



# CLAN FORSYTH SOCIETY OF AUSTRALIA

## QUEENSLAND BRANCH (Est 1979)

### Clan Journal – October 2014

#### *A personal message of welcome from the new Clan President*

Hello All

I would like to thank the outgoing Executive and committee members for their dedication and hard work over the previous year. I would also like to take this opportunity to welcome in the new executive and committee members and look forward to working together on the future events planned for Clan Forsyth members.

The first of these events will be the Clan lawn bowls day on 2<sup>nd</sup> November 2014 at the Harrisville Bowls Club as per information in this edition of the October 2014 Clan Journal.

This year we are welcoming younger members to be part of Clan Forsyth with the introduction of a junior sub-committee. If you are interested or know of anyone who may be interested then please contact the Clan secretary Len Forsyth for more details. Remember the next generation are our future.

Information on all events for the coming year are advised in this edition of the Clan Journal so we hope to catch up with you at these events. If there is an event you would like the Clan to consider please send details to the Clan secretary for discussion.



*Val Ashton*

**President**

**Clan Forsyth Society of Australia  
(Queensland Branch)**

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Contact and Contributions may be either be directed to Newsletter Editor care of the Clan Secretary at the above mailing address or alternatively emailed directly to [journal@clanforythqueensland.com](mailto:journal@clanforythqueensland.com)

Notices of Life events i.e. births ,awards, graduations, marriages anniversaries etc. may be forwarded for future publications to [news@clanforythqueensland.com](mailto:news@clanforythqueensland.com)



## **ANNUAL GENERAL MEETING 2014**

*In a nutshell ...*

At 1.25pm on Sunday 31<sup>st</sup> August 2014 at the Peak Mountain View Park, Peak Crossing the 2014 AGM commenced.

The AGM was chaired by Gordon Forsyth, who opened the meeting and greeted all Clan members.

The following was noted in Gordon's opening address:

- Coralie Schoenknecht at 93 was the oldest attendee at the meeting.
- Jacinta Ashton was the youngest at 9 years.
- Lyndall Hill travelled the furthest from Stanthorpe.

### **Three Special Resolutions**

There was a spirited discussion between the chair and Clan members regarding a variety of aspects of the proposed amendments to the Clan's Constitution.

The three (3) Special Resolutions regarding amendment to Clan's Constitution had been circulated widely by post to the membership for voting prior to the meeting.

The current Constitution requires, that a 2/3 majority vote, for any amendment to be passed. The result of voting on the day for these amendments when tallied, did not achieve this and all three proposed amendments were defeated.

### **Harrisville Cemetery Project**

Rob Kerkin provided details of the nature of the project and the status of ground works on this project completed to date.

He thanked both Clan members and non-clan members, who had assisted him to date and made special note of the assistance he had received from our past President and former member Mr Geoff Forsyth. He advised the while he had intended to have the shed completed by the date of the meeting, that due to his wife's and his own poor health, that this had not been achieved. He expected completion of the shed within the near future.

### **Election of Office Bearers:**

Our longstanding Clan Genealogist, Beth Forsyth, submitted her resignation by letter which was read to the meeting.

Gordon & Carol Forsyth advised the meeting that they had withdrawn their respective nominations and for their previous positions of President and Secretary respectively.

### **Election of Executive:**

Nominations were received prior to the meeting and from the floor of the meeting and all respective positions have now been filled.

- President - **Val Ashton**
- Vice President - **Glenys Ashton**
- Secretary – **Len Forsyth**
- Treasurer – **Rhonda Noe**

### **Election of Committee:**

**Single nominations were either received prior to the meeting or from the floor of the meeting and the respective positions were filled unopposed.**

- **Victor Ashton** (Committee)
- **Lucia McKee** (Committee)
- **Lyndall Hill** (Genealogist)
- **Heather Forsyth** (Store Convener)

After the election of Executive and Committee Members, the Stand-In Chair handed the meeting over to the incoming President Mrs Val Ashton.

Val thanked all new executive members for their nominations and she also thanked the outgoing Committee and acknowledged the hard work they had performed in the previous year.

### **Creation of Temporary Sub Committee:**

Gordon Forsyth proposed a motion that a Project Sub Committee be formed to continue the unfinished Harrisville Cemetery Toilet Project and handover to the Harrisville Cemetery Trust.

Gordon proposed that those members who had already been intimately involved with the project form this committee.

