

# **RING CONSTITUTION AND BYLAWS**

The Constitution and Bylaws should be tailored to a Ring's specific administrative form and needs. In some Rings, a Board of Directors makes most decisions. In others, particularly smaller Rings, the entire membership is involved in the decision making process. The Ring structure depends also on the state/province and country in which the Ring resides and the laws governing fraternal organizations there. Some Rings, because of size and/or laws of the political entity in which they reside, incorporate their organizations, while others may not.

These significant variations make it impossible for the International Brotherhood of Magicians to provide an official model of a Ring Constitution and Bylaws. Rather, presented here is an example of what one Ring has used. Notes in *Italics* reflect some obvious areas where this Constitution and Bylaws could be tailored to each Ring. It truly is mandatory that each Ring develop its own Constitution and Bylaws, incorporating the structure under which they wish to operate and as influenced by the laws under which they are governed.

The function of the Constitution is to describe the organization, providing information on its: name and location; objectives; membership characteristics and interests; organizational and administrative structure including a few critical operational rules. Usually items in the Constitution rarely change without a major shift in purpose of an organization.

The Bylaws may touch on structure but tend to place more emphasis on how and when things are done. For example, how do individuals become members or when are elections held. Details of the organization are added, but they cover items that are more open to change than those found in the Constitution. The Bylaws do not cover every possible decision that will be made, but touch on crucial issues, for example, responsibilities of officers and how they are elected.

Some Rings go further using a Policy and Program Manual that complements the Bylaws. In it they record important decisions the Ring has made and document activities and protocols that are followed. This provides the Ring a consistent direction and focus and eliminates officers and members having to repeatedly make decisions on the same subjects or recreate protocols and procedures. It also helps by keeping excessive detail from being placed in the Bylaws. The Policy and Program Manual is not a substitute for the Bylaws but is a highly valuable guide and a record of significant decisions.

The International Brotherhood of Magicians' Legal Advisor should approve a Ring's Constitution and Bylaws. This check eliminates any conflicts between the Ring's Constitution and Bylaws and that of the parent organization.

***RING NO (number) OF THE  
INTERNATIONAL BROTHERHOOD OF MAGICIANS***  
**RING CONSTITUTION**

**ARTICLE I, NAME**

**Section 1.** This organization shall be known as (*descriptive term if one used*), Ring No. (*number*) of the International Brotherhood of Magicians.

**Section 2.** The Headquarters of this organization shall be (*city, and state, province or country*).

**ARTICLE II, STRUCTURE**

**Section 1.** This organization shall be (*governed or incorporated*) under the laws of (*state, province or country*), as a (*type of legal entity/structure*) organization.

**ARTICLE III, OBJECTIVES**

**Section 1.** To organize, associate, and encourage those interested in the art of magic and its advancement.

**Section 2.** To foster and advance the magical talents, creativity and knowledge of the Ring membership.

**Section 3.** To promote fellowship and social interaction, exchange of ideas and cooperation between those interested in the magical arts.

**Section 4.** To cultivate and advance the art of magic in the fields of entertainment, education and other cultural areas.

**Section 5.** To promote to the magical community an applicable code of ethics as established by the International Brotherhood of Magicians.

**ARTICLE III, MEMBERSHIP**

**Section 1.** There shall be four classes of Ring membership: Active, Junior, Associate and Honorary.

- Section 2.** An Active member must be at least 18 years of age and shall have been interested in magic for at least two years.
- Section 3.** A Junior member must be at least 12 years of age and less than 18 years of age and have been interested in magic one year. Upon reaching the age of 18, Junior members immediately become Active members with all privileges.
- Section 4.** An Associate member must be a spouse, or bona fide assistant to an Active or Junior member and be at least 18 years of age.
- Section 5.** Ring Honorary membership may be awarded to an Active Ring Member who has significantly advanced the Magical Arts.
- Section 6.** All Ring members must join the International Brotherhood of Magicians and remain members in good standing.
- Section 7.** As a condition of membership all Ring members shall pledge to be bound by the International Brotherhood of Magicians' Code of Ethics.

