



THE CLAN MACMILLAN  
SOCIETY OF NORTH AMERICA



# CONSTITUTION

March 1975

## ARTICLE I

### Name and Purposes

Sec. 1--The name of this organization shall be The Clan MacMillan Society of North America (hereinafter called "Society").

Sec. 2--Purposes of the Society are to provide for practical communication of The Chief of the historic, officially recognized Scottish Clan MacMillan with his clansmen in North America; promote a closer bond of fellowship among MacMillan clansfolk; promote MacMillan prestige; and provide a convenient source of MacMillan clan and related information to members and others. Consistent with the wishes of The Chief, as may be expressed from time to time, the Society shall provide North American representation for the Clan.

## ARTICLE II

### Membership

Sec. 1--Recognizing that a "clan society" and a Highland Clan need not have coincidental membership qualifications, but nevertheless preferring to identify closely with the traditional constituency of the Clan MacMillan, membership shall be classified as follows:

**EX OFFICIO**--The Chief of the Clan MacMillan, the Spouse of The Chief, the Heir Presumptive of The Chief; Chieftans of the Clan; the Bard and Historian of the Clan.

**REGULAR**----North American residents who, by application of Scottish law or tradition, are recognized as members of the Clan MacMillan or a Sept thereof. (Women of the Clan shall not lose eligibility for Society membership because of marriage to a non-MacMillan or demise of a MacMillan spouse.)

**ASSOCIATE**---Persons accepted into membership of a constituent Branch of the Society but not eligible for Regular membership, and husbands of Regular and Associate members who are otherwise ineligible.

**HONORARY**----Distinguished persons who are eligible for Regular membership and who are designated by action of the Society Executive. Honorees shall be so designated for a current annual membership period only, but may be redesignated in succeeding annual period(s).

Sec. 2--No member in good standing at time of adoption of this Constitution shall be deprived of membership because of the foregoing.

Sec. 3--Persons seeking membership in the Society must apply in writing, and the application must be endorsed by a Member. Election to membership shall be by action of the Society Executive.

Sec. 4--A membership may be terminated by resignation or, for cause, by three-fourths vote of the Society Executive plus concurrence of the Society Trustees.

**Sec. 5--Members shall make annual contribution according to the following schedule:**

<b>Regular or Associate Member</b>	<b>\$5.00</b>
<b>Regular or Associate Member who is retired or is 70 years of age or more</b>	<b>2.00</b>
<b>Additional Regular or Associate Member at same mailing address*</b>	<b>2.00</b>

**\*Shall be entitled to personal membership credential but shall not receive duplicate Society mailings except for ballots.**

**Sec. 6--Annual contributions may be waived by the Society Executive when, in their judgement, circumstances warrant.**

**Sec. 7--The honor of Life Membership in Regular or Associate category, with all contribution thenceforward waived, may be voted by the Society Executive with concurrence of the Society Trustees.**

**Sec. 8--Gifts of cash, negotiables and items of historical, cultural and traditional value, and trusts therefor, shall be encouraged from Members and others, subject to decision of the Society Executive in each particular case.**

### **ARTICLE III** **Management**

**Sec. 1--Elective officers of the Society shall be: a President, a Vice President, and two Secretaries, one designated (Canada) and one (United States). The President and Vice President shall not both be residents of the same country, and the Presidency shall alternate between the countries.**

**Sec. 2--An Administrative Officer-Bursar shall be appointed by the President, with concurrence of the Society Executive, subject to bonding as may be required by the Society Trustees.**

**Sec. 3--With his consent, the Bard and Historian of the Clan MacMillan shall be ex officio Bard of the Society.**

**Sec. 4--The Society Executive shall consist of the Elective Officers, together with the Administrative Officer-Bursar. The Society Trustees shall be the current President, together with all Past Presidents who, at the beginning of each Presidential term of office, signify in writing their willingness to serve. The Chief of the Clan MacMillan shall be ex officio and non-voting member of the Society Executive and Society Trustees, and shall be timely informed of all substantive actions of both.**

**Sec. 5--Management of the Society shall be conducted by the President, as its chief executive officer, who shall act under authority of this Constitution, decisions of the Membership as expressed by vote, and decisions of the Society**

**Executive**, as may be appropriate, and in consonance with the Trustees' action, where required. He shall ensure continuity of Society operations, including but not limited to timely planning, financial management, membership services, representation of The Chief (in accordance with The Chief's desires), promotion and public relations, and such other actions as may be required to give effect to the requirements of this Constitution; and he shall preside at all meetings, except that in his absence from a called meeting of the Society Trustees, the Trustees shall select an Acting Chairman from their number. He shall be assisted by the Society Executive, together with the Editor and Publisher of the Society publication and such other assistants, regional coordinators, and committees as he may require and appoint from the Membership.

