

# CLAN MOFFAT SOCIETY BYLAWS<sup>1</sup>

As amended by the Annual General Meeting - Calgary, Alberta October xx 2002, then in 2006,  
again in 2007, ratified in 2009 and amended in 2009.

## ARTICLE I NAME - PROCEDURES - PURPOSE

SECTION 1: The CLAN MOFFAT SOCIETY shall conduct its business in accordance with parliamentary procedures as set forth in the current edition of "Robert's Rules of Order" unless otherwise provided for by the constitution or the bylaws of the society.

SECTION 2: The CLAN MOFFAT SOCIETY is established as an educational, cultural and nonprofit organization. The purpose of the society is to encourage and support genealogical and historical research into the Scottish Clan Moffat, and to serve as an instrument of education in conveying historical information to members of the society. To meet the purposes of this group and others in pursuing the ancestral heritage background and family history of their Moffat (of all variations and spellings) ancestors, the Society shall strive:

- (A) To preserve, promote and pass along to others, the customs, traditions and heritage of the Scottish people;
- (B) To educate the public concerning Scottish history, literature, religion, music, poetry and the arts;
- (C) To promote education in this heritage in all practical ways;
- (D) To encourage travel, correspondence and the interchange of information, ideas and services;
- (E) To publish a newsletter(s), directory and other publications to meet the needs and requirements of the society.

## ARTICLE II MEMBERSHIP

### SECTION 1:

- (A) Membership in the society is limited to men and women 18 years of age or older who are direct lineal descendants of a Scot bearing the surname Moffat (or any of its spellings) presented in section 1 (B) or who can trace ancestry to the Clan Moffat, or who is related by marriage or legal adoption to Moffats of any approved spelling.

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<sup>1</sup> Previous amendments include those at the Annual General Meeting, Williamsburg, VA September 26, 1992 and Halifax, Nova Scotia July 30, 1998

(B) The names recognized for membership in the society shall be:

Moffat Moffatt Moffet Moffett Moffit Moffitt  
Maffat Maffatt Maffet Maffett Maffit Maffitt  
Muffat Muffatt Muffet Muffett Muffit Muffitt  
Morphat Morphatt Morphet Morphett Morphit Morphitt

(And other names which may be recognized by Moffat of That Ilk or the majority of the Executive Council of the society).

SECTION 2: Membership in the society shall consist of the following categories:

- (A) **Full Membership** shall be offered to an individual who meets the requirements of Section 1 (A). The spouse and minor children (under 18 years of age or those full-time students whose permanent address is that of the member), if not members, shall have the privilege of attending and participating in functions of the society; however the member and his/her family shall be entitled to only one vote in election of officers and other society business regardless of the number of members in the household.
- (B) **Associate Membership** shall be available to a person, organization or society wishing to maintain friendship with the society but not eligible for Full Membership as stipulated in Section - 2 (A). An associate member has full voting rights and the privilege of attending and participating in functions of the society but is not eligible to hold an elected office of the society.
- (C) **Life Membership** may be offered at the discretion and at the rate established by the Executive Council to an individual who qualifies for Full Membership.
- (D) **Patron Membership** may be offered at the discretion and at the rate established by the Executive Council to an individual who qualifies for Full Membership. This category is for those who wish to contribute greater support to the society.
- (E) **Youth-Student Membership** may be offered at the discretion and at a reduced rate established by the Executive Council. This category is open to youth eighteen to twenty-five years of age who qualify for Full Membership.
- (F) **Honorary Life Membership** may be offered to an individual who has performed outstanding service to the society or to Clan Moffat, upon recommendation by three fourths of the Executive Council. An honorary life member shall enjoy all the benefits of an associate member.

SECTION 3: Termination of membership in the society may occur for any of the following reasons:

- (A) Resignation;

(B) Non-payment of annual membership dues;

(C) Violation of trust. The Executive Council shall determine if violation of trust occurs.

SECTION 4: Membership in the society may be transferred or assigned to, or assumed by, a surviving spouse, upon request, subject to the provisions of Section 3 above. Honorary status may not be transferred, assigned, or assumed.

### ARTICLE III INITIATION FEES AND DUES

Thirty days following acceptance of the bylaws as proposed herein, the following dues schedule shall be in effect for Full and Associate Membership until or unless changed or amended. Future amounts of initiation fees and dues, frequency of payment and methods of payment of dues of the society shall be recommended to the Membership by the Executive Council and be considered in effect upon majority approval by the Membership.