The following members therefore automatically nominated for the Project committee for the Harrisville Cemetery Toilet Block project are listed below:

- Cemetery Toilet Builder – **Rob Kerkin**
- Cemetery Toilet Block Co-Ordinator - **Gordon Forsyth**
- Cemetery Toilet Block Secretary - **Carol Forsyth**
- Cemetery Toilet Block Historian – **Beth Forsyth**

*The date was set for the next Annual General Meeting to be held last Sunday in August 2015, before the meeting then closed at around 3.15pm .*

A full copy of the minutes of the meeting, will be ratified at the 2015 AGM.



## **AGM ROUND UP**

### ***Message from Carol Forsyth***

I would like to take this opportunity to thank all the Members who supported Gordon and myself over the past 12 months. We were thrown in at the deep end and worked hard to try to keep the Clan together along with building on what we already had.

Gordon, Rob and Geoff have made a great start to the Harrisville Cemetery toilet and ancestor graves renovations. Unfortunately due to both Gordon & Rob requiring unscheduled surgery the project has been delayed until they are both well enough to continue.

There were many days of enjoyment meeting new and old relatives during the year, visiting those who were unable to travel to the dinner and or the picnic.

### **Youngest & Oldest at AGM**

Jacinta Ashton & Coralie Schoenknecht

*(Photo courtesy of Carol Forsyth)*



### **Furthest Travelled**

Lyndall Hill, the Clans new Genealogist is sitting with her extensive display of family history

*(Photo courtesy of Carol Forsyth)*



### **Birthdays**

Christine Forsyth & Matt Tinski celebrated their birthdays 2 years and 1 day apart. Christine at the AGM / Picnic on 31<sup>st</sup> August and Matt one day earlier on 30<sup>th</sup> August.

Happy birthday to both of you.



*(Photo courtesy of Carol Forsyth)*

Christine Forsyth & Matt Tinski

*(From previous page)*

## **90 Years Young**

Kathleen Agnes Forsyth (nee Tye) celebrated her 90<sup>th</sup> Birthday with family and friends on 6<sup>th</sup> September 2014.

Kath is the wife of Wallace Edward Forsyth who died in 1966.

She is pictured here with the Grandchildren of Samuel Wallace Forsyth, Wallace Edward's father.



*(Photo courtesy of Lynette Sordelli)*

**Back Row:** Doug, Lynette, Carol, Greg & Barry

**Front Row:** Robert, Debra, Kath & Diane

## **Sympathy**

We are sorry to hear of the passing of Alex Burrow's wife, Margot. Margot had a fall some months ago and unfortunately did not recover as hoped. Our deepest sympathy goes to Alex and his family.

*(Submitted by Gordon & Carol Forsyth)*

*Many thanks Carol & Gordon for your most thoughtful submission*





## **99<sup>th</sup> Birthday**

***Doris Matheson (nee Forsyth)***

Doris formerly of Flinders, Southport and recently of Bribie Island celebrated her 99<sup>th</sup> birthday on 10<sup>th</sup> August. Doris has been a Clan member since the Society's inception. Although being in general good health, has been unable to attend recent clan functions due to vision impairment.

Doris is the eldest daughter of Hector Arnold Forsyth (Born August 19<sup>th</sup> 1890) and Isabella Caroline Russell (born Purga 1891) and granddaughter of William Hector Forsyth (born Cape of Good Hope on transit to Australia – September 8th 1862) and Rosalie Forsyth (Nee Winks) born Rosalie Plains Station - 1868.



(Photo courtesy of Rose Stokan)

*Doris (Dos, Dorie, or Dosie) celebrates being 99 years young with close family members*



## **Keep your fellow Clan members informed of the events, which matter to you...**

If you have news to share with your fellow Clan and family members of any of life events i.e. births, sporting, scholastic or community achievement awards, graduations, marriages and anniversaries etc. may be forwarded details and photographs for future publications to:

- By post: C/- Secretary Clan Forsyth Society, **124 Blackheath Road, Redbank Plains, 4301.**
- By Phone: Len Forsyth – **Mobile 0412 366 054** or 07 **38142418** After Hours
- By email: [news@clanforythqueensland.com](mailto:news@clanforythqueensland.com)

## THOUGHTS ON DIVERSITY

I once read that there is an ancient Arabic proverb that translates roughly to :

*"Gods greatest gift to humanity, was its diversity and that it is an affront, not to celebrate this gift".*

Our Clan consists of many diverse individuals, each with their own talents, interests and opinions. I also believe that as a Clan Society, we should not only celebrate the common history of our family ancestors, but also embrace the multitude of talents, interests and opinions that we as their descendants have cultivated as a result of our individual life experiences.

