

ARTICLE B-1 - GOVERNMENT

The name of the organization shall be the Accredited Gemologists Association Inc. hereafter referred to in this document as the Association, AGA or Accredited Gemologists Association.

Section 1: The Association shall be governed under the powers established by its Constitution in accordance with its Certificate of Incorporation in California and as implemented by these Bylaws as adopted by the Board of Governors.

Section 2: Every question presented to any meeting of the Association to the Association or its Board of Governors shall be decided by the majority vote of those present unless it is otherwise provided for in the Constitution, the Bylaws or in the Laws of California in which it is Incorporated.

Section 3: Any of the Association's data, findings, reports or publications may be copyrighted and/or sold at the discretion of the Board of Governors and at such prices, rates or fees as the Board of Governors may determine.

Section 4: The Accredited Gemologists Association Inc. (AGA) is a non-profit organization dedicated to professional standards of:

- a) Gemological education,
- b) Scientific gemological research,
- c) Identification and quality determination of gem material and jewelry,
- d) And other lawful purposes.

AGA brings information to the public to increase their knowledge so they may be better prepared to make informed decisions relating to gemology and jewelry. AGA provides guidance to resources available to the public involved in related disputes. AGA will act as a resource to government agencies when requested to do so.

Section 5: Upon dissolution of the Association, all assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code, or shall be distributed to a federal, state or local government, for a public purpose of a gemological nature in either education or scientific research.

ARTICLE B-2 - MEMBERSHIP APPLICATION

Section 1: All applications for membership in the Association shall be made upon invitation by the Association or its members. It shall be the duty of the Membership Committee to determine the eligibility of the prospective member before membership is granted. Should it be required, the AGA Headquarter staff will assist in such determination.

Section 2: For those applicants holding gemological credentials from an institution recognized by the Association, initial application for membership in the Association shall be for admission in the grade of Voting Member or Life Member.

Section 3: Membership applications submitted by those who do not hold gemological credentials from an institution recognized by the Association shall be for admission in the grade of Associate Member, Student Member or Corporate Member.

Section 4: Companies in good standing within the gem and jewelry industry may submit an application for Corporate Membership.

Section 5: Membership in the Association shall be available to all who meet the requirements for membership as specified by the Constitution and Bylaws.

Section 6: Application for membership shall be submitted on the approved membership form to AGA Headquarters. The Application shall be processed in accordance with Administrative Rules #1, 2, or 3 depending on the membership level involved.

Section 7: Every application must be submitted with remittance in full payment of the prescribed initiation fee and current annual dues as established in the Appendix to the Bylaws; Administrative Rule #5.

Section 8: Applicants for all membership levels, except student membership, shall submit at least three (3) business and/or professional references.

Section 9: Every applicant, upon admission to the Association, shall conduct themselves in a manner that reflects credit upon the field of gemology and adheres to the AGA Code of Ethics.

Section 10: Every membership application submitted must be signed by the applicant, asserting consent to abide by and conform to the Code of Ethics, Constitution, and Bylaws of the Association. Written signatures are required on all hard copy applications, while completion of the required action to accept the terms and conditions constitutes a signature on digital applications.

Section 11: Acceptance or rejection of the applicant for membership shall be handled in accordance with Administrative Rule #1, 2, or 3 depending on the membership level involved.

ARTICLE B-3 - ADMISSION AND ADVANCEMENT

Section 1: The Board of Governors shall formulate appropriate procedures to be used in processing the Associations membership. Specific procedures shall be:

- (a) Administrative Rule #1 - Procedure for Admission of Student or Associate Member
- (b) Administrative Rule #2 - Procedure for Admission to Voting Member or Life Member
- (c) Administrative Rule #3 - Procedure for Admission to Corporate Member
- (d) Administrative Rule #4 - Procedure for Advancement to Associate Member, Voting Member, Life Member, Retired Member, or Honorary Life Member.

Section 2: A Student Member or Associate Member may advance to the grade of Voting Member providing the Student/Associate Member meets all the requirements outlined in Administrative Rule #4.

ARTICLE B-4 - MEMBERSHIP STATUS AND CHANGES

Section 1: The termination, resignation, reinstatement and transfer of membership shall be determined in accordance with the provisions of this article.

Section 2: Every member whose dues are not in arrears shall be deemed a member in good standing and entitled to all the privileges of the member's grade of membership barring any action by the Board of Governors to suspend or terminate said membership.

