



*Gateway to the Manning!*

8 Station Street, Johns River NSW 2443  
president@johnsriver.com.au

## **Committee of Management – Position Descriptions/Role and Responsibilities:**

### **What does the management committee do?**

The affairs of an incorporated association are normally managed by a committee. The committee may exercise the powers and functions of the association, subject to the *Associations Incorporation Act 1984*, the *Associations Incorporation Regulation 1999* and the rules of the association.

The rules of an incorporated association must set out the name, constitution, membership and powers of the committee or other body having the management of the incorporated association. The rules of the association must also set out provisions regarding:

- the election or appointment of members of the committee
- the terms of office of members of the committee
- the grounds on which, or reasons for which the office of a member of the committee shall become vacant
- the filling of casual vacancies occurring on the committee, and
- the quorum and procedure at meetings of the committee.

### **How many committee members are required and can a committee member hold more than one position?**

The rules of the association will determine the membership of the management committee. If the incorporated association has adopted the model rules, the management committee will consist of the president, the vice president, the treasurer, the secretary plus three ordinary members.

As currently drafted, the model rules do not allow for a committee member to hold more than one position on the committee. However, the rules of an association may allow for a committee member to hold more than one position.

There is no restriction on a committee member also holding the position of public officer.

### **What are the responsibilities of the committee members?**

The committee is normally responsible for managing the affairs of an association in accordance with the legislation. The rules of the association may set out additional obligations and specific restrictions on the power of the committee. As a result, each member of the committee should be familiar with the association's rules and statutory obligations of the association. The statutory obligations include:

- ensuring that the association's full name appears in legible characters on all official documents including business letters, accounts, official notices, publications, cheques and receipts. Section 12(4) sets out the list of documents upon which the full name of the association must appear
- ensuring that the association does not act contrary to its objects and does not exercise any power contrary to a prohibition or restriction in its rules (section 18)
- notifying the Commissioner if the position of public officer becomes vacant and appointing a new public officer within 14 days (section 23)
- ensuring that an annual general meeting is held each year within 6 months after the end of the association's financial year and that a statement regarding the accounts of the association is submitted to the members at that meeting (section 26)

- ensuring that two committee members, who are authorised by a resolution of the committee to do so, certify that the annual statement has been submitted to the members and ensuring that the public officer lodges the annual statement with the Registry within one month after the annual general meeting (section 27)
- ensuring proper accounting records are kept which correctly record and explain the transactions of the association and its financial position (section 28)
- ensuring that minutes of all committee and general meetings are kept (section 28)
- ensuring that the association does not incur debts if there are reasonable grounds to expect that the association will not be able to pay all its debts as and when they fall due (section 38)
- ensuring that the association does not do any act with intent to defraud creditors or any other person (section 38)
- ensuring that any documents addressed to the association are brought to the attention of the committee as soon as practicable after receipt (section 63), and
- ensuring that documents provided to the Commissioner or submitted to members do not contain false or misleading statements and that such documents do not omit any matter that has the effect of making the document misleading.

In addition, members of the committee should:

- be aware of the duties of the public officer and ensure they are properly carried out
- use reasonable care and skill in the performance of their duties
- act in good faith, and
- advise the committee of any conflict that may arise between their own interests and the interests of the association.

Whilst it is commonly accepted in community organisations that paid staff should have job descriptions, the notion that honorary committees of management have agreed role descriptions is not so widespread. In order to encourage accountability and efficiency it is reasonable that the role of the committee should be set out in writing and discussed with the people concerned **before new members take office.**

**All members must ensure that they:**

1. Are aware of their responsibilities under the relevant incorporating legislation and common law
2. Put the interests of the organisation above all else
3. Act in all instances with due care
4. Are always honest
5. Avoid any conflict of interest by being up-front about likely conflicts and withdrawing from any discussion or decisions where this is an issue
6. Do not gain in a personal way from being a Committee member
7. Do not divulge any confidential information outside of the appropriate forum

**Committee members are expected to:**

1. Commit to the role of Committee member
2. Regularly attend Committee meetings
3. Keep up to date by reading the minutes, reports and any other necessary meeting papers.
4. Try to be as active as possible in decision making
5. Understand how the organisation works, including the organisations services, their programs and their staff
6. Be familiar with the Constitution and the organisations responsibilities in regards to legislation and finances
7. Be active in planning for the future direction of the organisation
8. Be faithful and supportive of the organisation in the eyes of the public
9. Take responsibility for particular areas of work which may mean involvement in sub-committees
10. Regularly attend the organisations functions and represent your organisation at outside functions
11. Approve relevant documents including responsibility for approving the organisation's budget

# Committee of Management – Position Descriptions/Role and Responsibilities:

## The Chairperson/President is responsible for:

1. Ensuring regular Committee meetings are organised
2. Ensuring that the Constitution and rules are adhered to including adherence to a quorum
3. Maintaining a neutral position during discussion and decision making including noting decisions or motions and asking the meeting to vote on these
4. Delivering a casting vote in the event of an equal vote
5. Preparing an agenda in consultation with the executive officer
6. Dealing with agenda items in order of importance, keeping discussion and decision making relevant and setting time limits if and when necessary
7. Ensuring all members have the opportunity to speak, addressing themselves "through the chair"
8. Preserving order throughout the meeting
9. If necessary suggest appropriate procedures to deal with any difficulties in getting through agenda items
10. Signing the minutes of the previous meeting after they have been confirmed as a true record
11. Representing the organisation at all levels of the community

## The Vice President is responsible for:

Assisting the President with his/her duties and filling in as acting chair in **the absence of the President.**

## The Secretary is responsible for:

1. Making sure all correspondence and official records of the organisation is up to date, accurate and in order (other than financial)
2. Assisting the Chair and Executive Officer to organise Committee meetings
3. Ensuring the minutes of the meeting are taken, either by themselves or delegated to a minute taker
4. Ensuring that information for the Committee and from the Committee is dealt with in an efficient manner.
5. Ensuring that meeting papers (agenda, correspondence and previous minutes) have been distributed
6. working with the Chair/President to ensure the meeting runs smoothly
7. Knowing the rules of the organisation and taking responsibilities for all the legal requirements of incorporation.

## The Public Officer is responsible for:

1. Notifying the Department of Fair Trading of any changes in the official affairs of the association and its financial position
2. For keeping a registrar of Committee members
3. For providing and official Annual Statement

The Public Officer must reside in the State/Territory of registration (NSW).

## The Treasurer is responsible for:

1. Overseeing the financial affairs of the organisation
2. Keeping the Committee informed about the finances in a way that Committee members can understand
3. Reviewing of the budget
4. Ensuring the financial records are current and in order
5. Providing financial and investment advice
6. Organising and presenting the annual balance sheet and accounts to members of the organisation at the AGM

### **Ordinary Member - Media Officer is responsible for:**

It is the duty of the media officer of the association to ensure:

1. that all communications with public authorities, print media and television/radio mediums are written in accordance with the objectives of the association and approved by the President (or in his/her absence) by the Public Officer of Association – prior to release for publication.
2. that any items to be published on the Association website are approved by the President (or in his/her absence) by the Public Officer of the Association – prior to release on the internet.

### **Ordinary Members – General Position (3)**

To provide assistance to the Executive of the Committee of Management when required/requested.

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