



National Secretary:

Apex 40 Australia Inc. National Board Position responsibilities:

Within this document:

- a) *Apex 40 Australia Inc. is referred to as the Association;*
- b) *Constitution refers to Rules and By-laws of the Association;*
- c) *all National Board Members should have a reasonable knowledge of the constitution as this covers some of the legal requirements of all the positions on the National Board;*
- d) *Fair Trading refers to the "Office of Fair Trading Queensland" where Apex 40 Australia is registered.*

Position Description and Procedures:

Please be aware that our financial year ends on the 31st of January.

The Secretary must have a good knowledge of the Constitution as this covers most of the legal requirements of all the positions on the National Board and in particular, those of the Secretary.

The responsibilities of the position of Secretary are given within our Constitution.

I have taken the liberty to expand upon them in this document and present an orderly format for future holders of the position to follow. Future office bearers may wish to amend the procedures as they see fit, providing that they fall within the guidelines of our Constitution and that the National Board approves such changes.

It is essential that regular backups are done on all computer information.

A backup of the information should be sent to another committee member on a regular basis.

The position of Secretary is a most important position within our organization. The keeping of accurate records for the ongoing future of the Association is essential.

This is not an overwhelming task if it is kept up to date on a regular basis. If done on a weekly basis, only 1 to 3 hours per week is necessary to cover the tasks listed herein.

At least every four (4) months the National Board meets as per our Constitution and it is the Secretaries responsibility to ensure that, with consultation with the President, an agenda is prepared prior to the meeting. Following this meeting, the Secretary shall prepare and distribute the minutes of that meeting to all National Board members. All standard meeting practices should be followed at all times.

Election National Board:

At the Annual General Meeting the Members shall elect or confirm the positions on the National Board subject to the Constitution of the Association.



Term of Office:

- 1) The Constitution refers to National Board members “Term of Office”.
- 2) the position of Secretary is for a minimum of two (2) years.
- 3) This is necessary to keep some consistency of operation for the position.

Meeting protocol:

- 1) At times, some of the discussions at a National Board meeting may need to stay within the Board, so please consider what you pass onto members.
- 2) Board members may attend National Board meetings either in person or by electronic media (Zoom, email or other electronic method).

Continuity:

- 1) It is essential that, following an AGM, when a new person is elected to this position, the outgoing office bearer assists the newly elected person to the position of office.

ASIC:

Following the AGM, each newly elected National Board member is to supply the following information so as to enable the Secretary to lodge a Form 490 with ASIC.

Information required:

- a) Full name (not just initials);
- b) Date of Birth;
- c) Place of Birth, Town or City, including Post Code;
- d) State and Country of Birth;
- e) Previous name (if applicable);
- f) Date of Name change (if applicable);
- g) Full Street address (Not P.O. Box), including Post Code;
- h) Each elected National Board member must have a Director’s ID;
- i) <https://www.abrs.gov.au/director-identification-number>

Apply for a director ID

Australian Business Registry Services (ABRS) issues and administers director IDs.

[Visit the ABRS website to learn more and apply](#)

What is a director ID?

A director ID is a 15-digit identifier given to a company director or someone who intends to become a company director.

Director IDs are unique. No two directors have the same one.

Who must have a director ID?

All directors of Australian companies need a director ID. You also need a director ID if you are the director of a:

- registered Australian body
- registered foreign company
- Aboriginal and Torres Strait Islander corporation.

When to apply

If you plan to become a director, you must apply for a director ID before you’re appointed.

If you’re already a director and do not have a director ID, you must apply now.



Registered Address:

- 1) The Registered address of the Association is that of the Secretary. Should the Secretary change address, this must be updated with Fair Trading, ASIC and IP Australia.
- 2) Fair Trading is done using a form 10a
- 3) ASIC is done using a form 390
- 4) IP Australia. This is done by logging into IP Australia at:
<https://www.ipaustralia.gov.au/trade-marks>

Registered Incorporation and IN, ABN and ARBN:

- 1) Apex 40 Australia is an Incorporated Body, registered in Queensland with Fair Trading.
- 2) The Association hold an ABN number and is not registered for GST.
- 3) Incorporation Number: IA40183
- 4) ABN Number: 61 162 597 079
- 5) ARBN Number: 162 597 079

Trade Mark:

- 1) Apex 40 Australia has a registered Trade Mark.
- 2) This Mark is registered with IP Australia.

Correspondence:

- 1) Where possible, all correspondence should be by email to save costs;
- 2) each year the Secretary should setup a new Letter Head with the current National Board members listed in the footer. This letterhead should be made available to National Board members on request;
- 3) both the Associations registered number and the ABN number must appear on all documentation;
- 4) all official mail or email should be sent on this letterhead.

email requirements:

- 1) When sending emails to multiple addresses, address the email to yourself and BCC (Blind Carbon Copy) to all other addresses. It is a requirement of the Privacy Act that private email addresses are not displayed to other recipients;
- 2) the exception to this requirement is when an email is sent to a group such as the National Board by a member of that National Board, it is permissible to use CC (Carbon Copy).