Section 3: A member who neglects to pay dues in full and whose default continues for three (3) months after said dues have become due and payable shall be deemed to have terminated membership in the Association and shall be dropped from the Membership Roster. At the request of the Treasurer, AGA Headquarters staff shall provide the delinquent member written notice that their membership will be canceled and their name removed from the Membership Roster unless dues are remitted in full within the ensuing thirty (30) days. Written notice of membership termination shall be sent to the member on the 91st day of delinquency by mail or email. Members serving with the Armed Forces or sustaining a protracted illness or hardship shall have the privilege of presenting the circumstances to the Board of Governors for special consideration and action before termination takes effect. Any suspension of dues granted by the Board of Governors shall remain in effect only during the fiscal year during which said suspension has been granted. If the hardship continues to exist past the end of the fiscal year, the Board of Governors may, upon proper request and investigation, continue to grant suspension of dues on an annual basis.

Section 4: Resignation of membership in the Association shall be via email or mail and directed to the Secretary. Upon such resignation there shall be no refund of dues paid by the member taking such action.

Section 5: Members who resign or are terminated from membership for cause shall surrender to the Association all past and current Certificates of Membership, pocket cards, pins, seals, and other Association insignia in their possession without rebate. The Secretary of the Association shall be responsible for securing the certificates, cards and insignia when membership ceases.

Section 6:

- (a) A member whose membership has been canceled by resignation or terminated for delinquency for less than one year may be reinstated to membership by payment of dues for and during the year in which the membership was canceled and payment of the reinstatement fee.
- (b) A member whose membership has been canceled by resignation or for dues delinquency for more than one (1) year but less than three (3) years may be reinstated after payment of all delinquent dues and related fees. Members who have Certified Gemological Laboratory (CGL) designation will be reinstated as Voting Members but shall be required to re-certify prior to reinstatement of their CGL designation.
- (c) A former member whose application for reinstatement has been denied may be considered for readmittance to the Association by following the procedure established for admission of new members.

Section 7: The Association shall bestow upon any of the classes of membership in the Association the status of Retired Member. To obtain a Retired Status, a member must not be engaged in any form of employment or services connected with the gemological profession.

The retired member shall be relieved of the payment of any dues. The Retired Member shall be privileged to attend all meetings, receive all meeting notices, and serve on committees. The member shall have a vote in Association affairs and shall be allowed to hold office. When stating his affiliation with the Association a Retired member shall indicate his retired status by appending the word "RETIRED" after his previously attained membership grade. Upon payment of the fee established annually by the Board of Governors, the member shall be entitled to Headquarters publications and listing in the Association's Membership Directory.

Section 8: The qualifications and procedures for Life Membership are as follows:

- (a) Voting membership of the Association in good standing.
- (b) Have made payment of Life Membership dues as set forth annually by the Board of Governors.

ARTICLE B-5 – COMPLAINTS

Section 1: A complaint against any member alleging conduct contrary to or in violation of the Association's Constitution, Bylaws, or Code of Ethics shall be made in writing (hard copy or electronic) to the President. No complaint will be officially acknowledged or accorded process under this article unless it is received by the President and signed by the Complainant.

Section 2: No person, who in good faith reports a complaint shall suffer intimidation, harassment, retaliation, discrimination or adverse membership or employment consequences because of such report. Any member or employee of the Association who retaliates against someone who has reported a complaint in good faith is subject to discipline up to and including termination of membership or employment. This Whistleblower Policy is intended to encourage and enable members and employees to raise serious concerns within the Association prior to seeking resolution outside the Association.

Section 3: Upon receipt of a complaint the President shall refer it to the Chairperson of the Ethics and Grievance Committee who within 20 days from receipt of the complaint from the President shall notify the member against whom the complaint has been filed by mail or email advising them of the specific violations alleged, including the specific provisions of the Constitution, Bylaws, or Code of Ethics, as well as the identity of the person or persons who initiated the complaint (Notice of Complaint). The member involved will be advised that they may submit a written explanation concerning the circumstances of such complaint within 30 days from the date of the Notice of Complaint.