#### **ARTICLE IV, OFFICERS**

- Section 1.** The affairs of the Ring shall be (*conducted or directed*) by a Board of Directors comprised of the following elected Officers and Directors: President, Vice President, Secretary, Treasurer, (*or Secretary/Treasurer*) Sergeant at Arms, Immediate Past President and (*number*) Directors. Terms of office shall be for one year. The President shall not hold that office for more than two consecutive terms.

#### **ARTICLE V, QUORUM**

- Section 1.** At least (*number*) members of the Board of Directors must be present at any Board Meeting to constitute a quorum.
- Section 2.** At least (*number of members or percent of membership*) members of the organization must be present at any regular Ring meeting to constitute a quorum.

## **ARTICLE VI, AMENDMENTS TO THE CONSTITUTION**

**Section 1.** Amendments to this Constitution may be made at any regular business meeting of this organization by a three fourths vote of the members present, provided that this proposed amendment or amendments have been posted and/or read at the two immediately previous regular Ring meetings, or provided that such proposed amendment or amendments have been distributed to the membership and received three fourths votes of those votes cast by mail ballot.

## **ARTICLE VII, GOVERNING BODY AND INTERNATIONAL BROTHERHOOD MAGICIANS**

**Section 1.** Any provisions within the Ring Constitution and Bylaws that are in conflict with the Constitution and Bylaws of the International Brotherhood of Magicians and/or laws covering the (*state, province or country of location*) will be superseded by the rules and laws issued by the latter governing bodies.

## RING BYLAWS

### **ARTICLE I, MEMBERSHIP APPLICATION AND PRIVILEGES**

**Section 1.** Application for Active membership must be made on an approved membership form and be properly signed by the applicant. Two Active, Associate or Honorary members of the Ring stating that the applicant is of good moral character and worthy of membership must endorse the application. The application will be accompanied by the current membership fees established by the Board of Directors.

**Section 2.** Junior Memberships are secured by the same procedures as is required for Active membership. Junior Members shall enjoy the same privileges as Active members except they shall have no vote in the meetings or may they hold office; however, they may serve on committees. Upon reaching the age of eighteen years they shall be recognized as Active members.

**Section. 3** Associate Memberships are secured by the same procedures as is required for Active membership. Associate Members shall enjoy the same privileges as Active members.

**Section 4** Honorary Membership in Ring (*number*) may be granted to Active Ring (*number*) members who have attained distinction in the Magical Arts. Recommendations for Ring Honorary Membership shall be initiated by a unanimous recommendation of the Board of Directors and shall be decided by a three fourths majority vote of the members present at a regular meeting in which this item of business is on the published agenda or via a mail ballot. In addition to their distinction, Honorary Ring Members shall possess the same privileges as an Active Member but pay no Ring dues.

### **ARTICLE II, MEMBER SUSPENSION AND EXPULSION**

**Section 1.** Members may be suspended or expelled from membership or removed from the executive offices of the Ring for: any conduct, which is not in the best interest of the Ring; violation of the Code of Ethics; and violation of the Ring Constitution and Bylaws. The decision to expel, suspend or

remove from office rests on first, a recommendation by the Board of Directors to do so, followed by a three fourths majority vote of the membership at a meeting in which the membership is notified of the issue at least one month prior to the voting. Members considered for expulsion, suspension or removal from office will be formally notified and be given due opportunity to meet with the Board and membership prior to any vote on such action.

### **ARTICLE III, DUES**

**Section 1.** The Board of Directors shall establish annual dues for all membership classes during the annual budgetary review. Any changes in rate will be published in the Ring newsletter. Dues shall be payable before (*date*) for the following calendar year.

**Section 2.** Any member who becomes in arrears may be subject to late payment fees, and if for a period greater than three months shall, subject to a decision by the Board of Directors, forfeit their membership and be subject to reinstatement only upon making application as a new member.

