

Agreed by AGM on 21st September 2009

FORTH VALLEY MAGIC CIRCLE CONSTITUTION

(1) Name

The name of the Society shall be FORTH VALLEY MAGIC CIRCLE

(2) Objects

The objects of the Society shall be:

- i. To promote and develop the Art of Magic.
- ii. To encourage and improve the performance of Magic.

It is expressly declared that the Society is non-profit making and is established for charitable objects and purposes only.

(3) Powers

The Society shall have the power to do anything considered by the Executive Committee to be in furtherance of the foregoing objects or any of them, and in particular, but without prejudice to that generally;

- i. To acquire by donation, loan, purchase, feu, excambion, lease, hire hire purchase or otherwise, any heritable or moveable property; to construct, maintain and alter any buildings or other property; and to gift, lend, sell, lease or otherwise dispose of any property of the Society.
- ii. To raise, hold and bank or otherwise invest, apply and distribute funds.
- iii. To employ staff, and to do all things which may be deemed necessary or appropriate in relation to such employment.
- iv. To promote and provide for education, training, research, and the dissemination and interchange of knowledge and information and to advertise.
- v. To borrow money and to give security there for.
- vi. To take such steps as may be necessary to qualify for tax exemption or other benefits.

(4) Liability

Forth Valley Magic Circle shall not be responsible for any accidents or loss of, or damage to property belonging to any person, nor will it be responsible for any injury to any person, during the course of the activities of the society.

All members of the Society shall be responsible for insuring themselves against liability when performing any act of magic.

(5) Membership

- i. Full membership of the Society may be offered to competent applicants. Such full members shall have one vote in General Meetings (which vote may be exercised by a proxy appointed in writing) and shall be eligible for election to the Executive Committee of the Society.
- ii. The minimum age of 14 years shall be attained before any applicant for membership can be considered.
- iii. Any full member may be offered Honorary Membership if the Executive Committee deem it appropriate. The offer of Honorary Membership may only be made at the Annual General Meeting with the Society's consent.
- iv. Country Membership may be offered to a full member leaving Forth Valley Magic Circle so that they may return without formality at some future time. Country members will have no voting rights at any General Meetings.
- v. Competence or Suitability for membership will be decided by the Executive Committee, whose decision shall be final.
- vi. Application for Membership shall be in writing and countersigned by two full members as Proposer and Seconder. The Executive Committee retain the right to refuse any application and will notify the applicant in writing.
- vii. Prospective Members may be invited to attend a maximum of two meetings before there application is considered.
- viii. Members wishing to leave Forth Valley Magic Circle should submit there resignation in writing giving one calendar month's notice.
- ix. The amount of the Annual Subscription fee payable upon acceptance to membership shall be decided by the Executive Committee giving consideration to what portion of the Financial Year is still to run.
- x. Annual Subscriptions become due at the Annual General Meeting. A member who fails to pay their subscriptions within three calendar months of the A.G.M. will be deemed to have resigned. The Executive Committee shall have discretion to waive subscriptions.

(6) Financial Year

The Financial Year of the Society shall commence on the 1st August and end on the 31st July.

(7) Executive Committee

- i. The management of the Society shall be vested in an Executive Committee. The Executive Committee shall exercise on behalf of the Society the powers set forth in Article 3 of this Constitution, and shall have the power to bind this Society. The Executive Committee shall

be bound by any resolutions passed by a duly convened General Meeting of the Society. Moreover, the Committee shall not, without the sanction of the Society in such a General Meeting, incur indebtedness which shall in total exceed the value of the assets of the society or the sum of two years Annual Subscriptions calculated upon current membership and subscription rates, whichever is the greater.

