

Constitution of the Free Media Movement (With the Amendment of 24th May 2011 Annual General Meeting)

1. Name

The Name of the Association shall be The Free Media Movement

2. Aims
 - i

To encourage, foster and support by all means the functioning of a Free and Independent Media in Sri Lanka.

 - ii

To encourage, foster and safeguard conditions in which all journalists working in Sri Lanka, including Foreign Correspondents, can carry out their work in freedom.

 - iii

To carry on activity to remove, through democratic means all restrictions that stand in the way of the functioning of a Free and Independent Media in Sri Lanka.

 - iv

To take every action necessary for the strengthening of existing democratic structures and systems and encouraging the establishment of new democratic processes in Sri Lanka.

 - v

To campaign for creating necessary legal framework for a Free and Independent Media in Sri Lanka.

 - vi

To campaign for necessary constitution safeguards to ensure progress of democracy and the functioning of a Free and Independent Media in Sri Lanka.

 - vii

To campaign and create public opinion for the inclusion of new clauses in the Constitution of Sri Lanka which provide for a wider democracy, permit greater freedom of expression, ensure the right to information and by these means provide for the functioning of a Free and Independent Media in Sri Lanka.

 - viii

To take necessary action, by itself and in association with other organizations with similar intent, to improve the economic conditions of journalists in order to help strengthen their professional freedom.

 - ix

To carry on activity which would help and protect the right of journalists employed in different organizations

to form links with each other for the purpose of protecting and strengthening their professional rights and freedom, improving their economic conditions necessary for the functioning of a Free, and Independent Media in Sri Lanka;

- x To carry on activity to encourage journalists to form links with other categories of employees in their own places of work and other organizations engaged in mass communication, for the purpose of strengthening and defending the rights and improving economic conditions of journalists and such other categories of employees, necessary for the functioning of a Free and Independent Media in Sri Lanka.
- xi To provide a forum for the discussion of the professional, economic, social and cultural issues that affect journalists, journalism and mass communications and impinge on the functioning of a Free and Independent Media in Sri Lanka.
- xii To carry on activity such as the holding of talks, seminars, study groups, workshops, public meetings, exhibitions and publish books, pamphlets, illustrated material, make and distribute recordings etc., for the purpose of influencing public opinion and political parties and organizations towards action which would help in the functioning of a Free and Independent Media in Sri Lanka, and encourage wider public discussion of issues that affect and restrict the Freedom of Expression and the Right to Information, which are essential aspects of a democratic society.
- xiii To discourage and campaign against the use of journalism and the mass media for purposes of racism, casteism, sexism and religious bigotry and intolerance and political and ideological intolerance inasmuch as they threaten democracy and the proper functioning of a Free and Independent Media in Sri Lanka.
- xiv To provide and assist in providing training facilities for journalists to help raise their professional standards and generally help improve the standards of the media in Sri Lanka.

- xv To be interested and concerned with matters that relate to the rights of journalists and the functioning of a Free and Independent Media in other countries and, to establish links and exchange information with organizations abroad which work for aims similar to those of The Free Media Movement.
3. Definition: The word journalist shall in this Constitution mean all persons engaged in the functions of gathering information, reporting, writing and editing of news and feature material for newspapers, magazines, periodicals, radio and television, desktop publication, facsimile transmission, and shall include photographers, broadcasters, telecasters, foreign correspondents, columnists, provincial and regional correspondents and "stringers".
4. Membership: Membership in the Association shall be available to journalists/writers and media organizations in agreement with the aims of the Association and accept the rules of membership set out in this Constitution and shall be in the following categories:
- i Categories: There shall be three categories of members, namely, Senior Members, Invitee Members and Associate Members.
- ii Senior Members: The Senior members of the Association shall be those who have been maintaining the membership for seven years continuously.
- iii Invitee Members: Persons who are invited to join the Association by unanimous decision of the Senior Members and accept such invitation, shall be in the category of Invitee Members.
- iv Associate Members: Persons of organizations that in the view of the Working Committee of the Association carry on work similar in aim and nature to those of The Free Media Movement may be invited, by unanimous decision of the Working committee, as Associate Members of this Association.
- 5 Memberships Rights i Both Senior Members and Invitee Members shall have the right to stand for election to any office of the Association, and to vote at all Annual General and Special General Meetings of the Association, subject to

the conditions governing such voting rights as set out in this Constitution, and serve and vote in the Working Committee or any sub-committee set up by the Working Committee or the General Membership.

- ii Associate Members shall have no right to hold office in the Association or to vote at any Annual or Special General Meetings of the Association. They may, however, attend such meetings as observers.