(A) Annual dues for sustaining membership, Full or Associate, shall be payable January 1st of each year; however, a member who joins after October 1st shall have their dues applied to the following year.

(B) Any member who does not pay annual dues (if required) may be removed from the membership roll in the society.

(C) The initiation fee and annual dues are set forth in Schedule "A" and attached hereto.

### ARTICLE IV OFFICERS

SECTION 1: The elected officers of the society shall be:

(A) President

(B) Vice-president

(C) Secretary

(D) Treasurer

(E) Member-at-Large, U.S.A.

(F) Member-at-Large, Canada

SECTION 2: An officer must be a Full Member in good standing of the society. No person may hold two or more offices at the same time.

SECTION 3:

- (A) In the event of a vacancy in the office of President, the Vice-president shall automatically succeed to the office of President for the unexpired term. Order of succession to the office of President shall be as set forth in Section 1 of this Article.
- (B) In the event of a vacancy in any other office for any reason, the President shall appoint a Full Member in good standing to fill such vacancy for the remainder of the regular term.

SECTION 4: Officers shall be elected for such terms of office as herein set forth commencing with election of the first annual meeting of the society following enactment of the bylaws

- (A) The President shall be elected to serve a term of two years and shall be able to succeed himself one time.
- (B) The Vice-president shall be elected to serve a term of three years and shall be able to succeed himself one time.
- (C) Each of the remaining officers shall be elected to serve a term of three years and each may succeed himself an indefinite number of times.

SECTION 5: An elected officer may be removed from office for failure to fulfill the duties of said office and/or behavior that is deemed by the Executive Council to be detrimental to the welfare of the society. Action to remove an elected officer may be initiated by any member of the Executive Council. The officer shall be removed from elective office upon approval by a three-fourths majority of the Executive Council, meeting in executive session thirty calendar days after notification of the impending action to the officer in question.

ARTICLE V DUTIES OF ELECTED OFFICERS

SECTION 1: The **President** shall:

- (A) Preside at all meetings of the Executive Council and annual meetings of the society;
- (B) Represent or appoint an officer or qualified member to represent the society at public functions;
- (C) Serve as ex-officio member of all committees with the power to vote on any question before a committee in the event of a tie vote of the committee;
- (D) Fulfill all requirements and duties placed on her/him by the constitution and bylaws of the society.

SECTION 2:       The **Vice-president** shall:

- (A) Perform the duties of the President in her/his absence;
- (B) Prepare an annual list of events including Scottish games and festivals, for participation by the society;
- (C) Perform those duties assigned to her/him by the President;
- (D) Fulfill all requirements and duties placed on her/him by the constitution and bylaws of the society.

SECTION 3:       The **Secretary** shall:

- (A) Record the minutes of meetings of the Executive Council, the annual meeting and special called meetings of the society;
- (B) Maintain permanent records and archives of the society;
- (C) Fulfill all requirements and duties placed on her/him by the constitution and bylaws of the society.

SECTION 4:       The **Treasurer** shall:

- (A) Receive monies of the society;
- (B) Maintain records of receipts, disbursements, bills and cancelled checks;
- (C) Reconcile all bank statements;
- (D) Present a written financial report annually to the Membership.
- (E) Fulfill all requirements and duties placed on him by the constitution and bylaws of the society.

SECTION 5:       The **Member-At-Large**, of U.S.A. and of Canada shall, in their respective jurisdictions, and as appropriate with respect to the date and place of the annual meeting, i.e., whether it is held in the U.S.A. or in Canada in any given year (Article IX, Meetings):

- (A) Plan, coordinate, and supervise the annual meeting of the society;
- (B) Recommend to the Executive Council special projects to be undertaken by the society and provide general leadership for such special projects as may be approved by the Executive Council;

(C) Appoint from among the Membership *ad hoc* committees to carry out special projects approved by the Executive Council;

(D) Fulfill all requirements and duties placed on her/him by the constitution and bylaws of the society.

SECTION 6: The immediate past **President** shall remain a voting member of the Executive Council during the length of the first term of the incumbent president.

SECTION 7: The **Chief of Clan Moffat**, known as **Moffat of that ilk**, or in the chief's absence, a representative appointed by the Chief of Clan Moffat, shall serve as a voting member of the Executive Council. The Chief of Clan Moffat and the representative appointed by the Chief of Clan Moffat shall be accorded the full honors and privileges of their respective ranks by the society.