- ii. The Executive Committee shall consist of a President, Vice President, Secretary, Treasurer and two Committee members. The President, Vice President, Secretary and Treasurer shall be elected annually by the Society at the Annual General Meeting, to serve until the next Annual General Meeting. These office bearers shall be eligible for re-election except that no person may hold the office of President or Vice President for more than three consecutive years. Casual vacancies shall be filled by the Executive Committee by co-option to serve on the Executive Committee until the next Annual General Meeting.
- iii. The Executive Committee shall have the power to appoint such specialist or professional advisers as may be considered appropriate and invite them to attend meetings of the Executive Committee as appropriate, but any such person shall not be entitled to vote.
- iv. The Executive Committee shall meet each year on at least one occasion. The Secretary shall circulate to each member of the Executive Committee notice of each meeting with an agenda and a copy of the minutes of the previous meeting. The President of the Society, whom failing, the Vice President, whom failing, such person as shall be elected, shall preside at the meetings of the Executive Committee and shall have a casting as well as a deliberate vote.
- v. The Executive Committee may appoint sub-committees, advisory groups and working parties etc. where permanent or otherwise, as it may consider necessary.
- vi. Any member of the Executive Committee, who knowingly or recklessly fails to carry out their duties as defined in this Constitution, may be subject to disciplinary action at an Extraordinary General Meeting which may be called by any three full members.

(8) Finance

- i. The Treasurer shall be responsible for keeping accurate records of all the financial transactions of the Society. A balance sheet shall be prepared showing all income and expenditure up to and including the 31st July annually. This date is subject to change. These accounts shall be audited by auditor(s) who shall be appointed by the Society at a duly convened General Meeting. The accounts will be part of the Treasurer's report submitted at the next following Annual General Meeting.
- ii. All property or money received by or for the Society shall be applied for the objects of the Society and shall not be given or paid to any member or officer of the Society except for services actually rendered to the Society or for expenditure properly incurred on its behalf.
- iii. The funds, property and contracts of the Society shall be taken and held in the name of the Society, or in the name of the President, Vice President, Secretary or Treasurer and their respective successors in office as trustees for the Society, as the Executive Committee in each case may resolve. The Executive Committee shall have the power to instruct the Society's bankers as appropriate with regard to the actual operation of the Society's accounts.

(9) Artifacts

The custody and security of all the artifacts belonging to the Society will be the responsibility of a full member elected at the Annual General Meeting. A list of the artifacts will be retained by the Secretary and produced and verified at the Annual General Meeting.

(10) Annual General Meeting

The annual General meeting of the Society shall be held within three calendar months following the end of the Financial Year. The Secretary shall give not less than 21 days notice to all members of the date, time and place of the meeting, and shall provide an agenda specifying the business to be transacted. The agenda shall include inter alia reports by the Treasurer; consideration and adoption of the Society's accounts, fixing the level of Annual Subscriptions, election of the Executive Committee and any other competent business. The President, whom failing, the Vice President, whom failing, any full member as shall be elected will chair the meeting and have a casting as well as a deliberate vote. In the event of the business not being concluded, the President shall have the power to adjourn the Annual General Meeting to re-convene at a later date. The only business of such a re-convened Annual General Meeting shall be that which was uncompleted at the original meeting.

(11) General Meeting

A General Meeting of the Society may be called at the request of the Executive Committee or by the written request signed by three full members of the Society clearly stating the business to be transacted. In either event the Secretary shall not give less than 21 days notice to all members of the date, time and place of the meeting, which shall not be later than 35 days after the request for the meeting. The President, whom failing, the Vice President, whom failing, any full member as shall be elected will chair the meeting and will have a casting vote as well as a deliberative vote. In the event of the business not being concluded, the President shall have the same powers as the Annual General Meeting.

(12) Quorum

No meeting, whether Annual General, General or Extraordinary, shall take place without a quorum attending. A Quorum shall consist of at least two Executive Committee officers and, in addition, at least four Full Members or fifty per cent of the current Full Membership (whichever is the greater)

(13) Voting

In any meeting, whether Annual General, General, Extraordinary or Executive Committee, the voting shall be on the basis of a simple majority with the option of a secret ballot as may be deemed appropriate.

(14) Dissolution

In the event of dissolution any surplus funds or assets after satisfaction of the whole indebtedness of the Society shall be paid and made over to the Scottish Association of Magical Societies to help in the continuation and promotion of magic in Scotland. The disposal of the assets of the Society will be decided at a General Meeting by the current Full Members at the time of Dissolution.

(15) Disciplinary Action

Such action, decided at a General Meeting, will be brought against a member of the Society, who:-

- i. Indiscriminately or deliberately exposes magical secrets to anyone out with the magic fraternity, or
- ii. Brings Forth Valley Magic Circle into disrepute.

Disciplinary action may consist of censure, suspension or termination of membership or removal from office.