**Sec. 6--**The Vice President shall act as President, in event of death or extended absence from duty as determined by the Society Executive with concurrence of the Society Trustees, and in absence of the President shall preside at called meetings of the Society Executive and of the Society.

**Sec. 7--**The Secretary for each country shall perform such duties as may be assigned by the Society Executive with respect to members resident in his country. The nationally appropriate Secretary shall succeed to the office of Vice President, should vacancy occur.

**Sec. 8--**The Administrative Officer and Bursar shall be the official records-keeper and archivist of the Society, and shall cause to be made and authenticated triplicate copies of all official meetings minutes, one of which shall be retained as the official record, one deposited with the President, and one made available, upon his request, to the Editor of the Society's newsletter or such other publication as is authorized to be circulated to all Members. He shall also maintain, in the Society's name, such bank or other financial institution account(s) as may be directed by the President with concurrence of the Society Executive, and shall disburse funds as properly he may be directed to do. (Continuous availability of such accounts to the Society, with consideration to both normal and unusual changes of authenticating officers, shall be protected by a system of alternatively recognized signatures.) In execution of his office, he shall be responsible to the President, to the directives of the Society Executive, and in financial matters to the Society Trustees as well. If he be bonded, it shall be at Society expense.

**Sec. 9--**Officers shall be elected from among Regular members by majority vote of those voting. All Regular and Associate members in good standing shall be eligible to vote. Terms of office shall be two years or until successors are qualified, whichever is longer. A Nominating Committee shall be named by the President, with concurrence of the Society Executive, during the last half of each "even" numbered year, and the Committee's slate shall be presented to the Membership for election. Write-in names may be voted with equal validity, and ballot count shall be conducted as directed by the Society Executive.

**Sec. 10--**All disbursements shall be accounted for by signed expense voucher, and shall be authorized by vote of the membership, by an approved budget, or, in emergency, by action of the Society Executive. Financial records shall be retained in the permanent Society archives.

**Sec. 11--**Expenditures shall be limited to Constitutional purposes of the Society. The Society shall not be responsible for obligations of branch or otherwise affiliated societies, nor shall the Society or any member or part thereof be committed

to any financial obligation, guarantee or endorsement without his or its prior written consent.

**Sec. 12--Vote of the Membership, or of Society Executive or Trustees, may be made in meeting assembled or by mail ballot.**

**Sec. 13--Communication. It is the intent of this Constitution that:**

(a) At least one Gathering of the Society be held each biennium, to be called by the Society Executive.

(b) A Society periodical magazine or newsletter, of size to be determined by its Editor-Publisher (subject to approved budget), shall be published to the Membership at least three times per year, and that important information regarding Society affairs shall be included therein.

#### **ARTICLE IV** **Branch Societies**

**Sec. 1--Society branches or groups afford a practical, year-around means for MacMillan clansfolk to assemble in areas convenient to places of residence, and their organization shall be encouraged by the Society.**

**Sec. 2--Such affiliates shall be autonomous in internal affairs; shall not, without express advance written authority, represent the Society per se; and their purposes and identity shall be consistent with those of the Society. A copy of their current constitution, by-laws, and/or such other circumscribing documents, and of their roster of members who are to be carried as Associate Members of this Society, shall be filed, and updated as amended, with the Administrative Officer of the Society, as may be required by the Society Executive.**

**Sec. 3--Affiliation shall be recognized, when appropriate, by action of the Society Executive, and confirmed by Membership vote at the next following Society assembly or officer election.**

#### **ARTICLE V** **Amendment**

**Sec. 1--A proposed amendment to this Constitution first shall be submitted to the Society Executive. If approved, it shall then be submitted by mail to the voting Members in good standing. A two-thirds favorable vote by Members returning ballots within twenty days shall be required to ratify the proposed amendment.**

**(End)**

**The foregoing Constitution has been endorsed by the Chief of the Clan MacMillan and approved by the Executive Committee of the Clan MacMillan Society of North America for submission to the Membership.**

**Please retain this copy for your permanent files.**

(Constitution consists of 4 pages; 19, 20, 21 and 22)