

# Setting up and governing youth organisations - FAQs

Legal information for Victorian community organisations

## This FAQ fact sheet covers:

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- what does being incorporated mean?
  - can we have 'youth' members, committee members and directors?
  - what are MOUs and auspicing agreements?
  - can our youth organisation be a registered charity?
  - what obligations would we have if we were registered as a charity?
  - can we get Deductible Gift Recipient endorsement?
  - what legal duties apply to our youth-led governing body (board/committee)?
  - do special legal duties apply to advisory committees?
  - what other laws apply to youth organisations?
  - we don't have many formal policies or procedures– is this an issue?
  - what legal duties apply to our volunteers? and
  - how can we stay up to date with the laws relevant to youth organisations?
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## **Youth organisations often have a number of questions relating to setting up and running their organisation.**

This fact sheet aims to answer these frequently asked questions and provide a little more guidance about issues that are particularly relevant to setting up and running youth organisations in Victoria.

References to 'youth' in this fact sheet will usually mean people under 18 years of age, but this may depend on the issue being discussed.

References to 'youth organisations' in this fact sheet mean organisations either run by, involving, or providing services to youth or advocating about youth issues.

References to 'committee members or directors' mean the people that sit on the governing body (board/committee) of an organisation.

References to 'members' mean the people that hold membership in an organisation (this normally means they have the right to vote on certain matters or elect the people that sit on the governing body).

# 1. Starting and setting up a youth organisation

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## What does being incorporated mean?

Incorporation gives your group its own legal identity, separate from its individual members. Incorporated groups can enter into contracts, employ people, and sue and be sued. Incorporated groups follow a particular structure, with rules (or constitution), members, and a governing body.

Young people can start and run their own incorporated group. However, it is important to note the same legal duties apply to your organisation and its leaders as any other organisation, regardless of the age of the members of the governing body. It is important to think carefully about whether the young people involved are equipped to understand and comply with these legal duties (covered in section 2 of this fact sheet).

There are a number of incorporated legal structures which are suitable for not-for-profit community organisations. For many Victorian not-for-profit youth organisations, the decision about which incorporated structure to choose will come down to a decision between being an **incorporated association** or a **company limited by guarantee**.

Alternatively, instead of incorporating, your organisation may wish to enter into an **auspicing** arrangement with another organisation, which means the other organisation has ultimate responsibility for your group's activities, but your group can run projects under the auspices of the other organisation.

### RELATED RESOURCES

For more information about the different legal structures available and the steps involved in incorporating a not-for-profit organisation, go to NFP Law's [Setting Up Your Organisation](#) page on the Information Hub at [www.nfplaw.org.au/settingup](http://www.nfplaw.org.au/settingup).

For more information about auspicing, go to Not-for-profit Law's Auspicing Page on the Information Hub at [www.nfplaw.org.au/auspicing](http://www.nfplaw.org.au/auspicing).



## Can we have 'youth' members, committee and directors?

Yes - you can! However, note that:

- for a Victorian incorporated association, while committee members do not have to be over 18, the person who holds the position of "Secretary" must be at least 18 years old, and
- for a company limited by guarantee, all directors must be 18 years or older.

It is possible to create different classes of membership with different voting rights. For example, you could have 'young members' (e.g. under 16, with a lower membership fee) that do not have voting rights and 'full members' (over 16, with a higher membership fee) that do. Another example is set out in the model rules for Victorian incorporated associations (a set of rules drafted by the Government as a template that groups can use if they do not want to write their own rules). In the model rules, members under 15 years of age must be associate members and do not have voting rights.

## What is the difference between a memorandum of understanding (MOU) and an auspice agreement?

MOUs and auspice agreements are both ways that groups can work together, however, they are quite different and it is important to understand the different ways they work.

