



## BUSINESS AFFAIRS

### Public Officer: Duties and Responsibilities

#### *Associations Act 2003* *Sections 27, 28, 34, 45 & 118*

*Persons considering taking on the role of Public Officers of an incorporated association should acquaint themselves fully with the Act and the Regulations.*

#### **The Public Officer:**

- may be a member or employee of the association;
- must be resident in the Territory;
- must be over the age of 18 years; and
- subject to the association's constitution, may hold any other office in the association.

#### **The office of Public Officer of an incorporated association is vacated if the Public Officer:**

- he/she dies;
- becomes bankrupt or applies to take the benefit of a law for the relief of bankrupt or insolvent debtors or compounds with his or her creditors;
- becomes of unsound mind;
- resigns office by signed notice to the committee of the association;
- is removed by resolution of the members of the association passed in accordance with its constitution; or
- ceases to be resident in the Territory.

**Note:** If the office of Public Office becomes vacant, the Management Committee of the association must, **within 14 days after the vacancy arises**, appoint a person to be the Public Officer (see [Public Officer: Appointment or Change of Address form](#)).

#### **The Public Officer:**

- is the contact for Business Affairs and the public when liaising / communicating with the association;
- is required to notify the Commissioner's office in writing (see Public Officer: Appointment or Change of Address form) within 14 days of any changes to their contact details occurring;
- is the registered representative of the association, the person whom legal process, notices or documents are served or sent;
- must, together with the other members of the Management Committee, ensure that the association's audited annual accounts are lodged with the Commissioner's office within the

- prescribed time under the Act;
- should keep a copy of the Constitution and make it available to members on request;
  - is required, together with the other members of the Management Committee, to make a register of members available for inspection by members of the association;
  - must, together with the other members of the Management Committee, ensure that accurate minutes are recorded and retained; and
  - must, together with the other members of the Management Committee, take all reasonable steps to ensure the association complies with the *Associations Act and Regulations*.

**Please note all lodgment fees are exempt from GST**

**For further information contact Business Affairs phone (08) 8999 1315**

<b>Lodgement by Mail</b>	<b>Lodgement by Hand at Territory Business Centres</b>			
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