6. Trustees

- i Board of Trustees: There shall be a Board of Trustees of the Association who shall hold in their custody all moveable and immoveable property and funds of the Association, and shall sue and be sued on behalf of the Association, and shall give advice to the Working Committee when the Board of Trustees considers it necessary, on the management of the affairs of the Association.
- ii Composition The Board of Trustees shall comprise three Members of which the Convener shall be an ex-officio member, and two others who shall be Senior Members who are not members of the Working Committee. Both these members shall be elected at the Annual General Meeting, one of whom shall serve for two consecutive years and the other for only one year. Both members shall be eligible for re-election on the expiration of their respective terms.
- iii Meetings The Board of Trustees shall meet at least once every three months to review the affairs, both financial and functional, of the Association and give necessary advice to the Working Committee.
- iv Secretary and Treasurer The General Secretary shall ex-officio be the secretary to the Board of Trustees and the Treasurer shall be sit in the Board to report financial details.
- v Investments No investments of the funds of the Association shall be made and no assets divested without the written consent of the Board of Trustees.
- vi. External Financial Review Committee- The Committee shall be appointed by the Annual General Meeting for reviewing the financial

management of the Organization and it shall comprise well recognized three external persons who are common with objectives of the organization.

7. Working Committee & Office Bearers
 - I. The day-to-day affairs of the Association shall be managed by a Working Committee elected from among the Senior Members and Invitee Members.
 - II. Composition: The Working Committee consists of the following official posts.
 - Convener
 - Secretary
 - Treasurer
 - Assistant SecretaryNine members of the Committee elected by the Annual General Meeting
 - III. Meetings: The Working Committee should meet at least once a month. Otherwise it should be held for a period not exceeding seven days.
 - IV. Sub Committees: Sub Committees may be appointed from the working committee members on any matter which the Working Committee decides is necessary. The Assistant Secretary or Secretary shall be the Secretary of such Sub-Committees.
 - V. Attachments: If there is any need, members can be attached to the Working Committee from the general membership. However, such attached members may not hold any official position in the organization.
 - VI. Vacancies: If there is a vacancy in the Working Committee, the vacancy may be filled by nominating another member by the committee. However, it is only valid from then until the next annual or special General Meeting.
 - VII. Holding multiple positions: No official can hold more than one position in the organization.
 - VIII. Re-election : All members of the Working Committee shall hold office only until the next Annual General Meeting after the one in which they were elected but shall be eligible for re-election, provided that no person shall be re-elected to the same office at more than two consecutive Annual General Meetings.
 - IX. Decisions; Decisions of the Working Committee shall be by majority vote. In the event of a tie, the Convener, or other member presiding, shall have a casting vote.

X. Quorum : The Quorum at meetings of the Working Committee shall be five (05) members

XI. Absence: A member of the Working Committee who absents himself/herself from three consecutive meetings of the Committee without prior notice of excuse shall be deemed to have vacated his/her position in the Working Committee and shall be so informed in writing.

8. Duties of Office Bearers

i Convenor : The Convenor shall summon meetings of the Working Committee, preside at meetings of the Working Committee and General Meetings, and issue statements for and on behalf of the Association in consultation with members of the Working Committee.

ii General Secretary : a The General Secretary shall, in the absence of or due to the inability of the Convenor, summon meetings of the Working Committee and in accordance with other provisions of this Constitution summon General Meetings of the Association.

b The General Secretary shall keep true and faithful minutes of meetings of the Working Committee and all General Meetings, and maintain a proper record of all correspondence of the Association.

c The General Secretary shall maintain a proper register of all members of the Association.

d The General Secretary shall be agreement with the Convener, or in the absence of the Convener, in consultation with other members of the Working Committee issue statements on behalf of the Association.

iii Assistant Secretary The Assistant Secretary shall assist the General Secretary in the performance of all functions and duties of the latter, and in the absence of the General Secretary shall carry out the functions of this office in consultation with other members of the Working Committee.

iv Treasurer : a The Treasurer shall maintain proper custody and record of all the funds of the Association. This shall include the maintenance of proper accounts and ledgers, making available funds for the activities of the Association, the

projection of the Association, the projection of future expenditure and liabilities, and the making of proposals for fund raising.

- b The Treasurer shall produce a proper statement of account and annual balance sheet, duly audited, at the Annual General Meeting which follows his/her election to office.
 - c The Treasurer shall produce a monthly statement of account of the Association at each monthly meeting of the Working Committee.
- v. Any Office Bearers of the Organization shall not be received salary or allowances for working or acting on behalf of the organization.

9. Special General Meetings (SGM) i

The Convenor or General Secretary acting in accordance with a decision of the Working Committee, or the request of the Board of Trustees, shall summon at short notice, Special General Meetings of the Association to discuss matters of urgency and importance with regard to the functioning of a Free and Independent Media in Sri Lanka.