	<b>Memorandum of Understanding (MoU)</b>	<b>Auspice Agreement</b>
<b>Description</b>	<p>MoUs are often 'agreements to agree', where a comprehensive agreement may be formed at a later time after further negotiations.</p> <p>MoUs can also be documents that set out shared understandings about how organisations will work together.</p> <p>An MoU is the least formal type of collaborative agreement and not normally a legally binding arrangement.</p>	<p>To 'auspice' means to provide support, sponsorship or guidance. The group or individual requiring support is known as the 'auspicee' and the organisation that auspices the group or individual is known as the 'auspicator'. The 'auspicator' is usually incorporated. The 'auspicee' is often unincorporated. When using an auspice arrangement, the relationship is often described as one where the auspicee will be carrying out activities 'under the auspices of the incorporated auspicator'. The auspicator often receives funding or enters into relevant agreements for the auspicee. The relationship is usually set out in an Auspice Agreement (which is generally a legally binding arrangement).</p>
<b>When is it used?</b>	<p>MoUs will typically be used in the not-for-profit sector when organisations wish to co-operate with each other, allowing each to make the most of the other's specialist skills, knowledge or resources or efficiently service a particular need.</p> <p>MoUs are not normally considered legally binding. Therefore, it is not appropriate to use an MoU if your organisation wants to be able to enforce a part of the agreement. If you need to rely on an organisation taking certain actions and/or if your organisation stands to lose money if a party to the MoU doesn't act – your organisation should enter into a binding contractual arrangement, rather than an MoU.</p>	<p>The most common reason for a group or individual to seek to be auspiced is a need to quickly and easily meet grant funding requirements. Grant funding can often require a recipient to be incorporated, be a Tax Concession Charity or have deductible gift recipient (DGR) endorsement.</p> <p>Where a group or individual only wants to run a short term project, or is exploring a model and wishing to trial an idea before committing to incorporation, auspicing can offer a neat solution.</p> <p>Normally the auspicee would approach the auspicator. The auspicator may charge a fee for auspicing the auspicee.</p>
<b>What does it contain?</b>	<p>MoUs will typically establish a framework for collaboration between organisations and express the common goals or vision of the parties to the MoU. In general, an MoU will not deal with the specific details of particular projects. An MoU is therefore usually more of a 'high level' agreement.</p>	<p>It sets out the legal obligations of both the auspicator and auspicee toward each other and in relation to any specific funding or other agreements.</p>
<b>Related resources</b>	<p>For more information about MoUs, when they should be used, what they will cover and any obligations that may arise, go to NFP Law's fact sheet <a href="http://www.nfplaw.org.au/MOU">Memoranda of Understanding</a> on the Information Hub at <a href="http://www.nfplaw.org.au/MOU">www.nfplaw.org.au/MOU</a>.</p>	<p>For more information about important issues for parties involved in auspicing to consider, and guidance on reaching agreement on the terms of the auspicing agreement, go to NFP Law's Auspicing Page on the Information Hub at <a href="http://www.nfplaw.org.au/auspicing">www.nfplaw.org.au/auspicing</a>.</p>

## Can our youth organisation be a registered charity?

Yes, if you are eligible, you can! To become a registered charity with the Australian Charities and Not-for-profit Commission (**ACNC**), the national regulator of charities, your group will need to:

- be not-for-profit (including having 'not-for-profit clauses' in its rules or constitution)
- meet the definition of 'charity', and
- have an ABN.

The definition of a 'charity' is found in the *Charities Act 2013* (Cth). A charity is an entity:

- ✓ which is not-for-profit
- ✓ has purposes that are charitable and for the public benefit (and any non-charitable purposes it has are incidental or ancillary to, and in furtherance or in aid of, its charitable purposes)
- ✓ which does not have any disqualifying purposes, and
- ✓ which is not an individual, political party or government entity.

Becoming a registered charity may entitle you to apply to be endorsed by the Australian Taxation Office (**ATO**) for certain tax concessions, in particular Goods and Services Tax and Fringe Benefit Tax Concessions and Income Tax Exemptions.

### RELATED RESOURCES

For more information registering as a charity, go to the NFP Law's Charities page on the Information Hub at [www.nfplaw.org.au/charity](http://www.nfplaw.org.au/charity). For more information on tax, go NFP Law's Tax page on the Information Hub page on Tax at [www.nfplaw.org.au/tax](http://www.nfplaw.org.au/tax).



## What obligations would we have if we were registered as a charity?

Incorporated organisations generally need to report to their regulator annually and when certain other events occur (e.g. a change in the organisations registered details). For more information go to NFP Law's Reporting to Government page on the Information Hub at <http://www.nfplaw.org.au/reporting>

When an organisation registers as a charity, it must meet special obligations that apply to charities. Depending on your legal structure, these may be in addition to your existing obligations, or if you are a company limited by guarantee, these may replace your obligations. For more detail about how charity obligations interact with other obligations, go to NFP Law's Charity Reporting page on the Information Hub at [www.nfplaw.org.au/charityreporting](http://www.nfplaw.org.au/charityreporting).

A brief overview of a charity's key obligations are outlined below:

Obligation	Brief description
<b>Annual reporting to ACNC</b>	<p>The type of report/s that must be submitted depends on the size of the charity. The ACNC has guidance on determining the size of your charity.</p> <ul style="list-style-type: none"> <li>• small charities are required to submit an Annual Information Statement once each year, and can submit an annual financial report if they choose (which does not have to be audited), and</li> <li>• medium and large charities are required to submit audited financial reports each year as well as an Annual Information Statement.</li> </ul>
<b>Notify ACNC of any changes</b>	<p>Charities need to notify the ACNC when certain things change, including:</p> <ul style="list-style-type: none"> <li>• changes to the legal name of the organisation</li> <li>• changes to the address for service (where legal documents can be sent)</li> <li>• change to the 'responsible persons' (people who are members of your charity's governing body including directors or committee members, or its trustees), and</li> <li>• changes to the governing documents (such as its constitution, rules or trust deed).</li> </ul>
<b>Record keeping</b>	<p>Charities need to keep records, including financial and operational records.</p>
<b>Comply with ACNC governance standards</b>	<p>Charities must meet the ACNC's five <a href="#">governance standards</a>, which are a set of minimum requirements for governance.</p> <p>A charity must meet the governance standards when it applies to the ACNC for registration, and must continue to meet the governance standards to maintain its registration.</p> <p>These standards are similar to the standards that must be adhered to if you are a Victorian incorporated association or company limited by guarantee that is not a registered charity.</p>
<b>Comply with external governance standards</b>	<p>The ACNC Act provides for a set of minimum standards to regulate registered charities who send money or participate in activities outside Australia to be made.</p> <p>Like the governance standards, charities must comply with these external conduct standards (once they are made) to be registered, and remain registered, with the ACNC.</p>