Shortly we will be contacting Clan members and asking if they have a particular experience or advice they would care to record and share with future generations of Forsyths. We will look forward to collecting our very own spoken history so that these can then be shared with all very shortly.



Capturing and exploiting this diverse legacy for future generations should, to my mind, be a principle objective for any Clan Society.

**By Len Forsyth**



## New Members

***Welcome.***

On behalf of the Clan President the Society wished to extend a warm welcome to our fold the following new Clan members:

- Annette & Ian Cowan and Family – Sadliers Crossing
- Len & Veronica Forsyth and Family – Redbank Plains
- Lyndall & Murray Hill and Family - Stanthorpe

We would ask all Society members to join with us in making all our new members welcome, as well as making yourself known to them at any of the upcoming scheduled Clan activities.



## Up Coming Events

### **Barefoot Bowls Day at Harrisville Bowls Club.**

Even if you have never played bowls before – then we'd encourage you to come along so we can catch up with you, on the day at the Harrisville Bowls Club. It may just be a great opportunity to sit down with fellow clan members and learn how to play bowls or just to capture some of those life experiences and stories as discussed above.

**Sunday 2<sup>nd</sup> November 2014 - 9.30 for 10.00 am Start**

Address: Harrisville Bowls Club - **Wienholt Rd, Harrisville**

Cost: **\$10.00 per player** – bowls included (Children's bowls available)

Dress: Neat casual, shoes – flat sole shoes, thongs or bare feet

Drinks: Bowls Club bar open (Please NO BYO) – Stubbies from \$3.20 – soft drinks from \$2.20 – all other drinks available, wine etc. - Lunch: Sausage Sizzle - \$2

Contact: Rhonda & Keith Noe (07 **5467 2200**) email [keithnoe@bigpond.com](mailto:keithnoe@bigpond.com)



## **Clan Dinner 2015**

**April 11<sup>th</sup>, 2015**



Grab your calendar and mark this date in there now – **Saturday, April 11<sup>th</sup> 2015** at the Harrisville School of Arts Hall. The final meal cost, reservation and payment options will be available closer to the event. We can however confirm that both the menu and caterers (Betty Wilson), that we have previously enjoyed will be available for this function. We have also been fortunate enough to entice he



same piper and vocalist who have provided live music for us at previous banquets to perform again for us in 2015.

Come and join us once again for fine food, good company, great entertainment and the chance to catch up with kith and kin.



Keep an eye out for full details **early in 2015** - *It will be great to see you there again.*



## **If only the world would stay the same, as it was in 1979...**

Sometimes within all families difficult but IMPORTANT conversations need to take place. Such a conversation about the future legal structure of needs to commence between all our members This is because currently ALL of us are affected by our current legal form and structure of our organisation.

**I will have to warn you now, that this is NOT exciting reading, but it is import reading.**

**Please bear with me as, this “*simple country boy*” attempts to explain to you a highly complex issue as simply as I can, without “*glossing over*” too many of the important aspects.**

Since 1979 when our Clan Society was setup and formed, many new challenges have arisen to confront almost every small organisation such as ours. In particular the rise of the “*No Win – No Fee*” style legal action, has seen our court system now deluged with more and more litigation actions by an ever more litigious public.

## **We have always been an unincorporated association – what’s all the fuss?**

In 2014, the Clan Society is still an unincorporated association. Many of you may already be unaware that as members of such an unincorporated association, that you personally are exposed to potential legal redress whenever we conduct any organised function.

I am advised by legal counsel, that despite holding Broadform Public Liability policy in the event of a large claim against the Clan that this \$40,000,000 coverage that the full adequacy of policy and its coverage could only be truly tested through a court action, given that we are an unincorporated body.

To simplify this the best that I can, If such a policy is to prove to be inadequate or worst still invalid, then each and every member of our organisation exposes their own personal assets, in the event of success full action against the organisation.

This is because our association is not recognised as a separate legal entity.

Under the law we are considered to be just a group of individuals acting on a common interest. As mentioned above this means that every members of the association, (both committee members and ordinary members) are collectively liable for the association's debts, contracts and insurance claims.

## Unincorporated Associations vs Incorporated Associations

The main legal difference between an incorporated (*what we'd prefer to be*) and a unincorporated association (*what we are now*), is that an Incorporated Association is a legal entity, which has a personality, rights and liabilities separate from those of its members. An incorporated association can do most things that individuals can do in its own name such as hold property, make contracts, sue and be sued.

## Incorporation

Incorporation means joining the individuals into one legally recognised body. Any organisation that owns goods or land, enters into contracts, holds a liquor license, borrows money or charges fees for non-members to participate should consider becoming incorporated. The law does not recognise a club or association as having any legal existence in its own name unless it is incorporated by law.