Section 4: The Ethics and Grievance Committee shall, within 60 days from the date of the Notice of Complaint to the member, determine whether there is a reasonable basis for concluding that a possible violation has occurred, after consideration of the complaint and the member's explanation (if submitted). If the Committee shall find such a basis it shall immediately inform the member in writing that an investigation has been initiated (Notice of Investigation). In the event of such an investigation, the Chairperson of the Committee shall also inquire by mail or email of the member if they desire a hearing before the Board of Inquiry under the procedure established in this Article or agrees to submit the complaint to the Ethics and Grievance Committee without hearing. Said member shall have 20 days from the date of Notice of Investigation to elect a hearing. Failure to respond within 20 days shall be deemed a waiver of a hearing by the member.

Section 5: In the event that the member opts to proceed without a hearing, or has waived a hearing by failure to elect a hearing, said Committee shall complete its investigation and deliver a complete report, including its recommendations, by mail or email to the President within 60 days of the member's waiver of hearing. The President within 30 days shall notify the member of the Committee's findings and recommendations and inform the Board of Governors in preparation for any action the Governors deem appropriate under the provisions of this Article at the next scheduled Board meeting.

Section 6: In the event that the member elects to appear at a hearing:

- (a) The President shall within 20 days of such election cause a Board of Inquiry consisting of three (3) Members of the Board of Governors, to be appointed. The membership of such Board of Inquiry shall be appointed as follows: Two (2) members by the President; one (1) to be the Chairperson of the Board of Inquiry and one (1) member of the Board of Governors selected by the charged member. The President and the charged member shall not be eligible for appointment to the Board of Inquiry. If the member charged, for any reason, shall fail to appoint a member willing to serve on the Board of Inquiry within the 20 days provided in this subsection, then the President shall select the third member of the Board. The Board of Inquiry shall hold a hearing on the complaint within 60 days of its appointment.
- (b) The Ethics and Grievance Committee shall be responsible for the investigation and presentation of all matters pertinent to alleged violations to the Board of Inquiry. The presentation of the Ethics and Grievance Committee to the Board shall be made at the hearing by the Chairperson of the Ethics and Grievance Committee or by a member of that Committee designated by the Chairperson. In addition to receiving the presentation from the Ethics and Grievance Committee, the Board of Inquiry is authorized in its discretion to call any witnesses to testify at the hearing as they may deem appropriate. The individual member charged shall be entitled to be present at the hearings, with or without counsel, and shall be given an opportunity to be heard and to present such evidence or testimony before the Board of Inquiry as they may deem appropriate. Cost of member's legal counsel is to be borne by the member. Under no circumstances shall the Association be responsible for the cost of any legal counsel incurred by the member. (See Administrative Rule #6).
- (c) The hearing may be held by telephone or video conference or within the State in which the member lives at the discretion of the Chairperson of the Board of Inquiry keeping in mind the convenience of the parties and the cost to the Association. The date and time of the hearing shall also be determined by the Chairperson of the Board of Inquiry who shall notify the member in writing of information pursuant to the time and method of hearing. The hearing shall take place within 60 days from appointment of the Board of Inquiry except that the Chairperson of the Board of Inquiry may at their discretion grant an extension of up to 60 days beyond that time for good cause shown.
- (d) The Board of Inquiry shall, within 30 days after the hearing is completed, notify the President of its findings and recommendations in writing (hard copy or electronic).
- (e) The President within 30 days shall notify the member of the Board of Inquiry's findings and recommendations and inform the Board of Governors in preparation for any action the Governors deem appropriate under the provisions of this Article at the next scheduled Board meeting.

Section 7: The Board of Governors shall review the findings and recommendations of either the Ethics and Grievance Committee, if a hearing was waived, or the findings and recommendations of the Board of Inquiry if a hearing was held, and shall determine if the record on the complaint supports a findings of conduct contrary to or in violation of the Association's Constitution, Bylaws, or its Code of Ethics. If two-thirds (2/3) of the membership of the Board of Governors shall so find, then the Board may, in its discretion, impose any one or more of the following sanctions on the member:

- (a) A letter from the Board to the member setting forth its suggestions for remedying the violation and/or for future professional conduct of the member.
- (b) A letter from the Board stating the Associations censure of the members conduct.
- (c) Suspension of the member's membership in the Association for up to one year as determined by the Board. Suspension is a temporary abrogation of the benefits and privileges inherent in membership. A suspended member is obligated to pay dues and assessments. Such member may not hold office or vote in Association affairs. The member may attend meetings, seminars and other public functions of the Association but must indicate during the period of suspension when making reference to his affiliation with the Association that his membership is in a state of suspension in connection with an ethics matter.
- (d) Expulsion of the member from membership in the Association. In the event of expulsion, the Board shall notify the Secretary to require the expelled member to conform to the provisions of Article B-4, Section 6.
- (e) The Board of Governors shall notify the member in writing of its decision on the complaint and its imposition of sanction, if any, not later than 30 days from its receipt of the findings and recommendations of the Ethics and Grievance Committee if a hearing was waived, or of the Board of Inquiry, if a hearing was held.

