

CLAN MOFFAT SOCIETY BYLAWS

June 24, 2023

ARTICLE I – NAME – PROCEDURE – PURPOSE

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

SECTION 2: The CLAN MOFFAT SOCIETY is established as an educational, cultural, and non-profit 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 research, preserve, promote and pass along to others the customs, traditions and heritage of The CLAN MOFFAT and all Moffats worldwide.
- (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 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.
- (F) To promote friendship and brotherhood among the members of Clan Moffat Society and Moffats worldwide.

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 descendants of a Scot bearing the surname of Moffat or any of its spellings presented in Section 1 (B) or who can trace their ancestry to Clan Moffat. The spouse of such person or who is related by marriage or legal adoption of any approved spelling shall also be eligible for membership.
- (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 shall be recognized by Moffat of that ilk or the majority of the Executive Council of The CLAN MOFFAT 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 the 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 offered to a person, organization or society wishing to maintain a friendship with the society but not eligible for full membership as stipulated in Section 2 (A). An Associate member has no voting rights but has the privilege of attending and participating in functions of the society. He /she 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 and individual who qualifies for full membership. Life members under 18 years of age shall not have voting rights until they obtain the age of 18 years.
- (D) **Patron Membership** – may be offered at the discretion and at the rate established by the executive council to and individual who qualifies for full membership. This category is for those who wish to contribute greater support to the society.
- (E) **Honorary Life Membership** – may be offered to an individual who has performed outstanding service to the society of Clan Moffat, upon recommendation by three fourths of the Executive Council. An honorary life member shall enjoy all the benefits of an associate member.
- (F) Funds from (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 placed in the general fund in lieu of dues for the life and patron members for the lifetime of the member. When said member, and their spouse, if applicable, passes, the original amount of the dues will be moved to the general fund.

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 has occurred.

SECTION 4: Membership in the society may be transferred to or assigned to, or assumed by a living spouse, upon request, subject to Section 3 above. This includes the membership number. Honorary status may not be transferred, assigned or assumed.

ARTICLE III – MEMBERSHIP FEES AND DUES

Thirty days following the acceptance of the bylaws as proposed herein the following dues schedule shall be in effect for 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 by the Executive Council and be considered in effect upon 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 of the society.
- (C) The annual dues are set forth in Schedule “A” and attached hereto. Hey are not considered part of the bylaws proper.

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

SECTION 2: An officer must be a full member in good standing of the society. No person may hold two or more elected 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 un-expired 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, with the advice of the Executive Council, 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 the enactment of the bylaws.

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

SECTION 5: An elected officer may be removed from office for failure to fulfil the duties 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 m elective office upon three-fourths majority of the Executive Council. All parties involved in the impending action must be notified at least thirty calendar days before the action against the officer.

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 him/her by the constitution and bylaws of the society.

SECTION 2: The **Vice President** shall:

- (A) Perform the duties of the President in his/her absence. The Vice President may not vote as Vice President while representing the President.
- (B) Prepare 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 him/her 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. These shall be transferred to the historian annually.
- (C) Ensure that the articles of incorporation are maintained.
- (D) Fulfill all requirements and duties placed on him/her by the constitution and bylaws of the society.

SECTION 4: The **Treasurer** shall:

- (A) Receive and deposit monies of the society into operating bank accounts in the name of the society. Timely pay all lawful and approved liabilities 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/her by the constitution and bylaws of the society.
- (F) All bank accounts must be approved by the Board of Directors and set up with two signatories, both active members of the society. Only one signature to be required on disbursement checks.
- (G) Make all legal filings to the IRS.

SECTION 5: The **Member at Large** shall:

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

SECTION 6: The **Past President**. The last past president extent shall remain a voting member of the Executive Council until replaced by the current president on their term expiring. The conditions set forth in section 5 shall apply here.

SECTION 7: The **Chief of Clan Moffatt**, 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 shall be accorded the full honors and privileges of their respective rank in 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 past president, and the Chief of Clan Moffat, or in the chiefs absence, the duly recognized representative of the chief of Clan Moffitt. Appointed officers and the Advisory Council of Past Presidents will serve also, as non-voting Members.

ARTICLEVII – NOMINATIONS AND ELECTIONS

Nominations and elections 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: Nominations

- (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's 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: Elections

- (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 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. The appointments shall be for three years and may be reappointed 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) Maintain a master membership list of members and addresses including a record of offices held and services rendered to the Society.
- (C) Fulfill all requirements and duties placed on him/her by the constitution and bylaws of the society.

SECTION 2: The Membership Chair shall:

- (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 a receiver for membership applications, 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 member 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 him/her by the constitution and bylaws of the society.

SECTION 3: The Publications Chair shall:

- (A) Act as editor of the “Moffatana” and all other publications of the Society, supervise production and distribution of publications.
- (B) Maintain a membership list for circulation of publications.
- (C) Fulfill all requirements and duties placed on him/her by the constitution and bylaws of the society.

SECTION 4: The Quartermaster shall:

- (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 of purchases 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 on June 30 of each year.
- (E) Fulfill all requirements and duties placed on him/her 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 of 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) Fulfill all requirements and duties placed on him/her 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, ect. Relevant to the Society and/or the past and present persons with the surnames in Article II, Section 1 (B) and their descendants.
- (B) Encourage research and publication of the heritage, culture and accomplishments of all those with surnames listed in Article II, Section 1 (B), and 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) 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 him/her 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's 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 him/her 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 question is raised.

SECTION 2:

- (A) Dates and place for the annual meeting shall be established two years in advance.
- (B) The Executive Council may change the place and date of the 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 is not possible, each member should be notified by registered mail within 24 hours following the Executive Council meeting 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 known as the “**Moffatana**” and shall be published no less than two times a year.

SECTION 1: The Publications Chair 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, ect..

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

ARTICLE XII – REIONAL 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. A current copy of the bylaws is to be present at all official meetings. The bylaws shall be reviewed annually by the President, Vice President, Secretary and Historian. After review they will be published to the general membership in a readily available format.

Article XIV -Investment Advisory Committee

SECTION 1

(A)... Investment Advisory committee shall be appointed by the President. This will include three active members of society and the Treasurer as a nonvoting member. The committee will meet annually, and at the Treasurers request for approval of any money to be transferred in or out of any investment account. The appointment will last for an unspecified time, at the leisure of the current president.

APPENDIX 1 AMENDMENTS

AGM 2022

1. ARTICLE II, SECTION 2 (F) Shall be amended to say:

*Funds © & (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 placed in the general fund in lieu of dues for the lifetime of the life and patron members. (added); When said member and spouse, if applicable, passes, the original amount of the dues will be moved to the general fund")

AGM 2023 addition of Article XIV

SECTION 1

(A)... Investment Advisory committee shall be appointed by the President. This will include three active members of society and the Treasurer as a nonvoting member. The committee will meet annually, and at the Treasurers request for approval of any money to be transferred in or out of any investment account. The appointment will last for an unspecified time, at the leisure of the current president.

APPENDIX 2 RESOLUTIONS

1 – MOAB AGM 2022, It was approved to instate an “Advisory Council of Past Presidents” to be on the Executive Committee. This would consist of all past Presidents in good standing. This council will have no vote.

SCHEDULE A
MEMBERSHIP FEES

- (A) Annual dues for sustaining paid membership, either full or associate are- US\$35.00.
- (B) Life Membership – US\$500.00
- (C) Patron Membership – US\$1000.00