



20 August 2024

Dear Management Committee Member,

Appointment as a Responsible Person for Queensland Powerchair Football Association Inc.

Congratulations on your appointment to the management committee (the **Board**) of the Queensland Powerchair Football Association Inc (the **Association**).

In your role, you have a special opportunity to contribute to the work and life of the Association. Being a management committee member can be challenging at times, but it can also be a rewarding way to help the Association achieve its charitable purpose, which is set out in clause 3 of our Constitution.

3 Object

- (1) The association is established for the public charitable purposes of providing benevolent relief to people in need due to disability.
- (2) To achieve the charitable purposes of the association, the association may, for example, provide social activities, including social sports, which provide physical exercise, accessible social interactions, and a supportive community for person in need due to disability.

As a member of the management committee of an incorporated association that is a charity registered with the Australian Charities and Not-for-profits Commission, you have duties and responsibilities that come with your role. Your main duties and responsibilities come from:

- the ACNC Governance Standards under the *Australian Charities and Not-For-Profits Commissions Act 2021* (Cth);
- division 3 of part 7 of the *Associations Incorporation Act 1981* (Qld);
- common law and equity, which is the uncodified case-based legal system which exists in Australia.

You may also have other obligations and duties under these three sources of law, and to other government agencies or under other laws.

Under ACNC Governance Standard 5, charities are required to take reasonable steps to make sure that the members of their governing body know and understand their legal duties and carry out their duties. These duties generally require you to be careful and conscientious in your role and to act with common sense and integrity.





Your main 6 duties as a management committee member are:

- **To act with reasonable care and diligence.** You must exercise your powers and duties with the care and diligence that a reasonable person would if they were in your place.
- **To act in good faith in the best interests of the charity and for a proper purpose.** When acting as a board member you must make decisions that are in the best interest of the charity and to further its charitable purpose.
- **Not to improperly use information or position.** Any special knowledge that you gain as a management committee member must only be used for the benefit of the charity and never to further personal or other interests. Similarly, you must not use your position to improperly gain an advantage for yourself or someone else, or cause detriment to the charity.
- **To disclose conflicts of interest.** If your duty to act in the best interests of the charity is in conflict with (or may conflict with) your personal interests you must disclose this responsibly. Refer to P&P099 - Conflict of Interest and FM099 – Declaration of Interest.
- **To ensure that financial affairs are managed responsibly.** Ensure that there are systems and processes in place that ensure that the charity's resources are being effectively put towards the charity's charitable purpose and are protected from misuse.
- **Not to allow the charity to operate while insolvent.** You must ensure that the charity can pay its debts when they are due or will become due and that it does not continue to operate if it cannot pay its debts.

Knowing and carrying out your duties as a management committee member helps the Association to carry out its charitable purpose and protects its resources against misuse. You can find more information about the duties of those who manage charities on the ACNC's website (www.acnc.gov.au) or in the ACNC's guide *Governance for Good*.

Additionally:

- our internal policies can be found here: <https://qpfa.org.au/members-area>. The password to access this webpage is: qpfa123.
- please complete a FM099 – Declaration of Interest prior to the first management committee meeting of the year.
- please complete a FM098 - Declaration for Governance Standard 4 prior to the first management committee meeting of the year.





- for the purposes of the *Associations Incorporation Act 1981* (Qld), we are required to inform you that we hold the following insurance: "Management Liability: \$1,000,000 any one claim and in the aggregate".

If you have any concerns about meeting these duties, talk to Tobias Kennett (0481 093 499) or contact the ACNC for information. Remember that there are resources available and people who can help you to better understand and meet your duties.

Congratulations again on your appointment as a management committee for the Queensland Powerchair Football Association Inc. Thank you for donating your time and expertise.

Regards,

Queensland Powerchair Football Association Inc