### **ARTICLE IV, DUTIES OF OFFICERS**

**Section 1.** It shall be the duty of the President to be the Chief Executive Officer of the Ring and: guide it after due council with the Board of Directors; preside at all meetings of the organization and serve as an ex-officio member of all committees.

**Section 2.** The President shall, after due counsel with the Board of Directors, appoint standing and ad hoc committees as necessary to carry out the Ring's activities and functions. It is mandatory that the President upon assuming office promptly assigns the following positions and committees:

- 1.) An Auditing Committee, which shall audit the books of the treasurer at the end of the fiscal year and provide a written record of their audit to the Ring Board of Directors.

- 2.) A Budget Committee, which shall present a proposed annual budget to the Board of Directors within forty-five days after the start of the fiscal year.
- 3.) A Scribe who shall submit monthly reports and other articles to The Linking Ring.
- 4.) A Historian who shall maintain the historical archives and critical permanent records of the Ring.
- 5.) An Editor who will be responsible for the publication of the Ring newsletter.

**Section 3.** The Vice President shall assist the President in the duties of that office, and in the absence of the President serve as the Ring's presiding officer. The Vice President may serve as an ex officio member of committees in substitution for the President and assume other duties delegated to him. The Vice President will serve on the Budget Committee (*and jointly with the Secretary maintain the Policy and Program Manual; use if one is maintained*).

**Section 4.** The Secretary shall: keep a true record of all meetings; maintain files of significant correspondence related to the Ring; execute in a timely manner the Ring correspondence including submission of required reports and requested information to the executive office and officers of the International Brotherhood of Magicians; and perform other duties as delegated by the Board of Directors. (*The Secretary in conjunction with the Vice President is responsible for updating annually the Ring's Policy and Program Manual. Use if one is maintained*).

**Section 5.** The Sergeant At Arms will assure the hospitality of the Ring is extended to members and guests. The Sergeant of Arms will assure that all persons attending Ring closed meetings are members of the Ring in good standing or approved guests.

**Section 6.** The Treasurer shall oversee all deposits and receipts of money of the Ring and shall assure prompt payment of all properly approved Ring obligations. The Treasurer shall maintain accurate accounting records of all receipts and disbursements and report the status of these against the Ring's budget to the Board of Directors (*or the Ring Membership*) on a schedule specified by the Board of Directors. (*The Treasurer will secure a fiduciary bond covering the officers and other persons deemed necessary by and for an amount approved by the Board of Directors. Use if appropriate*) The Treasurer will also Chair the Budget Committee and review the Ring's financial accounts and recommend alternative banking facilities and investments.

**Section 7.** The routine business of the Ring shall be administered by the Board of Directors. They shall consider and take action on any proposals submitted to it by members of the Ring. They may act upon such proposals or prepare from them a suitable motion to be presented for consideration at any regular meeting of the Ring. (*modify this section as desired to reflect Ring membership involvement in the decision making process*)

**Section 8.** In the case of the death, resignation or inability of any officer to serve, the Board of Directors shall appoint a successor. Such successor will serve until the next annual election.

**Section 9.** The Board of Directors shall investigate all grievances arising from conduct unbecoming a Ring officer or member. They may present proposals to the membership for action to expel, suspend or remove from office any members for such conduct.

#### **ARTICLE IV, FINANCIAL COMMITMENTS & SECURITY BOND**

**Section 1.** No officer or other member of the Ring shall make any expenditure or enter into any contract that becomes a

financial obligation of the organization, unless the expenditure or contract has been approved by the Board of Directors (*or the Ring*) either as a special commitment or as part of its annual budget. Committee Chairs of major functions, e.g. public shows and banquets, shall submit a budget to the Board (*or the Ring*) for approval prior to commitment of funds.

**Section 2.** An emergency fund in an amount agree upon by the Board (*or Ring members*) shall be established for President's use to cover unforeseen expenses. Payments made from this fund must be reported to the Board of Directors (*or Ring members*) who may sustain it at the authorized level. Approval for payment of an extraordinary expense beyond the limit of the fund shall be authorized only upon the approval of the Board of Directors (*or Ring membership*).

