain the Register for Donations
  - 10.5.9. hand over the Account Books, Cheque Books, Registers, Files, and all other relevant documents together with cash in hand and cheques in his possession to his successor and obtain a valid receipt at the end of his term of office, before the first meeting of the new committees or within one month, whichever is earlier.
- 10.6. The Assistant Treasurer shall act and deputise for the Treasurer in the latter's absence
- 10.7. The Membership Secretary shall;
  - 10.7.1. maintain the Register of Members and shall be responsible for the safekeeping of Membership Applications and records.
  - 10.7.2. hand over Registers, Files and all other relevant documents in his possession together with a report on any outstanding matters and issues to his successors and obtain a valid receipt at the end of his term of office, before the first meeting of the new Committee or within one month whichever is earlier.



10.8. The Chief Co-ordinator shall act and deputise for the President in his absence. In the absence of the Chief Co-ordinator the committee shall appoint one of the Vice Presidents to act for the President.

10.9. The Committee elected for a Term shall endeavour to carry out all incomplete projects/programmes that are carried forward from the immediately preceding Term. Any changes to these projects/programmes shall require a two third majority of the Committee at a sitting.

**10.10. Resignation or Vacation of Post;**

10.10.1. Resignation

Committee Members who wish to resign during their elected Term may do so providing they give one month's prior written notice to the Committee.

10.10.2. Vacation of Post

Any member of the Committee who does not attend three consecutive meetings without a valid reason for his absence shall be deemed to have vacated his post.

**10.11. Filling of vacancies in the Committee**

The committee shall have the power to fill vacancies that arise during its Term within two months of such vacancies arising. Vacancies in the Committee shall be filled in the following manner;

10.11.1. The Committee shall appoint an Interim President, in the event of the position of the President falling vacant, for the remaining period of the Term of the Committee, from among the Vice Presidents subject to fulfilling the requirement as stipulated in Article 9.6.1, proposed and seconded by the committee with 2/3<sup>rd</sup> majority.

10.11.2. In the event of there being no eligible candidates to fill the vacancy of the President, the Committee shall elect an interim President at a SGM. Such SGM should be held within three months of the position falling vacant.

10.11.3. In the event of the position of the General Secretary falling vacant the Assistant General Secretary or failing him a member of the Executive Committee shall be appointed the Interim General Secretary by the Committee for the remaining period of the Term of the Committee.

10.11.4. In the event of the position of the Treasurer falling vacant the Assistant Treasurer or failing him a member of the Executive Committee shall be

appointed the Interim Treasurer by the Committee for the remaining period of the Term of the Committee.

- 10.11.5. Other vacant positions of the Committee shall be filled by appointing any existing Committee Member subject to fulfilling criterion for such positions as set out in these Articles of the Constitution, with a 2/3<sup>rd</sup> majority approval of the Committee.
- 10.11.6. The Committee shall appoint Committee Members from among the members of the Association to fill vacancies with a majority vote after calling for nominations from the Committee.
- 10.11.7. The General Secretary shall inform the General Membership of the Association of the changes to the Committee within 14 days of such changes taking place.

## 11. **COMMITTEES**

### 11.1. **Committee of Management**

As described in Art 9.2

### 11.2. **Executive Committee**

The Executive Committee consists of The President, Immediate Past President, all Vice Presidents, General Secretary, Treasurer, Social Secretary, Membership Secretary and Sports Secretary.

### 11.3. **Sub Committees and Project Committees**

Sub-Committees may be formed to deal with specific longer term issues on a priority basis whereas Project Committees are formed to deal with time and subject specific matters.

#### 11.3.1. Types of Sub-Committees

11.3.1.1. Finance and Fund Raising

11.3.1.2. Sports

11.3.1.3. Membership

11.3.1.4. Social Activities

11.3.1.5. Media and Public Relations

11.3.1.6. Others as may be decided by the Committee

- 11.3.2. The Treasurer shall be the ex-officio secretary of the Finance and Fund Raising Sub-committee. The Sports Secretary, Membership Secretary Social Secretary shall be the ex-officio secretaries of the respective sub committees. The General Secretary shall be the ex-officio secretary of the Media Sub-committee. The Assistant Treasurer, Assistant Sports Secretary, Assistant

Membership Secretary, Assistant Social Secretary and the Assistant General Secretary shall become ex-officio members of respective sub committees.