Section 8: Any member of the Board of Governors or any member of the Ethics and Grievance Committee who is a party in a complaint shall be excluded from the investigative, deliberative, overview, review, and decision-making process.

Section 9: No complaint shall be dismissed for failure to adhere to the time limitations set forth in this Article unless more than one year has passed from the date that the Chairperson of the Ethics and Grievance Committee has received the complaint from the President to that date that the Ethics and Grievance Committee or the Board of Inquiry, as the case may be, notifies the President of its findings and recommendations, except that the President may grant an extension of time due to extenuating circumstances.

ARTICLE B-6 - FEES AND DUES

Section 1: All payments to the Accredited Gemologists Association shall be made in United States funds.

Section 2: The designated processing fees shall accompany all applications for membership.

Section 3: The Board of Governors shall determine the allocation of dues and fees and how they shall be collected as set forth in the Appendix to the Bylaws; Administrative Rule #5.

Section 4: The Treasurer of the Association shall issue notices for annual membership dues, fees, and assessments to each dues-paying member of the Association no later than thirty (30) days prior to the first day of each fiscal year. Should it be required, the AGA Headquarters staff will assist in this process.

Section 5: Whenever the Board of Governors votes any change in dues and fees or allocation thereof, immediate notification must be given to AGA Headquarters and all Officers and Governors.

ARTICLE B-7 – CERTIFICATE OF MEMBERSHIP

Section 1: Each member of the Association, upon advancement, shall receive a Certificate of Membership in the appropriate grade. The Certificate shall bear the Seal of the Association and indicate the member's name, grade, and date of advancement. The Certificate shall bear the signatures of the President and the Secretary.

Section 2: Members in the grade of Voting Member and Life Member have the privilege of purchasing from the AGA Headquarters for their personal use only, the Association's emblem pin and other insignia of the Association authorized by the Board of Governors.

ARTICLE B-8 - FISCAL & ADMINISTRATIVE YEARS

Section 1: The fiscal and administrative years of the Association, shall be determined by the Board of Governors.

Section 2: The fiscal year of the Association begins on January 1st and ends on December 31st.

Section 3: The membership year and annual dues run concurrent with the fiscal year

Section 4: Terms of office of the elected and appointed officers and the tenure of committees begin at midnight on the final day the annual Tucson conference and run to midnight on the final day of the Tucson conference that occurs in the last year of the term of office, except as otherwise directed by the Board.

ARTICLE B-9 - OFFICERS AND GOVERNORS

Section 1: The President shall:

- (a) Be the chief officer of the Association and shall preside at all of its meetings and those of the Board of Governors.
- (b) Be the official spokesperson in matters of public policy and set the direction and goals of the Association.
- (c) Implement and execute only the programs and policies approved and adopted by the Board of Governors. Such programs and policies require a majority vote of a quorum of the Board of Governors for approval.
- (d) Issue directives to the Administrative Staff and exercise such supervisory control over that staff as is necessary to consummate the programs and policies of the Board of Governors.
- (e) Delegate sufficient authority to the Administrative Staff to enable managing of the routine business affairs of the Association in a proper and satisfactory manner.
- (f) Receive and analyze financial reports prepared by or under the direction of the Treasurer of the Association, showing assets and liabilities and income and expenses, and to recommend immediately to the Board any emergency action which is considered necessary or desirable.
- (g) Keep the Board of Governors fully informed, by written memoranda or electronic mail, between Board meetings, of the status and progress of Associations affairs.
- (h) Appoint members to fill expired terms and vacancies occurring in standing committees and their chairpersons other than as shown in the Constitution.
- (i) Be a member of all committees (ex-officio) except the Nominating Committee.
- (j) Perform all duties usual to the office of President.
- (k) Issue Annual Report to the membership.
- (l) Provide oversight to Ad Hoc Committees

Section 2: The Vice President shall perform the duties listed below as well as such duties as the President may delegate.