Roaring 40's

On receipt of the Roaring 40's from the editor, email copies to the email address of all members on the National Register with a covering email:

- 1) This includes Apex Australia, The Apex Foundation and all overseas contacts in the register;
- 2) Emails need to be sent:
 - a) to: secretary@apex40.com, with member address in batches with a maximum of 100 as BCC;
 - b) only send a maximum of 4 emails with 100 addresses per hour.

Note: If you exceed this number, emails may be tagged as SPAM email and rejected by some email providers.



Insurance:

The Secretary shall ensure that the insurance as prescribed within the Constitution is current.

Member register:

- 1) The Constitution refers to information held within our “Register of Members”, please read this carefully.
- 2) When a new member joins, please enter the information from the MEMBERSHIP Form into the National Register.
- 3) Membership Register.xlsx

New Membership:

- 1) When new members join, the members Name and email address should be sent to the Membership National Board member so that a “Welcome” letter can be sent to that member.
- 2) If a new member joins a sub-committee, the payment should be made by that sub-committee and a receipt issued to the sub-committee.
- 3) Should an MAL join the Association, the Name and email address should be sent to the Treasurer to enable them to issue a receipt.

Privacy Act:

- 1) There are several sections of the Privacy Act that we are required to comply with and as Secretary you are the overall responsible person. It is therefore necessary that you ensure that you and all National Board members are aware of these regulations.
- 2) When sending emails to members, Roaring 40's, Newsletters and Rort advices etc., please ensure that you always use BCC so that email addresses are not displayed to all recipients.
- 3) If requested by a member for contact details of a second member, ask the requesting member for their details and if you are able to pass them to the second member so that they can contact the requesting member.
- 4) The Secretary is the only person within the Association who should have access to the “Member Register” even though a security copy should be sent to another National Board member as a “Backup” should something untoward happen to the Secretary or the stored data.

Rules of the Association:

- 1) The Rules of the Association need updating periodically and these should be organised by the Secretary. Occasionally, Fair Trading issues updates that must be included.
- 2) To assist in updating and getting Rules passed, it is pertinent to use the Model Rule's headings and numbering. This helps when submitting to Fair Trading as they can compare easily with the Model Rules.
- 3) should the Rules need updating, prepare the necessary paperwork showing the Original and Proposed Changes and email to National Board members for comment and approval.
- 4) Note, see **April, Third Week on page 5:**

By-Laws:

- 1) Maintain and update the By-Laws as required by the National Board or members.
- 2) The National Board must approve all By-Law changes.



Continuity:

On completion of their term of office, the outgoing Secretary will provide the incoming Secretary with all of the relevant information and assistance needed for the incoming Secretary to carry on the position.

Monthly procedures:

January:

- 1) Bank any monies received and send a copy of deposit form to the Treasurer;
- 2) prepare and post any **OBE's** or **OBN's** to the secretary of their Sub-committees for presentation;
- 3) prepare and post any **OBE's** or **OBN's** to MALs;
- 4) update membership register;
- 5) email reminders, regarding sub-committee membership details and forms, to all Secretaries and Members at Large who have not registered.

February:

- 1) Bank any monies received and send a copy of deposit form to the Treasurer;
- 2) prepare and post any **OBE's** or **OBN's** to the secretary of their Sub-committees for presentation;
- 3) prepare and post any **OBE's** or **OBN's** to MALs;
- 4) update membership register;
- 5) email reminders, regarding sub-committee membership details and forms, to all Secretaries and Members at Large who have not registered.

March:

- 1) Bank any monies received and send a copy of deposit form to the Treasurer;
- 2) prepare and post any **OBE's** or **OBN's** to the secretary of their Sub-committees for presentation;
- 3) prepare and post any **OBE's** or **OBN's** to MALs;
- 4) update membership register;
- 5) email reminders, regarding sub-committee membership details and forms, to all Secretaries and Members at Large who have not registered.

Sub Committee Secretaries:

- 1) Request FULL membership record update from all secretaries;

April, First Week:

- 1) Bank any monies received and send a copy of deposit form to the Treasurer;
- 2) prepare and post any **OBE's** or **OBN's** to the secretary of their Sub-committees for presentation;
- 3) prepare and post any **OBE's** or **OBN's** to MALs;
- 4) update membership register;
- 5) email reminders, regarding sub-committee membership details and forms, to all Secretaries and Members at Large who have not registered;
- 6) prepare and email to all members, an Agenda for the upcoming AGM and also email the minutes of the previous AGM;
- 7) prepare and email a National Board nomination form to those who intend to nominate for positions.



April, Third Week:

- 1) Prepare and forward to all members, an Extended Agenda containing the AGM meeting procedure and all of the National board reports and Audited Financials including the Auditors Report covering items to be carried out and/or discussed at the AGM;
- 2) if the Rules of the Association have been updated and approved by the National Board, prepare the necessary paperwork showing the Original and Proposed Changes and email it to all members prior to the AGM, so that it can be voted upon at the AGM;
- 3) ensure that a time slot for discussion of the proposed Rules, is allocated withing the “Extended Agenda”.

