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## Responsible Persons Policy

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Australian Peacekeeper and Peacemaker Veterans' Association  
ACN 651 805 702

Adopted on 3 September 2021

# Anti-discrimination, anti-bullying and anti-harassment policy

Australian Peacekeeper and Peacemaker Veterans' Association Ltd  
ACN 651 805 702 (**APPVA**)

## **1. Responsible Persons Policy**

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### **Introduction**

- 1.1 The Australian Peacekeeper and Peacemaker Veterans' Association Ltd (APPVA) will take reasonable steps to make sure that the following duties apply to Responsible Persons and that they follow them. The duties can be summarised as follows:
- (a) to act with reasonable care and diligence
  - (b) to act honestly and fairly in the best interests of the charity and for its charitable purposes
  - (c) not to misuse their position or information they gain as a Responsible Person
  - (d) to disclose conflicts of interest
  - (e) to ensure that the financial affairs of the APPVA are managed responsibly, and
  - (f) not to allow the APPVA to operate while it is insolvent.

## **2. Purpose**

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- 2.1 The purpose of this policy is to describe the framework to ensure that the APPVA's Responsible Persons meet a set of legal duties so they act in the best interest of the Association and in a way that doesn't endanger its work. Responsible Persons have a responsibility to put the interests of the APPVA above their own personal interests.

## **3. Who are Responsible Persons**

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- 3.1 All members of the APPVA Board and Management Committee are Responsible Persons.

## **4. Register of Responsible Persons Details**

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- 4.1 The APPVA must keep a Register of Responsible Persons Details and use that templated document to collect the information required to notify the ACNC of changes to its Responsible Persons.

## **5. Responsible Persons Procedures**

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### **Duties**

- 5.1 The duties of APPVA Responsible Persons are:
- (a) Act with reasonable care and diligence. Responsible persons are in a position to guide and monitor the management of the APPVA. They need to understand and keep informed about the APPVA's activities and finances and do so by participating in Committee meetings and actively contribute.
  - (b) Act honestly in the best interests of the charity and for its purposes. Responsible persons make decisions by honestly considering what would be in the best interests of the APPVA and would further its charitable purposes.
  - (c) Not misuse the position of responsible person. An example of misusing position is where a responsible person is involved in paying a company owned or controlled by a friend or relative.
  - (d) Not to misuse information obtained in performing duties. An example of misusing information is if a responsible person gives confidential information about the APPVA's operations (that they have gained because of their role) to another person or organisation (even if it is to another charity).
  - (e) Disclose any actual or perceived conflict of interest. Responsible persons must disclose any situation where they may appear to have a conflict between their duty to act and a personal (private) interest, and should not discuss or vote on any matter where there is such a conflict. For example, if the APPVA is considering which company to buy its stationery from, a responsible person should declare an interest if one of the companies is owned by his relative. This is true even if there is no actual conflict. A conflict should be disclosed whenever an independent observer could doubt that a responsible person is acting in the best interests of the APPVA. In general, the responsible person should disclose the conflict of interest to the other responsible persons. If there is only one responsible person or all of them have a conflict, then the conflict of interest should be disclosed to the members of the APPVA.
  - (f) Ensure that the APPVA's financial affairs are managed responsibly.
  - (g) Not allow the APPVA to operate while insolvent. If a responsible person reasonably suspects that the APPVA cannot pay all of its debts when they become due, then the responsible person should take all reasonable steps to prevent a APPVA from taking on more debt. The Committee will review the financial position quarterly to ensure there is enough money to pay for its activities.

## **6. Awareness and Training**

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- 6.1 The APPVA must bring these duties to the attention of all Responsible Persons by:

- (a) providing the policy and procedures in a letter of appointment,
- (b) regularly providing information or training to Responsible Persons on their duties to refresh their knowledge,
- (c) encouraging Responsible Persons to attend, prepare for and participate at Committee meetings
- (d) have processes for the responsible management of money
- (e) have processes in place to manage conflicts of interests, and
- (f) take action if your Responsible Persons are failing to meet their duties.

## **7. Assessment of Persons prior to appointment as Responsible Persons**

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- 7.1 All members considered for roles on the Committee must have the following checks completed by the Executive Committee to ensure that they meet the standard for Responsible People:
  - (a) a search of the ASIC Disqualified Persons Register for that person, and
  - (b) a search of the ACNC Register of Disqualified Persons for that person.
- 8.1 In addition, prior to the appointment of the Responsible Person they must sign a declaration confirming that they are not disqualified and that they understand what it means to be disqualified.

## **9. Register of Responsible Persons Details**

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- 9.1 The Secretary is to keep and maintain the APPVA Register of Responsible Persons Details and use it to collect the information required to notify the ACNC of changes to its Responsible Persons. The Template to be used is on the APPVA Intranet.