- (a) In the event the President resigns, dies, becomes physically incapacitated, or otherwise is prevented from meeting the obligations or discharging the duties of that office, then the Vice President shall forthwith, assume such obligations and duties, provided that, if the President denies incapacitation or inability to perform duties, the Vice President shall immediately apprise the Board of Governors of the situation and circumstances and the Board of Governors shall then decide whether or not the Vice President shall replace the President, and provided further, that the Vice President shall function as President only so long as the President is incapacitated or otherwise prevented from performing the duties of that office.

- (b) During an absence of the President, the Vice President shall preside at regular and special meetings of the Board of Governors.
- (c) The Vice President shall provide oversight to the following Association standing committees.
 1. Educational Standards and Outside Association Relationship Committee
 2. Certified Gemological Laboratory Committee
 3. Ethics and Grievance Committee
 4. Constitution and Bylaws Committee
 5. Membership Committee

Section 3: The Secretary shall be responsible for the official records of all the proceedings of the Association and of the Board of Governors and of the reports of all standing and special committees. The Secretary shall serve as Secretary of the Board of Governors and shall make available the minutes of each Board meeting to all Board members not later than thirty (30) days after each Board meeting. The Secretary shall perform all other duties usual to that office including:

- (a) Keeping minutes and provide an organized list of topics discussed, items and tasks proposed, results of the vote on such items and tasks proposed, and action addressed at all Board of Governors meetings. Makes results available to the Board of Governors within thirty (30) days after the meeting.
- (b) Keeping records of minutes and legal correspondence of the Association.

Section 4: The Treasurer shall be responsible for the proper recording, safekeeping and accounting of all receipts and disbursements of money of the Association and its receivable and payable accounts. At all times, the Treasurer shall have access to all records and vouchers and make them available for inspection or verification when requested by the Board of Governors or an external auditor retained by the Association. The Treasurer shall prepare IRS and other tax returns and have financial statements properly audited when asked to do so by the Board of Governors. The Treasurer shall render an annual report to the membership, and at the expiration of terms of office, shall deliver to the successor all moneys, books, records, and other Association property of which the office is the custodian, or to the President if there be no successor. The Treasurer shall provide an annual financial report to the Board of Governors. The Treasurer shall ensure that the financial dealings of the Association are such as to maintain the Association's nonprofit educational corporate status.

Section 5: The Governors shall serve as members of the Board of Governors. Governors shall perform such other duties as the President may delegate. Governors report directly to the President of the Association. They act as AGA's representatives for acquiring new membership, and dealing with the jewelry trade and the general public. Specific duties are as follows:

- (a) Act as a resource to the AGA membership by:
 1. Conducting polls on issues of concern to the general membership; relating results back to the President.
 2. Explaining AGA programs, activities, and designations,
 3. Addressing specific complaints regarding the Association.
- (b) Solicit new members by:
 1. Attendance at gemological, appraisal, dealer and other conferences or related events.
 2. Outreach to prospective members.
- (c) Monitor members for adherence to the AGA Code of Ethics.
- (d) Facilitate and host special events to promote AGA goals.
- (e) Maintain ethical and fiscal responsibility for all of their AGA sponsored activities.
 1. Abide by budget plans approved by AGA Board of Governors.
 2. Render a true and complete report of activities and expenses to the Secretary. Actual vs. planned expenditures should be reported.

Section 6: The Executive Staff shall be responsible for the administration and management of the Headquarters Office and the execution of the directives of the Board of Governors and the President. The Executive Staff, when acting in good faith in their assigned tasks, shall not be held responsible for any liability resulting from their actions except actions caused by their gross negligence or willful misconduct.

Section 7: An Accountant shall be retained when the Board of Governors deems necessary to audit the financial books and records of the Association, review the financial reports of the Treasurer and make such recommendations as to record keeping as are appropriate in the accountant's opinion, and perform such other duties as may be required.

Section 8: Governors shall total no less than 11 (eleven) and vacancies occurring in any of the offices shall be filled by nomination by the President and authorizing appointment through a majority vote of the Board of Governors.

