



## PUBLIC OFFICER

Adopted: May 2016

Ref – 5.2

Under the Constitution, the Secretary shall be the Public Officer of the Society, however, there may be times if the position is vacated, that someone else is required to be appointed.

### **Role of the public officer:**

A public officer is the official point of contact for an incorporated association and one of the authorized signatories.

### **Who can be a public officer:**

- A committee member, an ordinary member or a person outside the Association may hold the position of public officer.
- The public officer must be over 18 years of age and reside in New South Wales
- An association's incorporation may be cancelled if it does not have a public officer or if its public officer does not comply with these requirements.

### **Official address:**

- Every association must have an official address. The official address must be a physical address in NSW where the public officer can generally be found. It must be premises at which documents can be received by post.  
The official address for ArcheryNSW is: Sports House | Quad 1, L2, 8 Parkview Drive, Olympic Park, NSW
- The official address cannot be a post office box.
- The public officer must advise NSW Fair Trading of a change of official address by lodging the approved form *Notice of appointment of public officer and notice of change of association address* (form A9) within 28 days after the current address becomes obsolete or unusable.

### **Authorized signatory:**

- The public officer is automatically one of the authorized signatories for the association. However, the public officer is not automatically a signatory to the association's bank account.

### **Public officer appointment / removal and removed?**

The person nominated as the public officer on the application for incorporation of an association will become the association's first public officer. The committee must fill the vacancy in the position of public officer within 28 days.

A public officer will vacate the position if he or she:

- dies
- resigns in writing to the committee
- is removed from office by the passing of a resolution at a general meeting
- becomes bankrupt
- becomes a mentally incapacitated person
- ceases to be a resident of New South Wales, or
- meets any circumstances as provided for in the constitution

The new public officer must notify Fair Trading within 28 days of the new appointment.

Notification must be in the approved form *Notice of appointment of public officer and notice of change of association address* (form A9).

### **Responsibilities of the public officer:**

The public officer is responsible for:

- notifying Fair Trading of any change in the association's official address within 28 days
- collecting all association documents from former committee members and delivering the documents to the new committee member.
- returning all association documents to a committee member within 14 days, upon vacating office
- acting as the official contact for the association, including taking delivery of documents served on the association and bringing them to the attention of the committee as soon as practicable.
- custody of any documents as required by the constitution.

### **Links:**

[http://www.fairtrading.nsw.gov.au/ftw/About\\_us/Our\\_services/Forms/Associations\\_forms.page?](http://www.fairtrading.nsw.gov.au/ftw/About_us/Our_services/Forms/Associations_forms.page?)

### **Lodging forms**

Clients can mail forms free of charge to:

Registry Services

Reply paid 22, Bathurst NSW 2795

or alternatively by email to [registrylodgements@finance.nsw.gov.au](mailto:registrylodgements@finance.nsw.gov.au) together with completed credit card payment form (703kb).

Subject line of email to include full name of the association and registration number.

Copies of current approved forms relating to various provisions of the Associations Incorporation Act 2009 are available below or from Registry Services:

- phone (02) 6333 1400, or
- phone Free Call 1800 502 042, or
- email: [registryinquiries@finance.nsw.gov.au](mailto:registryinquiries@finance.nsw.gov.au)

### **Note: Link may change from time to time:**

Form A1	<a href="#">Application for reservation of name</a>
Form A2	<a href="#">Application for registration of incorporated association</a>
Form A3	<a href="#">Application for registration of an amalgamated incorporated association</a>
Form A4	<a href="#">Application for registration of incorporated association by a registrable corporation</a>
Form A5	<a href="#">Certificate of public officer as to vesting of property</a>
Form A6	<a href="#">Application to register change of objects or constitution</a>
Form A7	<a href="#">Application to register change of name</a>
Form A8	<a href="#">Application for voluntary cancellation of registration of an association</a>
Form A9	<a href="#">Notice of appointment of public officer and Notice of change of association address</a>
Form A10	<a href="#">Application for approval to transfer registration</a>
Form A11	<a href="#">Application for extension of time for holding annual general meeting or lodging annual summary of financial affairs</a>
Form A12	<a href="#">T1 (Large) - Annual summary of financial affairs - Tier 1</a>
Form A12	<a href="#">T2 (Small) - Annual summary of financial affairs - Tier 2</a>