Incorporation means that members of an organisation are NOT personally liable for its debts. Also Government and non-government grants are often excluded to un-incorporated bodies. Once incorporated, clubs need to comply with the Associations Incorporation Act.

## Why incorporate?

Creation of a separate legal entity for the organisation through incorporation usually protects individuals within it, provided it operates within acceptable business and community standards. With the organisation having a legal existence, it:

- exists as a separate legal entity, regardless of changes of membership
- may enter into contracts in its own right, including tenancy or lease agreements
- may own land and other property
- has the ability to sue and be sued
- may borrow money and accept gifts and bequests

Much of the above list is of little concern to small organisations like ours given the scope of our activities. However the most important aspect of incorporation is that our members and office bearers would not be personally liable for the debts of the organisation or the negligent acts or omissions of other office bearers and members.

Incorporation is often also a prerequisite for obtaining a grant from Local, State or Federal Government and some unincorporated organisations are also excluded from holding a Public Liability Cover.

No doubt many of you may have already been involved with other community and Not-For-Profit organisations, which have also faced the same dilemma. Regrettably some of these community organisations, who could not meet the criteria or expense of incorporation, owing to the potential for

litigation against their members have been forced to dissolve and have now fallen by the wayside. I have no doubt that society is in general a poorer place through the loss of services and community benefit that these organisations once provide.

## Government assistance with the incorporation process

Traditionally incorporation has been thought to have been an expensive process. However the Queensland State Governments has recognized the important role and contribution made to our communities by these small organisations. In response and to assist in stemming the tide of demise of many of these organisations, the process of incorporation for *Not-For-Profit* organisations has been greatly simplified in recent times, along with a significant reduction in cost for filing an application.

## The Cost of Incorporation in Queensland

Currently the only associated costs of incorporation in Queensland are **\$143.00** for the initial application fee. After that the only other cost for organisations such as our, is an annual fee of **\$43.00** paid at the time of the lodging of subsequent annual returns.

The two other major ongoing costs for some organisations, which are the cost of public liability coverage of a minimum of **\$1,000,000**. The Society already pays for such coverage. The second major expense some organisations being the requirement of maintaining annual audited financial accounts. The Clan Society would however be exempt from this requirement given the amount of our annual turnover and amount of assets due to a recent government relaxation of this requirement.

Annual compliance with the current Incorporations Act only require a one page annual return that updates office bearers, membership classes along with any amendments to the organisations rules. The **\$43.00** annual fee mentioned above simply offsets the cost of processing this annual return and updating the Governments records.

## Other requirements needed for incorporation.

Most other requirement regarding incorporation in Queensland for a Not-For-Profit organisation are already met. The only exception to this being the use a standard set of organisational rule and constitution that conforms with both State and Commonwealth guidelines for Corporate Governance and the conduct of the directors of incorporated association.

The State Government supply a Model set of rules, which has been drafted to comply with these requirements and as it has been adopted by the majority of smaller organisations, it provides a common standard.

Alternately the organisation could choose to use its existing rules for the purposes of incorporation provided a declaration could be made that the existing rules and constitution met with both State and Commonwealth minimal guidelines for Corporate Governance and the conduct of Directors.

This latter approach of using our existing rules would naturally have been the preferred option for incorporating the Clan Society. However after examination by counsel, it would appear that the existing Clan Forsyth Rules 2008 that a statutory declaration regarding the current rules could NOT be made to the State Government.

This was because the existing rules were so deficient, on so many counts, when compared against the current ASIC requirements. The short coming of our existing rules in this respect are so numerous that the simplest option, was to NOT attempt to amend the current rules and to instead adopt the State Government supplied model rules.

A full copy of these model (generic) rules that have been drafted by the State Attorney Generals Office and recommended for use “*Not for Profit*” organisations by the Queensland Government can be downloaded for their web site at:

- <http://www.fairtrading.qld.gov.au/non-profits/incorporated-associations>

## **Where are we now and how do we move forward?**

For our organisation to endure for future generations and continue to serve both its members and the community, then we as a group need to contemplate some significant structural reforms to both our corporate structure and the legal status of the Society.

I would stress that beyond identifying the magnitude and nature of our current risks, no other course of action has been embarked upon as yet. However the “*Conversation*” around this topic needs to commence immediately. To delay this, would only be doing a disservice and placing all members at prolonged risk.

The executive and committee needs your feedback and input so that we can find the best outcome for all. We will look forward to discussing and advising on this topic in the coming future.



