

Questions about your group



Legal information for community groups

Before starting a not-for-profit, it is important to think about what the group wants to achieve, who will be involved and how it will operate.

This checklist helps people thinking about starting a not-for-profit group.

Your answers will help you:

- clarify the group's purpose
- decide whether a new group is needed
- identify legal and practical issues
- choose an appropriate legal structure

There are no right or wrong answers. You can complete the checklist together as a group, or ask each member to complete it individually and then discuss the answers.

Purpose of your group

What is the purpose of your group?

What need will it address and what does it hope to achieve? For example, will your group:

- support the public, a particular community or members only?
- support other not-for-profit organisations?
- pursue a shared recreational interest?
- raise awareness about an issue?
- raise funds for a cause or other organisations?
- advocate or campaign on an issue?

Notes

Are there existing groups with a similar purpose?

If so:

- why is a new group needed?
- have you considered joining an existing group instead?

**Note**

Running a separate group can involve additional costs and administration. Joining an existing group may provide access to funding, expertise and other resources.

Notes

Will the group be short-term or long-term?

For example:

- established for a specific project, campaign or event, or
- intended to continue operating into the future

Notes

People involved in the group**Who is likely to be involved?**

Consider:

- how many people are interested now
- how many people may become involved in future
- where they are based
- who will help manage the group's administration

If you do not yet have enough people involved, how will you attract new participants?

**Note**

Some legal structures require a minimum number of people to govern the organisation.

Notes

Will the group have members?

If so:

- who can become a member?
- will there be membership requirements?
- will members pay a fee?
- will members be expected to take part in activities or governance?

**Notes**

How will the group be governed and managed?

Consider whether the group will:

- have written rules
- hold meetings
- keep records of decisions
- appoint people to specific roles
- have a committee, board or other governing body
- rely on volunteers, employ staff, or both

Do you expect this to change as the group grows?

Notes

Will the group employ staff?

If so:

- will any employee be a founder or member of the group?
- how will the group manage conflicts of interest?

Notes

Activities of your group**What activities, programs or services will the group provide?****Notes**

Where will the group operate?

For example:

- locally
- across a state or territory
- nationally
- overseas

Will this change in the future?

Notes



What resources will the group need?

For example:

- equipment
- premises
- vehicles
- websites
- branding and logos
- intellectual property
- insurance
- technology or infrastructure

Notes

What risks might arise from the group's activities?

Examples may include:

- organising events
- serving food or alcohol
- working with children or vulnerable people
- outdoor or hazardous activities
- sending funds or support overseas
- publishing information people may rely on
- advocacy or campaigning activities

List any risks you can identify.

Notes

Money and resources

Does everyone agree the group will operate as a not-for-profit?

A not-for-profit uses its income and assets to pursue its purposes rather than distributing profits to members.

☐ Yes

☐ No

☐ Not sure

What funding and resources will the group need?

Consider:

- start-up costs
- ongoing expenses
- equipment
- premises
- people and expertise



Notes

How will the group obtain funding?

For example:

- membership fees
- government grants
- donations
- sponsorships
- social enterprise activities
- fees for services
- philanthropic funding

Will the group run fundraising activities or raffles?



Note

Fundraising and raffle laws differ across Australia. Depending on how and where you fundraise, legal requirements may apply.

Notes

Where to next?

Your answers will help you decide:

- whether to incorporate
- which legal structure may suit your group
- what legal and practical issues need further consideration



More information from our website

- **Before you start** – guidance on key practical and legal issues to consider before establishing a not-for-profit organisation
- **Getting started** – resources to help start a new not-for-profit organisation
- **Getting Started tool** – an interactive tool that helps groups explore their options and identify next steps