- ii The Convenor or General Secretary shall summon a Special General Meeting of the Association upon receipt of a motion requesting such a meeting signed by not less than 15 Members which shall include at least 10 Founder Members, provided however that the purpose for such a meeting is clearly stated and the Working Committee is of the view that such purpose is not in conflict with the aims of the Association as set out in this Constitution.
- iii Fourteen days notice shall be given to all members of such Special General Meetings.
- iv The decisions at such Special General Meeting shall be by majority vote taken openly, with the Convenor, or in his/her absence the member presiding, having a casting vote in the event of a tie. Voting shall be by show of hands or open poll.
- v The Agenda for a Special General Meeting shall be:
Reading of Notice convening meeting;

Minutes of the previous Special General Meeting;
Excuses received.
Discussion of matter/s, resolution/s for which the meeting was summoned.

There shall be no discussion of any subject other than that on the Agenda at such special General Meeting.

- 10 Annual General Meetings (AGM)
 - i The Annual General Meetings of the Association shall be held each year in the last two weeks of May and not later than the 31st of May in each year.
 - ii Notice : Not less than 28 days before the proposed Annual General Meeting, the General Secretary shall circulate a notice to all members calling for only resolutions to be discussed at such meeting, and for nominations for office bearers and trustees to be elected at such meeting. Such resolutions and/or nominations should be received within 07 days of the date of such notice.
 - iii Agenda Notice: The General Secretary shall give 14 days notice in writing to all members of the date of the AGM, its venue and time, and the agenda for discussion, the names of nominees for office and any resolutions received which, in the view of the Working Committee, are not in conflict with the aims of Association.
 - iv Nomination:
 - a The name of each member standing for election to the Working Committee or Board of Trustees shall be duly proposed by a member and be seconded by another member.
 - b Persons who are in arrears of annual subscription at the time the nominations are received shall not be eligible to stand for election or to propose or second any other person for election.
 - c Except where no prior nominations have been received for any vacancy, no names shall be proposed for election at the AGM.
 - v Election In the event of more than one name being proposed and seconded for any single office the person elected shall be the nominee who receives the majority of votes in a

show of hands. In the event of a tie of votes, the presiding member shall have a casting vote.

- vi Chairperson a The Convenor, or in his/her absence a Committee Member of the outgoing Working Committee, shall preside at the initial stage of an Annual General Meeting, but shall vacate the chair prior to the election of office bearers, after which the House shall elect a pro tem chairperson to preside until the new office bearers are elected.
- b The pro tem chairperson shall not be a member nominated for any office in the ensuing Working Committee, and shall not have held office in the outgoing Working Committee.
- vii Agenda : The Agenda of an Annual General Meeting shall be as follows:
- Notice convening meeting Minutes of previous AGM/SGM
Matters arising from minutes
Excuses received Report of the General Secretary for the year concluded and its adoption.
Treasurer's Statement of Accounts for the year concluded and its adoption.
Resolutions of which due notice have been given and have been approved by the Working Committee.
Election of Office Bearers and Trustees.
Election of Hony. Auditor
Concluding address by Convenor
There shall be no discussion of any subject other than those mentioned in the agenda.
- viii Quorum : The quorum at an AGM of SGM shall usually be not less than twenty (20) members. However, if the agenda for such a meeting includes any amendment to the Constitution, the discussion of such matter would require the presence of not less than two-thirds of the total number of members of the Association on that date who are entitled to vote under these rules.
- ix Absence of Quorum : In the event of there being insufficient members to form a quorum at an AGM or SGM, such meeting shall be postponed to a date not later than 10 days, and when held on such next date, the members present whether

sufficient to form a quorum or not, shall discuss and decide on the items on the Agenda, provided it does not include any item to amend, add to or rescind this Constitution.

The first Annual General Meeting shall be held in May 1994.

11. Amendments to the Constitution

- i Resolution : Amendments to this Constitution shall be made by way of a Special Resolution of which due notice has been given in writing to the General Secretary by any two members, which shall be discussed at the AGM or at a SGM summoned for the purpose, in keeping with the rules governing such meetings and resolutions, with the following exceptions :
- ii Exceptions :
 - a The requirement that the Working Committee should approve of a resolution as not being in conflict with the aims of the Association, shall not apply, provided it is not for a change, addition to or subtraction from the aims as set out in this Constitution, and it is not for any amendment or addition to the rules of membership of this Association.
 - b After the expiry of period of six years from the date of the first AGM of the Association resolutions for a change in the rules of membership, as set out in Section 4 sub-sections i, ii, iii and iv shall be permitted for discussion at an AGM or SGM.
- iv Acceptance: A resolution to amend this Constitution shall be adopted if it receives the votes of not less than two-thirds of the number of members present and eligible to vote at an AGM of SGM at which such resolution is tabled for discussion.