## **IMPORTANT - We need to be able to give you a voice and to know what you are thinking...**

### **Speaking with you personally**

The current executive and committee as your elected representatives are dedicated to representing individual Clan Society members to the best of their ability. In a perfect world we could all just sit down over good cup of tea or coffee, and ask about both your interest and concerns.

However calling in for that proverbial “*cuppa*” in today’s “time poor” world may just be a little harder to achieve. Instead your new committee would like to phone each and every member of the Clan to learn what the issues that are important to you are. This will take place in the coming weeks and months. This will then give a direct line, so to speak, to representation at the next committee meeting.

Don’t worry if you are not home when we phone – We will call back again, at another time. If it’s not convenient to speak when we call – We’ll arrange with you a mutually convenient time, when we can both sit down with our favourite beverage at each end of the phone and make that call. We will not only pass on your comments and concerns – we will then call back after your issues and concerns are raised at our next meeting and we will advise you of their outcome.

**WE RESPECT YOUR PRIVACY - Should for any reason, you wish not to take part in this process, then please contact the Clan Secretary, so that you are NOT called.**



## New Website and Clan Portal

*New for 2015*

A new Clan Forsyth Queensland website is currently under development and is expected to have its preliminary stage of completion operational by early 2015. On final completion this new website will provide publically accessible information on Clan activities, along with a range of secure "member only" services.

This site will act also as a repository and data collection point for genealogical and historical data. Information as diverse as historical documents, Clan Photos, Trip reports, Member interviews and other news items will all be able to be accessed through this portal.

When the site moves to its testing and production phase later this year to early next year, we will be seeking input from Clan members regarding its usability and the features it will contain.



## Contacting you electronically

*A richer multi-media experience*

The current Clan Journal has been produced and distributed to all Clan members by a posted and printed copy. However given the amount of rich multimedia content available that we can share with our members such as audio interviews with clan members, images and video, historical downloads and genealogical data, it would be great if this information could be passed on to you electronically so that you can access it over your own internet connection.



Unfortunately, some of our record keeping may be incomplete and we would ask that when a member of the committee contacts you to obtain your feedback then they will confirm with you your permission to distribute regular information in this newer rich electronic format (via email).

If you like you can also provide us with your email details by simply emailing us with the word "subscribe" in your subject line and posting it to the following email address:

- [subscribe@clanforythqueensland.com](mailto:subscribe@clanforythqueensland.com)

**Of course should you either not have access to the internet or just prefer a paper based "Hard" copy, and then one will be provided to you, automatically.**





## Congratulations to our Young Achiever's.

**Brendan Ashton** - who is the son Glenys and Gary Ashton and Val & Vic Ashton's grandson and Bryn Llewellyn son of Margaret and Wade Llewellyn grandson of Rhonda & Keith Noe made the Ipswich Pioneers representative cricket team for the Ray Weir Cup competition. Gary Ashton is also the coach of this side. Later in the year the South East Queensland Cricket Championship side will be announced and both these boys have represented SEQ for the last 3 years.

**Bryn Llewellyn** – who is Keith and Rhonda Noe grandson, was selected in the under 15 Met West School cricket team to play in a carnival at the Sunshine Coast early in December.

**Well done Boys!**

### *How to use the **Nippon Denso (QR)** bar code below*

*You can download your own full colour pdf version of the latest edition of the Clan Forsyth Queensland Journal direct from our website to your smart phone by either using the bar code below or by downloading it from your web browser by going to:*

- <http://www.clanforythqueensland.com/journal/october2014>.



Clan Journal

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2014**

*To use QR codes conveniently you must have a smartphone equipped with a camera and a QR code reader/scanner application feature. Luckily, the newer smartphones models available today often have an app pre-installed on them.*

*However, don't start breaking out into a sweat yet if you aren't lucky enough to have that work done for you, it's nothing a quick push of a button can't fix.*

*All you have to do is visit your phone's app store (examples include the Android Market, Apple App Store, BlackBerry App World, etc.) and download a QR code reader/scanner app.*



## Important Dates to Remember

<u>Events</u>	<u>Dates</u>
Bare Foot Bowls – Harrisville Bowls Club	• Sunday - <b>2nd November 2014</b>
Annual Dinner – Harrisville School of Arts Hall	• Saturday - <b>11th April 2015 March</b>
Activities Day – Ashton's Hall, Amberley	• Date to be advised in the new year ( <b>2015</b> ).
Clan Picnic & AGM – Peak Crossing	• Sunday - <b>30th August 2015</b>