## ARTICLE VI THE EXECUTIVE COUNCIL

Property and business of the society shall be managed by the Executive Council. Members of the Executive Council shall be all elected officers, the immediate past president of the society during the first term of the incumbent president, and the Chief of Clan Moffat, or in the chief's absence, a duly recognized representative of the Chief of Clan Moffat, and appointed officers as non-voting members.

## ARTICLE VII NOMINATIONS AND ELECTIONS

Nominations and elections for officers of the society shall be held as necessary to comply with provisions of Article IV. Such nominations and elections shall be conducted in the manner herein set forth:

### SECTION 1:

(A) A **Nominating Committee** shall be appointed from the Membership by the President no later than 60 days prior to the date of the annual meeting at which officers are to be elected.

(B) The Nominating Committee shall offer to the entire Membership no later than 30 days prior to the date of the annual meeting, their recommendations of members to stand for the office for which elections are to be held.

(C) Nominations may be made by mail with the endorsement of the Nominee by three members. These nominations should be sent to the Secretary of the society.

### SECTION 2:

- (A) The society shall hold elections at each annual meeting of the society when terms of office are to expire or when a vacancy has occurred and a member is filling an unexpired term of an officer.
- (B) Officers shall be elected by members attending the annual meeting and those ballots mailed to the Secretary by those members not in attendance at the annual meeting.

#### ARTICLE VIII APPOINTED OFFICERS

The President shall appoint, with the consent of the Executive Council, a member of good standing for each of the following positions. These appointments shall be for a period of three years and may be re-appointed with the approval of the Executive Council.

SECTION 1:       The **Convenors Chair** shall:

- (A) Seek members to act as convenors for each of the recommended events, provide instruction and materials to convenors, and assist them in carrying out society participation;
- (B) Coordinate reimbursement to convenors for expenses;
- (C) Fulfill all requirements and duties placed on her/him by the constitution and bylaws of the society. .

SECTION 2:       The **Chair of Membership** of the USA and Canada shall, within their respective jurisdictions:

- (A) Answer letters of inquiry concerning membership and send out materials to prospective members;
- (B) Maintain a master membership list of members and addresses, including a record of offices held and services rendered to the society;
- (C) Act as receiver for membership applications and initiation fees, providing new members such society materials as are pertinent and available, and maintain a file of applicants. Fees paid with applications are to be remitted to the Treasurer and names and addresses of new members supplied to all other members of the Executive Council;
- (D) Plan and supervise all activities toward increasing membership of the society, coordinating such activities with other members of the Executive Council and membership;
- (E) Fulfill all requirements and duties placed on her/him by the constitution and bylaws of the society.

SECTION 3:        The **Publications Chair** shall:

- (A) Act as editor for "MOFFATANA" and all other publications of the society, supervise production of and distribute such publications;
- (B) Maintain a membership list for circulation of publications;
- (C) Fulfill all requirements and duties placed on her/him by the constitution and bylaws of the society.

SECTION 4:        The **Quartermaster** of the USA and of Canada shall, within their respective jurisdictions:

- (A) Plan, supervise preparation, and procure materials for sale and/or to be used as regalia for society participation in events such as Scottish games and festivals and the annual meeting of the society;
- (B) Coordinate orders for purchase of articles to be made available to society members;
- (C) Act as vendor for articles sold exclusively by the society;
- (D) Present a report annually to the President, which will include an inventory of items on hand at June 30th of each year;
- (E) Fulfill all requirements and duties placed on her/him by the constitution and bylaws of the society.

SECTION 5:        The **Genealogist** shall:

- (A) Actively pursue genealogical material from all members of the society and from archival and library sources;
- (B) Establish a center for coordination of family records and other materials relating to Moffat family genealogy;
- (C) Assist members in their search for information on family trees;
- (D) Prepare periodic reports on genealogy for publication in the "MOFFATANA" and report on activities at the annual meeting of the society;
- (E) Appoint from among the Membership individuals to assist in genealogical research or to coordinate such research on a regional basis;
- (F) Fulfill all requirements and duties placed on her/him by the constitution and bylaws of



the society.

**SECTION 6: The Historian shall:**

- (A) Act as archivist of the society and solicit, collect, and preserve all publications of the society as well as all significant papers, brochures, manuscripts, documents, photographs, maps, books, genealogies, etc, relevant to the society and/or the past and present persons with the surnames outlined in Article II, Section I (B), and their descendants;
- (B) Encourage research and publication of the heritage, culture and accomplishments (of all those with surnames identified in Article II, Section I (B)) by members, students and historians;
- (C) Assist the society officers and membership by making archival information available to those seeking it, while safeguarding its preservation;
- (D) Fulfill all requirements and duties placed upon her/him by the constitution and bylaws of the society.