12. Control of Funds

- i Bank : The Funds of the Association shall be deposited in a bank or banks which have been approved for such purpose by resolution adopted at meeting of the Working Committee.

ii Cheques : Cheques drawn on the current account/s or withdrawals from any Savings Account/s held in the name of this Association shall have the signatures of any two of the following office-bearers of the Association, holding office at the time being :

The Convenor
The Treasurer
The General Secretary

iii Bank Statements Monthly Bank statements on the current account/s of the Association shall be received by the Treasurer and all three members of the Board of Trustees of the Association.

13. Disputes and Discipline

i Sub-Committee: Any disputes among members with regard to the functioning of the Association or matters which cannot be resolved by the Working Committee shall be referred to a Disputes and Discipline Sub-Committee, and the recommendation of this sub committee shall be binding on the member/members concerned.

ii Composition : The Disputes and Discipline Sub-Committee and other necessary Sub- Committees shall comprise three Senior Members who are not members of the Working Committee, who are nominated by the Working Committee at its first meeting held after an Annual General Meeting.

14. Resignation : A member may resign from membership of the Association by notice given in writing to the General Secretary.

15. Expulsion / Ban:

i A member may be expelled or banned from office or membership for specific time period from the Association if in the view of the Working Committee such member has acted contrary to the aims of the Association, or acts in a manner which would bring the association to disrepute or endanger its functioning or if such member is known to be a member of any organization that is opposed to or works against the aims of this Association.

- ii Such expulsion or ban shall only take place after the member concerned has been heard by the Working Committee, which shall decide on the matter by majority vote.
 - iii The Working Committee shall decide on the matter ex-parte if the member does not present himself/herself for such hearing by the Working Committee on two occasions, after due notice has been given.
 - iv A member who does not agree with the decision of the Working Committee may refer this to the Disputes and Discipline Sub-Committee, the decision of which on the matter shall be final and binding.
16. Membership Fee i Every member shall pay an Enrolment Fee and an Annual Subscription Fee to be decided upon by the Working Committee in consultation with the Board of Trustees.
- ii The subscription fee shall be for each calender year or part thereof and shall be paid up in full before March 31 of that year.
 - iii Members who join the Association after March 31 of any year shall be required to pay both the enrolment and subscription fees at the time of joining.
 - iv The first year for which subscriptions shall be paid will be 1993.
 - v The Founder Members shall be exempt from the payment of the Enrolment Fee in view of expenses they have incurred individually and collectively towards setting up the Association.
 - vi A member who is in arrears of subscription shall not be eligible to participate of vote at any AGM of SGM or to propose or second nominees for election or to propose or second any resolution for discussion by the membership at any AGM or SGM.
 - vii A member who is in arrears of subscription for more than one year shall ipso facto cease to hold membership of the Association.

- 16A Financial Year: The Financial Year of the Association shall be from January 1st to December 31st.
17. Notices: i All notices to members shall be deemed to have been sent if they are dispatched by ordinary post to the address of record of the member, and is so recorded in the 'Mail Register' of the Association.
- ii It shall be the responsibility of members to inform the General Secretary of any change of address to which notices should be forwarded.
18. Address of Association The address of the Free Media Movement for the time being shall be 237/22, Wijeya Kumaranatunga road, Colombo 05. This address could be changed by the Working Committee with the consent of the Board of Trustees.
19. Representation : No member shall participate of speak at any public event, publish letters or articles, give interviews, make or issue statements claiming to represent The Free Media Movement without the consent of the Working Committee.
20. Matters not covered here : The Working Committee shall have the power to take decisions as it deems fit on any matters not covered in this Constitution, where speed of action is considered necessary and is seen to be so.
21. Membership Interpretation : Wherever stated in this Constitution, the words 'Member' of 'Members' shall include both Senior Members and/or Invitee Members, unless otherwise stated.

Adopted at the First General Meeting of the Association held at Anuradhapura on November 8th, 1992 by unanimous consent of the members present, at which meeting the following trustees, Office Bearers and Committee Members were elected to the Working Committee, unanimously.

Convener : Mr. Ariyananda Dombagahawatte
 General Secretary : Mr. Saman Wagarachchi
 Treasurer : Mr. Bandula Padmakumara
 Assistant Secretary : Mr. Chandaha Kirthi Bandara
 Committee Members : Messrs Lucien Rajakarunanayake, Varuna Karukatilake, Newton Seneviratne

Trustees:

The meeting also elected the following members to the Board of Trustees.

Mr. Sunanda Deshapriya
Mr. Ajith Samaranayake

Convener

General Secretary

Trustee