May:

- 1) Bank any monies received and send a copy of deposit form to the Treasurer;
- 2) prepare and post any **OBE's** or **OBN's** to the secretary of their Sub-committees for presentation;
- 3) prepare and post any **OBE's** or **OBN's** to MALs;
- 4) update membership register;
- 5) email reminders, regarding sub-committee membership details and forms, to all Secretaries and Members at Large who have not registered.

Following the AGM:

Fair Trading:

- 1) On receipt of Accounts Audit or Verification and passing at the AGM, complete the “Annual Return” form for Fair Trading and send all relevant information as requested;
- 2) if there have been any changes at the AGM to Directorship holders, a “Form 10” must be submitted to Fair Trading advising these changes;
- 3) Positions: President, Vice President, Secretary Treasurer and IRO.

ASIC:

Complete and return a Form 490 to ASIC if and when any of the office bearers for the positions of President, Vice President, Secretary Treasurer and IRO change.

- 1) Update Apex 40 ASIC Register - [Director ID.xlsx](#)

June:

- 1) Bank any monies received and send a copy of deposit form to the Treasurer.
- 2) prepare and post any **OBE's** or **OBN's** to the secretary of their Sub-committees for presentation;
- 3) prepare and post any **OBE's** or **OBN's** to MALs;
- 4) update membership register.
- 5) Update Apex 40 National Board History - [Apex 40 National Board History.xlsx](#)
- 6) Update Rort Attendance Register - [Rort Register.xlsx](#)

July:

- 1) Bank any monies received and send a copy of deposit form to the Treasurer;
- 2) prepare and post any **OBE's** or **OBN's** to the secretary of their Sub-committees for presentation;
- 3) prepare and post any **OBE's** or **OBN's** to MALs;
- 4) update membership register.



August:

- 1) Bank any monies received and send a copy of deposit form to the Treasurer;
- 2) prepare and post any **OBE's** or **OBN's** to the secretary of their Sub-committees for presentation;
- 3) prepare and post any **OBE's** or **OBN's** to MALs;
- 4) update membership register.

September:

- 1) Bank any monies received and send a copy of deposit form to the Treasurer;
- 2) prepare and post any **OBE's** or **OBN's** to the secretary of their Sub-committees for presentation;
- 3) prepare and post any **OBE's** or **OBN's** to MALs;
- 4) update membership register.

October:

- 1) Bank any monies received and send a copy of deposit form to the Treasurer;
- 2) prepare and post any **OBE's** or **OBN's** to the secretary of their Sub-committees for presentation;
- 3) prepare and post any **OBE's** or **OBN's** to MALs;
- 4) update membership register.

November:

- 1) Bank any monies received and send a copy of deposit form to the Treasurer;
- 2) prepare and post any **OBE's** or **OBN's** to the secretary of their Sub-committees for presentation;
- 3) prepare and post any **OBE's** or **OBN's** to MALs;
- 4) update membership register.

Sub Committee Secretaries:

Update membership register.

- 1) Request FULL membership record update from all secretaries;

Members at Large:

- 1) Prepare and send annual membership forms to all Secretaries and Members at large (MALs).

December:

- 1) Bank any monies received and send a copy of deposit form to the Treasurer;
- 2) prepare and post any **OBE's** or **OBN's** to the secretary of their Sub-committees for presentation;
- 3) prepare and post any **OBE's** or **OBN's** to MALs;
- 4) update membership register;
- 5) send reminders regarding membership and forms to all Secretaries and Members at Large.
- 6) forward details of membership numbers for invoicing to the Treasurer:
 - a) sub-committee numbers;
 - b) sub-committee secretary email address;
 - c) MALs email addresses.



Legal responsibility of all National Board members:

- 1) All National Board members have certain legal duties to the Association.
Some of the duties are:
 - a) Have a good knowledge of the Constitution, as this covers some of the legal requirements of the positions on the National Board;
 - b) not to make improper use of information acquired by virtue of their position or to make improper use of their position to gain personal advantage or cause harm to the Association;
 - c) take proper care and ensure due diligence;
 - d) exercise their powers in good faith and in the best interests of the Association and for a proper purpose;
 - e) ensure that the Association does not “trade insolvently”.
This means that the committee should not continue to operate and enter into contracts or incur debts that the Association cannot repay.
- 2) If a National Board member makes a business decision relating to the operation of the Association, they must, among other things:
 - a) ensure that decision in the best interests of the Association;
 - b) not have a personal interest in the decision.
- 3) There are also duties under the law that have been in existence for many years. The substance of these common law duties has not changed and must be followed at all times by all National Board members.

Register list:

- 1) Apex 40 National Board History.xlsx
- 2) Director ID.xlsx
- 3) Membership Register.xlsx
- 4) Rort Register.xlsx