11.3.3. Appointment of members to sub-committees is through nominations by the respective Chairmen of the Sub-Committees subject to ratification by the Committee and shall consist of volunteer members of the Committee. Old Boys who are not current members of the Committee may be invited depending on their special skills and expertise subject to ratification by the Committee.

11.3.4. Terms of all sub-committees and project committees shall not exceed the Term of the Committee and expire ipso facto with the expiration of the Term of The Committee. However, terms of Project committees may have a sooner expiration date depending on the completion of the project or otherwise as determined by The Committee.

11.4. **Sports Selection Committee**

11.4.1. Teams to represent the Association in sports activities shall be chosen by the Sports Selection Committee.

11.4.2. The Sports Selection Committee shall comprise of the Chairman of the Sports Sub Committee, the Sports Secretary, Asst. Sports Secretary and two other members appointed by the Committee from among the Old Boys.

11.4.3. The Captains and Vice Captains of sports teams shall be invited to the Sports Selection Committee for deliberations on matters related to their respective sport activity. They shall have no voting rights and shall always be bound by the decisions taken at the Selection Committee.

12. **FINANCES**

12.1. Financial Management of the Association shall be under the overall control of the of The Committee

12.2. Bank Accounts shall be maintained in reputed Banks as decided by the Committee.

12.3. Treasurer together with either the President or the General Secretary shall be signatories to all the Bank Accounts maintained on behalf of the Association.

12.4. In the case of Bank Accounts opened for holding special funds for specific projects or purposes, the Committee may include a third signatory from among the Patron or Vice Patrons.

12.5. The Committee, on the recommendation of the Finance and Fund Raising Sub-committee shall decide from time to time on the best strategy for investment of the Association funds having considered security of the investment, prudence and yield.

**13. ANNUAL FINANCIAL STATEMENTS OF ACCOUNTS**

13.1. The Financial statements of Accounts shall consist of:

13.1.1. Balance Sheet

13.1.2. Receipts & Payments Accounts

13.1.3. Income & Expenditure Accounts of different approved activities

13.1.4. Supporting notes to the Balance Sheet

13.1.5. Supporting schedules to the Receipts & Payments Accounts and to the Income & Expenditure Accounts.

13.2. The audited Financial Statement of Accounts of the Association for the Financial Year preceding the AGM shall be presented and tabled by the Treasurer at the last committee meeting for adoption at the AGM.

The Financial year shall mean a period from 1<sup>st</sup> April to 31<sup>st</sup> March.

**14. DONATIONS**

Donations in cash or in kind shall not be solicited without the prior approval of the Committee. Donation lists or related letters shall be issued only with the approval of the Committee and shall bear the signatures of the President and the Treasurer. The Treasurer shall maintain a register to record all such donations received and particulars of disbursement for the information of the Committee.

**15. MEETINGS**

**15.1. Committee Meetings**

15.1.1. The Committee shall meet as often as is necessary but the number of such meetings shall not be less than nine during its Term. The quorum shall be fifteen.

15.1.2. Emergency meetings of the Committee shall be convened at short notice by the General Secretary on the written request of the President or two (2) Vice Presidents or Fifteen (15) members of the Committee.

15.1.3. Seven (7) days notice of the Committee Meetings shall be given to its members stating the nature of the business to be discussed.

15.1.4. Minutes of the last Committee Meeting for the Term shall be tabled and adopted at the AGM.

15.1.5. The Committee may invite, through the President or General Secretary, prominent Old Boys to participate at committee meetings. They may participate at deliberations in the Committee meetings but will not have voting rights.

**15.2. Sub Committee Meetings**

The sub committees may meet as they wish. The Chairman of each sub committees should submit a report of activities at the monthly Committee meetings.

**15.3. Annual General Meeting (AGM)**

15.3.1. The AGM shall be held on or before 31st of May, each year. Twenty one (21) days prior notice of this meeting shall be given to the members from the date of the AGM.

15.3.2. Resolutions if any to be submitted for the AGM shall require two thirds approvals at the Committee meetings and such resolutions should reach the General Secretary, twenty one (21) days before the AGM. No Motion, Amendments to the constitution or Resolution shall be brought up for discussion at the AGM without prior sanction of the Committee.

