Checklist – Questions about your group

Legal information for community groups

► This checklist sets out key questions before starting a not-for-profit organisation

---

Before starting a not-for-profit it's important to have a clear idea about your groups' objectives and how you would like to organise yourselves.

Having a clear idea about this will help you make decisions about the best way to set up your group.

It will also help to highlight any legal issues that your group may need to consider now, and in the future. Although you may be just starting out, it's important to think now about the longer term goals of your group.

We have set out some questions below to help you think and talk about this. You might like to write down a few lines under each question. You may want to do this as a group, or to have each group member do this separately and then discuss as a group.

There are no right or wrong answers. The checklist won't tell you how to structure your organisation or group, but it will help you think about the things that you need to consider and to get agreement about things among yourselves.

The aim of and purpose of your group

What are the group's objectives or purposes? What does the group want to achieve or what is the need that it will fulfil? For example, will your group:

- provide help and support to the public generally, a particular group in the community or to members only?
- provide help and support to other not-for-profit organisations?
- pursue a common recreational interest?
- raise awareness about a particular issue?
- raise funds for a particular cause or to distribute to other not-for-profit organisations?
- conduct advocacy and campaigning activities to promote a particular issue?

Write down a few lines about the aims of, and need for, your group.

_____

_____

_____

_____

_____

_____

Are there groups that already exist that have similar aims or purposes to the group you want to start? If so, is there still a reason for starting a new group? Have you or your group considered joining the existing one rather than starting a new one?

> **!** **Note**
>
> There can be extra expenses and paperwork involved in running a separate group. And, there can be advantages to joining existing groups in terms of accessing increased funding opportunities and other resources.

List any similar groups that currently exist that have similar objectives and the reasons why a new group is needed.

_____

_____

_____

_____

Is the group forming for a one-off, short-term project (for example, a pilot project, organising a one-off event, raising awareness about an upcoming government decision)? Or will the group be a long-term venture (for example, assisting youth from a particular cultural group, starting a self-help group for people suffering from a certain condition)?

_____

_____

_____

_____

The people involved in the group

Are there people who would be interested in being involved in the group? If so, where are they based and how many people might get involved now? And in the future? Will these people help with the administration involved in running the group? (It may be unfair fair to leave all the administration to one person). If you don't have people who would be interested in being involved in the group, how will you attract people to join your group? Note that some forms of not-for-profit entities must have a minimum number to manage the organisation.

_____

_____

_____

_____

_____

_____

Will the group have members? Who will be the members of the group? If there are members, are there membership requirements? Will there be a membership fee? Will you require a minimum level of commitment in terms of participation?

_____

_____

_____

_____

How will the group organise? Are there (or will there need to be) rules by which the group operates? If there are rules, are they written down or just 'known' by the group? Will the group have a formal structure (for example, hold regular meetings, keep meeting records and have people with relevant skills and experience who hold positions in the group) or just be quite informal?

_____

_____

_____

_____

_____

_____

How will the group be managed or run? Will it have a board or committee of management? Will it be run completely by volunteers, or will it employ staff? What about in the future?

_____

_____

_____

_____

_____

_____

If the group is going to employ staff (either now or in the future) will it employ a person involved in setting up the group or a member of the group?

_____

_____

_____

_____

_____

_____

The activities of your group

What will be the main activities of the group, or what programs or services will the group provide?

_____

_____

_____

_____

_____

_____

Where will the group be located? Where will the group operate or where will its activities take place (for example, within a local government area, state-wide, nationally, overseas)? What about in the future?

_____

_____

_____

_____

_____

_____

Will your group be providing activities, programs or services to the public generally, to a targeted group of the public or just to members of the group?

_____

_____

_____

_____

_____

_____

What equipment, buildings, infrastructure, insurance, websites, logos, intellectual property and other materials will be needed to carry out the activities of the group?

_____

_____

_____

_____

_____

_____

Will the group be involved in activities where there may be risks (for example, organising events, serving food or alcohol, working with children or other vulnerable groups or in dangerous locations, sending money or other support overseas, publishing information that people will rely on, carrying out advocacy or campaigning on controversial issues, hosting outdoor activities)?

List any of the risks you think could possibly occur in relation to the activities your group will be undertaking.

_____

_____

_____

_____

_____

_____

Money and resources

Do all the people involved in your group agree that it is going to be a 'not-for-profit' group, with all of the funds going back to the group? (For information about what it means to be a 'not-for-profit' group, see the list of related resources at the end of this document.)

☐ Yes   ☐ No   ☐ Not sure

How much money (funding) or other resources do you estimate that your group will need to carry out its activities, both to set up initially and on an ongoing basis?

_____

_____

_____

Does you group currently have any money or access to any resources? What sources of funding does the group intend to access (for example, membership fees (once-off or annual), applying for government grants, donations from the public, income from products and services provided by the group, outside investors)? Will the group engage in fundraising or raffles? A licence may be required.

_____

_____

_____

Where to next?

Your answers to these questions will help you make other decisions about your group, including some important legal issues:

• whether to incorporate, and

• the legal structure to choose

More information from our website

• <u>Before you start</u> – this webpage provides guidance on the practical and legal questions to address prior to establishing a new not-for-profit organisation.

• <u>Getting started</u> – if you decide to establish a new not-for-profit organisation, the resources on this webpage can help get started.

• You may also want to use our <u>Getting Started Tool</u> – a web application that makes it easy for you to figure out your options when starting a new not-for-profit organisation.

This tool will ask you a series of questions about key decisions for your new organisation - in plain and simple English - and will provide you with information to help you answer these questions. Once you have made your way through the tool, you will be able to download a report summarising the key decisions your group has made, along with a checklist of 'next steps', to help you get started.