



ROLE DESCRIPTION – PUBLIC OFFICER

The Public Officer is appointed by the Committee and is not elected by the members of an incorporated association. In short the Public Officer is the point of contact between the incorporated organisation and NSW Fair Trading.

Note: 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.

Specific duties include but are not limited to:

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 (if required)
- returning all association documents to a committee member within 14 days, upon vacating office
- acting as the official contact for the association with Fair Trading, 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
- Is an automatic authorised signatory for the association (not including the Organisation's bank account/s)

Vacating duties:

The committee must fill any 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 A9 Notice of appointment of public officer and Notice of change of association address

More information: [NSW Fair Trading](#)