15.3.3. Annual Report, Audited Statement of Accounts and Resolutions if any shall be sent by the General Secretary to each member fourteen (14) days prior to the AGM.

15.3.4. The Quorum for the AGM shall be Fifty (50). In the event of not having the required quorum, such meeting will be adjourned and a new date shall be decided upon by the majority vote of members present at such meeting. The adjourned meeting shall not be bound by a quorum. Seven (7) days notice of such adjourned meeting shall be given to the members.

**15.4. Special General Meeting (SGM)**

15.4.1. The General Secretary shall convene a SGM if so desired by the Committee or by Fifty (50) members of the Association on a written request signed by all (50) members, stating in detail the business to be tabled.

15.4.2. A prior notice of twenty one (21) days of such meeting shall be given to the members. The quorum for such meetings shall be similar to that of an AGM described in Article 15.3.4.

**16. DISCIPLINE**

16.1. The Committee shall have the power to remove the name of any member from the membership register, if found guilty of any conduct prejudicial to the interest and good name of the College or unworthy of the Association, as decided by a majority vote of the Committee.

- 16.2. Before removal of the name from the membership register such member shall be afforded an opportunity to show cause in writing as to why such removal should not be made.
- 16.3. The Committee shall also decide to hold an inquiry before such removal and the decision of the Committee shall be final.

## **17. AMENDMENTS TO THE CONSTITUTION**

- 17.1. Any and all motions or suggestions to amend the constitution by way of alteration, addition, omission or remission shall be notified to the General Secretary in writing.
- 17.2. The General Secretary shall notify the deadline to receive motions or suggestions to amend the constitution from the members of the Association through a press notification.
- 17.3. Any alteration, addition, omission or remission shall be authorised by the Committee by a 2/3rd majority of the members present.
- 17.4. The Committee shall table such resolutions at the AGM or at a SGM having noticed the members as per article 15.3.3 and shall be approved by a 2/3rd majority of the members present.

## **18. CLASS GROUPS**

- 18.1. Class Groups within the OBA may be formed provided such groups will accept the Old Boys Association, St. Mary's College, Negombo, as its Parent Body.
- 18.2. Two groups may be formed for each numeric year, one for Advance Level Classes and one for Ordinary Level Classes.
- 18.3. Such groups shall be recognised and affiliated to the Association, after the Committee accepts and authorises the constitution of such groups.
- 18.4. The Aims and Objects of the groups as set out in its constitution should not in any way be contrary to, or in violation of the Aims and Objects of the Association. The Committee is empowered to take necessary action, in the event of such violation.
- 18.5. Members of the groups shall be members of the Association. They shall have membership cards issued by the Association.
- 18.6. Representatives of such groups may attend the Committee Meetings of the Association as observers by invitation.
- 18.7. Two representatives of the Committee shall attend as observers at the General Meetings of Class Groups.
- 18.8. The President shall appoint elected Vice Presidents to oversee the activities of such groups on an advisory capacity.

18.9. The groups shall not, in any way, engage in fund raising activities without the expressed approval of the Association.

**19. GENERAL**

- 19.1. The Association shall observe an Old Boys Day on its anniversary which falls on the 3rd of December.
- 19.2. Any notice, letter or communication duly sent by ordinary post to the address last furnished by any member shall be deemed to have been sent to such member whether the same is received by him or not.
- 19.3. Any notice required to be given by the Association to the members and not necessarily provided for in these Articles shall be deemed to have been sufficiently given by a Press Advertisement in an English Daily Newspaper.
- 19.4. The non-receipt of the notice of any meeting by any member shall not invalidate the proceedings of such meeting provided however that notice has been sent to the members as provided in these Articles.
- 19.5. In the event of a dispute the Committee shall refer such disputes to an Arbitration panel consisting of two (2) Trustees and one (1) Vice Patron whose decision shall be final and conclusive.
- 19.6. In the event of any matter not provided for in these Articles of the Constitution of the Association, the decision of the Committee will be final.

This Revised Constitution, approved and passed at the Special General Meeting held on 31st March 2012, shall come into effect from that date and shall supersede all previous constitutions and its amendments.

**COMMITTEE OF MANAGEMENT 2011/2012**