**SECTION 7: The Information Officer shall:**

- (A) Plan, supervise placement, and determine content of all advertising undertaken by the society;
- (B) Act as a public relations person to bring attention of our society to the Scottish community and Moffat in North America in general;
- (C) Seek and establish relationships and associations with other societies, institutions and associations which would have clearly beneficial impact on the society, its objectives and its operations;
- (D) Seek and maintain ongoing supportive association with Clan Moffat and Clan Moffat-related institutions, groups and individuals which clearly enhance and bring credit and/or which have the potential to enhance and bring credit to the name Moffat and the Clan Moffat Society;
- (E) Fulfill all requirements and duties placed on her/him by the constitution and bylaws of the society.

**ARTICLE IX MEETINGS**

**SECTION 1:** The society shall hold an annual meeting and gathering of the society at a date and place recommended by the Executive Council and approved by those members attending the annual meeting at which the questions is raised.

SECTION 2:

- (A) Dates and places for annual meetings shall be established two years in advance.
- (B) The Executive Council may change the time and date of annual meeting if circumstances arise which warrant such action. The Membership is to be notified no later than ninety days prior to the original date if the Executive Council should take such action. If the circumstances are of such a nature that ninety days notification is not possible, each member should be notified by registered mail within 24 hours following the Executive Council action revising the date and place.
- (C) The President or a majority of the Executive Council may call a special meeting of the society to transact matters of importance upon a 30 day written notice of such meeting to all members.

ARTICLE X PUBLICATIONS

The official publication of the society shall be know as the "MOFFATANA" and shall be published no less than twice per annum.

SECTION 1: The Chairman for Publications shall serve as editor of the "MOFFATANA" with the powers and responsibilities typically applied to the editor of a society publication including content, form, acceptance and distribution.

SECTION 2: The society may publish such materials and periodicals which are in the judgement of the Executive Council necessary for membership communication, recruitment and in the interest of the society.

ARTICLE XI RECOGNITION OF GROUPS AND INDIVIDUALS

SECTION 1: The President with the approval of the Executive Council shall have the power to appoint individuals or groups to an official status within the society; such appointments shall be in the nature of Piper, Pipe Band, Dancer, etc.

SECTION 2: The Executive Council shall have the power to create awards and decorations appropriate to the purposes of the society and to seek symbols and designs which may be reserved for exclusive use by the society and its members.

ARTICLE XII REGIONAL AND LOCAL CHAPTERS

The Executive Council may establish regional districts for the purpose of promoting the continued growth and welfare of the society.

### ARTICLE XIII AMENDMENTS

The constitution and bylaws of this society may be amended by a three-fourths majority vote of those attending an annual meeting of the society. The bylaws shall be reviewed annually by the President and the Vice-president.

### ARTICLE XIV MOFFAT FOUNDATION TAX EXEMPT NON PROFIT

A tax exempt non-profit corporation separate from the Clan Moffat Society named "Moffat Foundation, Inc" is established to achieve the following purposes:

- (A) To preserve, promote and encourage genealogical, historical, educational and ancestral research into the heritage and background of Clan Moffat and its many families;
- (B) To encourage clansmen and others seeking these objectives by funding travel, education, information interchange and other expenses surrounding those ends;
- (C) To accept, collect and administer the gifts and bequests of contributors and direct them toward their objectives.

The officers and directors of Moffat Foundation, Inc shall be reviewed each year and elected, replaced or removed by the voting members of the Executive Council of Clan Moffat Society. All other matters of the Moffat Foundation, Inc shall be at the discretion of its Board of Directors.

## SCHEDULE A

- A. Membership Fee - \$24.00 U.S.A - \$15.00 Youth/Student - \$24.00 Canada
- B. Annual dues for sustaining paid Membership, either Full or Associate are - CDN\$24 in Canada, US\$24.00 in USA. and rest of world , CDN\$15 or US\$15.00 Youth/Student. The category Youth/Students is for persons 18 to 25 years old.
- C. \*Life Membership -\$US350.00
- D. \*Patron Membership -\$US500.00

\* Funds (C) & (D) above Life and Patron Membership are not to be added to the general funds of the society, but placed into an interest bearing account such as Certificate of Deposit, Money Market Fund, or Savings Account. The annual interest paid from this fund may be used in the general fund in lieu of dues for the Life and Patron Members.

These changes take effect at the adjournment of the AGM under which they are enacted.