ARTICLE B-10 - ELECTION PROCEDURE FOR OFFICERS AND GOVERNORS

Section 1: The procedure for the election of Officers and Governors shall conform to the provisions of Article XIV of the Association's Constitution and shall employ a ballot as follows:

- (a) The Chairperson of the Nominating Committee shall cause the slate of nominees to be printed on ballots showing the names of the nominees and providing the opportunity for members to substitute nominees of their own choice, if they so desire.
- (b) Election notices and ballots shall be delivered to the members entitled to vote as provided in the Constitution.
 - a. Electronic voting must be through a secure internet process approved by the Nominating Committee. The electronic interface must provide members with the alternative to vote via printed ballot.
 - b. Mailed enclosures shall consist of the following.
 - i. A ballot
 - ii. An envelope in which to enclose and seal the voted ballot, marked on the outside only with the designation "OFFICIAL BALLOT" The personal signature in ink of the voting member must be placed on the reverse side of this envelope to render the ballot valid.
 - iii. A return envelope with postage prepaid and addressed to the Chairperson, Nominating Committee.
 - iv. If directed by the Chairperson of the Nominating Committee, the AGA Headquarters staff may assist in this process.

ARTICLE B-11 - COMPENSATION

Section 1: Compensation shall not be paid to any member serving the Association as an Officer or otherwise. Compensation may be paid for employees' services rendered in their respective capacities, as the Board of Governors shall deem desirable in the best interest of the Association.

Section 2: Any member or other person who is requested to undertake an assignment by the Association may be reimbursed for any expenses, disbursements or liabilities incurred if preapproved by the Board of Governors. In order to be reimbursed for expenses, the member or other person must submit all receipts or approved documentation to the Treasurer within 30 days and not to exceed one (1) month past the end of AGA's fiscal year. Receipts submitted past this deadline may be reimbursed only at the discretion and direction of the Board of Governors.

Section 3: The provisions of this Article shall not be construed to exclude the right of any member, Officer or employee to indemnification granted under the Corporation Law of California and as provided by and in the Certificate of Incorporation, the Constitution and the Bylaws of the Association.

Section 4: Any conflict of interest is expressly prohibited by the Association. Any action that could possibly be construed as a conflict of interest requires full disclosure by the Governor or other related party of any financial or other interest in the proposed action and must be approved by a majority vote of the Board of Governors.

ARTICLE B-12 - INDEMNIFICATION

Section 1: Every member who is or shall have been a President or Officer of the Association, or the personal representative of same, to include the chairpersons and members of duly constituted committees, shall be indemnified by the Association against all costs and expenses reasonably incurred or imposed in connection with or resulting from any action, suit or proceeding to which they may have been a party by reason of being or having been an elected Officer of the Association or the personal representative of same, to include the chairpersons and members of duly constituted committees, except as to such matters in which they shall finally be adjudicated in the said action, suit or proceeding to have acted in bad faith and to have been liable by reason of willful misconduct in the performance of duty in the capacity in which they acted.

Section 2: For the purposes of this Article, "costs and expenses" shall include, but are not limited to, attorney's fees, damages and reasonable amounts paid in settlement.

ARTICLE B-13 - FINANCES

Section 1: All funds shall be turned over to the Treasurer or the President of the Association or to others as authorized by the Board of Governors to receive funds, as may be appropriate, and they shall be properly recorded.

Section 2: All drawings from Association funds shall be made either by: check bearing the signature of the Treasurer, cash with a signed receipt from recipient of the cash, authorized credit card, or electronic funds transfer, as authorized by the Board of Governors. Drawings of Association funds by standing committees shall be authorized by the Board of Governors through approval of committee, budget submittal and appropriate invoices.

ARTICLE B-14 - NOTICES

Section 1: Members of the Association shall furnish their desired mailing address to the AGA Headquarters. All notices to the membership that require hard copies shall be directed to such addresses. Members shall also furnish their electronic mail addresses to the AGA Headquarters. At the discretion of the Board of Governors or Committee Chairs, notices may be sent via electronic mail in lieu of standard mail.

ARTICLE B-15 - USE OF ASSOCIATION NAME

Section 1: No member shall, directly or indirectly, abuse the privilege of using the Association's name or misrepresent their affiliation therewith. No member shall imply that the Association is responsible for, or the sponsor of, any written article, statement, report, policy or practice of the business or activity of the member via any type of media.

No member shall advertise his professional services or attainments except in a manner in keeping with high professional standards. Any public notice or advertisement which includes the name, or any designation, symbol, logo, emblem or insignia of the Association shall be used only to identify the affiliation status of the member.

No member is authorized to make any statement or representation regarding the Association or the member's affiliation with the Association, unless authorized by the Board of Governors, in any public notice or advertisement of the member. If such authorization is given it shall only be valid for the specific appearance that the authorization was granted.