**Section 3.** A fiduciary bond payable to the Ring and equivalent to the maximum amount in the treasury will be secured on the treasurer and other officers and members deemed necessary by the Board of Directors. The Ring shall pay the premium for this bond. (*note, security bonds are highly desirable if cost justifiable*)

## **ARTICLE V, METHOD OF ELECTION**

**Section 1.** The Board of Directors will annually recommend candidates for nomination for the elected offices of the Ring. This shall be completed by ninety (*specific number*) days prior to the date of the annual election, the first regular meeting in May (*date*). Such recommendations shall not exceed two candidates for each office and shall be published in the Ring newsletter at least sixty days prior to the election. In addition any qualified member may be nominated for offices of the Ring by petition, provided said petition is submitted to the Ring Secretary before March 1 (*date*) and is signed by fifteen (*number*) Active, Associate or Honorary members. (*Note elections may be accomplished by mail as described here or held at a regular Ring meeting. Larger Rings tend to*

*do mail ballots whereas smaller Rings elect at meetings. Change Sections 1 and 2 to reflect the Ring's desired approach)*

**Section 2.** Thirty days prior to the annual election an official ballot, containing the names of all qualified nominees, shall be distributed to each Active, Associate and Honorary member. Ballots shall be marked and returned no later than the date designated on the ballot and to the address shown. The ballots shall be sent in an envelope marked "Election Ballot" and delivered to a Ballot Committee, consisting of three members appointed by the Board. The Ballot Committee shall secure and count all ballots and report the results to the Board within one week of the election. The decision of the Ballot Committee shall be final in instances involving the validity or questionable marking of a ballot. Election to all offices shall be by a simple majority of the ballots cast. Nominees named for elective offices, who are uncontested, shall be elected with out balloting.

**Section 3.** The Board of Directors shall in establishing the rules and timetables for the conduct of the election are guided by the principle that all qualified members should have the privilege of voting.

**Section 4** Elected Officers assume their responsibilities after the first regular meeting in June (*month*).

## ARTICLE VI, MEETINGS

**Section 1.** The Ring shall hold its regular meetings on the (*first Friday or whatever day{s} of the week are appropriate*) of the month. At the discretion of the Board of Directors, meeting dates that conflict with holidays or other events may be canceled or moved to a different date. The Board of Directors may shift the meeting night to accommodate special events and it may add additional meetings for lectures and other magic or social activities.

## ARTICLE VII, AMENDMENTS TO THE BYLAWS

**Section 1.** Amendments to the By Laws may be made at any regular business meeting of this organization by a two thirds vote of the members present, provided that the membership has been notified of the proposed changes by mail at least two months prior to meeting and the proposed amendments have been posted in the two business meetings immediately prior to that in which when the vote is taken.

## ARTICLE VIII, GENERAL

## ARTICLE IX, DISSOLUTION

**Section 1.** In the event of the dissolution of the Ring, the Board of Directors shall after the payment of organization's financial liabilities, dispose of all its assets to an organization or organizations organized explicitly for the advancement and support of the magical arts. Such organization(s) shall at the time be qualified and operating explicitly as an exempt organization, organized under Section 501 (C) (3) of the Internal Revenue Code of 1954 or future provisions of the Internal Revenue Code. (*Consider such a statement if applying to become a not for profit corporation in the United States.*)

**Section 2.** The Board of Trustees will maintain a Policy and Program manual to provide working guidelines for the Ring officers and membership. The Policy and Program Manual will be updated annually and will be based on Board decisions that delegate responsibilities and create actions that maintain direction and focus to Ring activities and policies. (*note maintenance of such a manual is encouraged and is highly beneficial to incoming officers. This is also an excellent place to keep protocols of and for Ring ceremonies, contests, etc.*)

**Section 3.** Robert's Revised Rules of Order shall govern Ring meetings when not in conflict with the Ring's Constitution

and Bylaws or (*state province or country*) laws covering this organization.