



The Oliphant Clan & Family Association

Constitution

January 2006

THE ASSOCIATION OF CLAN OLIPHANT

1. NAME AND PURPOSE

- 1.1 The Association shall be called: THE OLIPHANT CLAN AND FAMILY ASSOCIATION;
- 1.2 The association shall:
 - 1.1.2 be the official Clan Oliphant association of Scotland as recognised by the Chief;
 - 1.1.3 be non-sectarian and non-political;
 - 1.1.4 promote the collection, preservation, cataloguing, display and dissemination of factually correct material, records and traditions bearing on the history of the Clan and its Septs for the benefit of Clan members and other interested people;
 - 1.1.5 assist the Chief, various Clan societies and individual Clanspeople around the world in the promotion of the Clan and its ideals;
 - 1.1.6 render assistance to any necessitous member;
 - 1.1.7 be loyal to the Chief;
 - 1.1.8 have its headquarters on the internet unless otherwise approved by the Chief

2. MEMBERSHIP

- 2.1 **Composition:** The ordinary membership of the association shall consist of persons bearing the surnames of the Clan and its Septs, any children of the aforesaid, and any others whom the Chief considers could be of service to the Association, including those who are sympathetic to the aims of the Association. The Association shall consist of Life Members and Ordinary Members, but clansfolk of eminent distinction may be admitted as Honorary Members;
- 2.2 **Fees:** Membership Commences on 1st day of the month following receipt of application. Life Members shall be admitted on payment of £130.00 {\$230.00}. Ordinary Members shall be admitted on payment of £12.00 {\$22.00} annually. Such fees shall be subject to revision by the Association at a General Meeting. Ordinary members in arrears with their subscriptions shall after, six weeks' notice being given in writing by the membership secretary, be removed from the roll.

3. STRUCTURE

- 3.1 The **Chief** shall be:
 - 3.1.1 the Chairman of the Council;
 - 3.1.2 chief returning officer in the case of any elections;
 - 3.1.3 the guardian of the constitution and have the power to require members to take action to ensure that the constitution is complied with and hence shall:
 - 3.1.3.1 have the power to veto any decision if the Chief deems that the proposal would go against the aims of the association as laid out in the constitution and in such circumstances shall set out the reasoning therefore in writing for the benefit of all members) OR ALTERNATIVELY shall have the power to suspend such a decision and call for a ballot and/or an Extraordinary General Meeting of members to confirm the matter one way or the other;
 - 3.1.3.2 be an ex officio member of all committees and subcommittees - with the right to appoint someone to deputise for the Chief;
- 3.2 The Clan shall **meet** at a General Meeting of the Clan which shall include any Clan Gathering attended by the Chief or by the Chief's appointed representative;

- 3.3 The Chief or the Chief's appointed representative shall be the Chairman of the Council;
- 3.4 The Management of the Association shall be vested in the Council;
- 3.5 The Council shall comprise the Office Bearers and the Committee so elected;
- 3.6 The Council shall have the power to appoint Sub-Committees including a Finance Committee, co-opt additional Members up to a maximum of twelve, and in general conduct the business of the Association. The Office Bearers of the Association shall consist of:
 - 3.6.1 The Hereditary Clan Chief
 - 3.6.2 The President
 - 3.6.3 Past President
 - 3.6.4 One or more Vice-Presidents
 - 3.6.5 The Administrator
 - 3.6.6 The Treasurer
 - 3.6.7 The Editor of the Magazine (if any)
- 3.7 The President shall normally be elected for a period of Five Years and a term of office should normally elapse before he/she is eligible for re-election;
- 3.8 All other Office Bearers and Honorary Office Bearers (excepting the Hereditary Clan Chief) shall be elected for Five Years but may be eligible for re-election;
- 3.9 Anyone put forward for election as Office Bearer should normally have served as Council Member for at least one year prior to having his/her name put forward for election;
- 3.10 The **Council** members shall be appointed by vote at a General Meeting or under the advice of the Clan representing the clan worldwide and shall be subject to the approval of the Chief;
- 3.11 A Council member's term of office may be terminated at any time by the Chief in consultation with members of the Clan. Temporary Council members may be co-opted but all such appointments are then subject to re-appointment in accordance with 3.10 above;
- 3.12 The Council shall appoint a Treasurer and (if required) staff to run any Clan Centre who shall report to them as necessity dictates;
- 3.13 The Treasurer will present a brief financial report to each Council meeting and a full annual report at the end of the financial year. This report will be sent to all Council members and will be available for inspection on request;
- 3.14 Newsletters will be issued periodically and one of which shall include annually a financial summary;
- 3.15 Communications normally may not be written on behalf of the Association without permission from the committee. All communications should be lodged in the archive.

4. FINANCE

- 4.1 The funds of the Association shall be invested in the name of the Association;
- 4.2 All cheques shall be signed by the Treasurer and one other Member of the Council;
- 4.3 Proper books of accounts shall be kept and these shall be submitted annually to an accountant who shall certify them as correct and true. They shall then be presented at a General Meeting.

5. BENEVOLENT FUND

- 5.1 In order to carry out the objects of the association, a separate Benevolent Fund (the "Fund") may be instituted if the Association in General Meeting also determines;
- 5.2 The Members shall in General Meeting determine the sums that shall be lodged in the Fund and shall appoint a Sub-Committee to administer the Fund and to be responsible to the Members for decisions concerning applications for relief;
- 5.3 All applications for relief must be seconded by a member of the Clergy or by a Justice of the Peace or by a Council Member.

6. MEETINGS

- 6.1 The Committee shall meet as often as may be deemed necessary following seven days' notice to all its members;
- 6.2 Special meetings of the Committee may be called without the normal seven days' notice being given, if the President and two Committee Members deem it necessary;
- 6.3 The Association shall hold a General Meeting each year in August (or at another time as is convenient) for the purpose of electing Office Bearers, Committee Members and Accountants, for considering reports of the Administrator and Treasurer and for the transacting of any other competent business;
- 6.4 The Financial Year shall be from the 1st of April until the 31st of March of the following year;
- 6.5 A special General Meeting of the Members may be called on the requisition of the President or on written request of ten Members being duly made to the Administrator.

7. DUTIES OF THE TREASURER AND ADMINISTRATOR

- 7.1 The Treasurer shall:
 - 7.1.1 receive all monies due to the Association and make all disbursements due by the Association;
 - 7.1.2 keep proper books of account and these shall be laid before each meeting of the Committee;
 - 7.1.3 prepare and submit to the Annual General Meeting a statement of their intromissions for the appropriate financial year. This statement shall be duly certified before submission.
- 7.2 The Administrator shall:
 - 7.2.1 convene and keep a record of all the proceedings of all meetings;
 - 7.2.2 carry out the general correspondence of the Association;
 - 7.2.3 do all other necessary secretarial services in the Interests of the Association

8. RESIDUE

- 8.1 If the association is dissolved then any residual assets shall be held in trust under the supervision of the Chief for at least 20 years for the Chief to apply to a subsequent association if and when formed.

9. WINDING-UP

- 9.1 The Chief will have the power to wind the association up if the Chief considers that its actions are bringing the name Oliphant into serious disrepute.

10. ALTERATION OF THE RULES

- 10.1 No alteration or addition to these Rules may be made unless proposed at a General Meeting and adopted by two thirds of the Members there present. Any alteration or addition shall be notified in writing to the Administrator, who shall cause it to be notified to all Members three weeks before the due date of the meeting.