Under no circumstances shall the designation be appended to any other corporate or organization's name with which the member may be affiliated.

Use of the designation shall be limited to the factual statement of the pertinent designation to which the member is entitled.

The appropriate designation shall be printed below or after the member's name, in a font size no larger or more prominent than that used for the member's name.

Section 2: Members shall be permitted to state their designation or affiliation with AGA as follows:

Voting Member or Life Member:

Member, Accredited Gemologists Association
Accredited Gemologists Association Member
Accredited Senior Gemologist (AGA)

Associate Member:

Associate Member, Accredited Gemologists Association

Student Member:

Student Member, Accredited Gemologists Association

Corporate Member:

Corporate Member, Accredited Gemologists Association

Associate, Student & Corporate Members must qualify their status as outlined above and may not state they are a "Member of" the Association without qualifying their grade.

Section 3: Membership use of the AGA logo, emblem or insignia is limited to individual Voting Members or Life Members in good standing. Associate Members, Student Members, and Corporate Members are prohibited from using the AGA logo.

The official insignia (logo) of the Association may be used by AGA Voting Members or Life Members on their individual stationery, business cards, website, etc., provided such use is not in conflict with other provisions of the Constitution and Bylaws of the Association.

The AGA logo or the Certified Gemological Laboratory designation printed on a letterhead, envelope, business card or other communication, must be clearly identified with a specific AGA Voting Member

Section 4: AGA insignia may not be used in connection with any educational course, conference, or seminar unless the Board of Governors has formally given prior approval.

Section 5: Any member who violates the restrictions imposed by this Article on the use of the Association's name or designated insignia shall be subject to disciplinary action by the Board of Governors, even to the extent of loss of membership.

ARTICLE B-16 - THE BOARD OF GOVERNORS & HEADQUARTERS

Section 1: The Board of Governors shall be in continuous session via mail, or other means of communication, for routine business and this method of operation may be supplemented by in-person meetings called by the President to consider items of business.

Any member of the Board of Governors may call a special in-person meeting, or circulate a ballot, to consider and transact a specified item or items of business, provided prior Board of Governor approval is secured in writing by a two-thirds (2/3) vote of the entire membership of the Board of Governors.

Section 2: Every act of the Board of Governors which shall have the expressed or implied sanction of the membership, shall be deemed to be the act of the Association and cannot be impeached by any member or group of members.

Section 3: The Board of Governors shall appoint and direct such committees as it shall deem necessary or desirable to ensure the proper functioning of the Association except as may be provided otherwise in these Bylaws.

Section 4: A temporary committee chair vacancy on any committee created by the Board of Governors should be temporarily filled by the President. If the vacancy is permanent, it shall be filled by a majority vote of the Board of Governors.

Section 5: The Board of Governors shall establish and administer a body of Administrative Rules based upon the interpretation of the provisions of the Constitution and Bylaws.

Section 6: Each member of the Board of Governors shall provide an unrevoked Consent to receive official communications from the Association via electronic transmission (e-mail). Governors may provide an alternative method of notification.

Section 7: The current location of AGA Headquarters is 3315 Juanita Street, San Diego, CA 92105.

ARTICLE B-17 - AMENDMENTS

Section 1: These Bylaws may be amended by the majority vote of the entire Board of Governors.

Section 2: The text of a proposed amendment to the Bylaws and a ballot shall be mailed or electronically communicated by the AGA Headquarters staff to each member of the Board of Governors at least ten (10) days prior to the date of the vote called for by the ballot.

Section 3: A member of the Board of Governors who is unable to attend a meeting of the Board at which an amendment will be proposed, may send his vote on the proposed amendment by mail or email to the AGA Headquarters, or may provide a proxy to another member of the Board of Governors who will be present to vote at such meeting.

ARTICLE B-18 - SUSPENSION OF THE BYLAWS

Section 1: These Bylaws, or any section thereof, may be suspended by the Board of Governors in case of an emergency, or for other specific purpose, but for the duration only of that meeting at which such action is taken, by the unanimous vote of all present and provided that a quorum is present.

Section 2: For the purpose of these Bylaws, a majority of Board Members in good standing shall constitute a quorum of the Board of Governors.

ARTICLE B- 19 - APPENDIX

Section 1: The Appendix to these Bylaws includes the Administrative Rules, which are to be considered an extension of these Bylaws.

Bylaws revised this 17th day of May, 2021
by majority vote of the Board