## RELATED RESOURCES

For more information about the definition of a charity, the process for registration, and the benefits and obligations that accompany registration, go to NFP Law's [Registering as a Charity page](#) on the Information Hub at [www.nfplaw.org.au/charity](http://www.nfplaw.org.au/charity).



## Can we get Deductible Gift Recipient endorsement?

Becoming an endorsed Deductible Gift Recipient (**DGR**) means donors to an endorsed organisation can claim a tax deduction for that donation. This can help increase the number and amounts of donations. Applying for DGR endorsement is a long and tricky process, so before applying organisations should make sure the rewards of achieving DGR endorsement are worth the effort.

In general, to be eligible for **DGR** endorsement organisations should:

- have an Australian Business Number (**ABN**)
- meet 'in Australia' requirements as defined in tax law (or have a fund, authority or institution operating in Australia)
- be a not-for-profit organisation (this will usually involve having appropriate not-for-profit and dissolution clauses in your organisation's governing documents), and

- have an appropriate winding up and revocation of endorsement clause in your organisation's governing documents, and
- fall within one of the categories of DGR specified in the Income Tax Act. There are almost 50 different DGR categories and each has its own specific requirements.

Some common categories for DGR endorsement particularly relevant to youth organisations include:

- **Public benevolent institutions** – that provide relief to those experiencing disadvantage such as by helping people experiencing illness, homelessness or poverty
- **Health promotion charities** – that promote good health and awareness (rather than providing relief)
- **Environment organisations** – organisations whose principal purpose is the protection and enhancement of the natural environment or a significant aspect of it, or research or education about the environment or a significant aspect of it
- **Cultural organisations** – organisations whose principal purpose is the promotion of literature, music, performing arts, craft, design, film, video, radio, community arts or television
- **Harm prevention charities** – that work towards preventing harm (e.g. alcohol abuse or suicide)
- **Overseas aid organisations** – providing development and relief assistance in recognised developing countries

For a full list of categories your organisation may fall into to be eligible for DGR endorsement, go to the [ATO's DGR Table](#).

Youth organisations most commonly fall under the categories of a **public benevolent institution** (if providing services to disadvantaged youth) or a **health promotion charity** (if promoting good health and awareness of a disease or diseases amongst youth).

### CAUTION

Each category of DGR has certain 'eligibility criteria' to meet in order to be endorsed by the ATO. These criteria can be quite technical and we suggest your organisation seeks advice about whether it is likely to satisfy the requirements for endorsement. Applying for DGR can be a long and costly process, so it is important for your group to carefully consider the need for DGR status.

There are also record-keeping and reporting requirements that come with being a DGR. Sometimes the burden of extra administration and DGR requirements will outweigh the benefit of DGR status.

You should consider if DGR endorsement will be of sufficient benefit to your organisation to justify the application process and ongoing compliance with the extra requirements.

There is an alternative to an organisation becoming a DGR in its own right. You could work with an existing organisation which has DGR status. This could be for a specific project, rather than all your organisation's activities. It could be a long term arrangement or it could be used to establish a track record for a future DGR application. For further information on this type of arrangement refer to our Auspicing Page at [www.nfplaw.org.au/auspicing](http://www.nfplaw.org.au/auspicing).

## RELATED RESOURCES

For more information about DGR endorsement, including the process for applying and the obligations of DGR endorsed organisations, go to NFP Law's [Guide to Deductible Gift Recipient Status](#) at [www.nfplaw.org.au/DGR](http://www.nfplaw.org.au/DGR).



## 2. Running the organisation

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### What legal duties apply to our youth-led governing body?

The members of the governing body (board/committee) of your youth organisation owe the same legal duties as those governing other types of not-for-profit organisations regardless of their age. These duties include:

- the duty to act in good faith and for a proper purpose
- the duty to act with reasonable care, diligence and skill (including the duty to prevent insolvent trading)
- the duty to not misuse information or position, and
- the duty to disclose and manage conflicts of interest.

Generally when a not-for-profit organisation incorporates, one of the key benefits of incorporation is the members of the organisation (including its board/committee members) are generally not personally liable for the debts of the organisation. This is known as 'limited liability'. It protects members of an organisation from having to use their own personal income to pay outstanding debts of the organisation.

However, if it is found you have breached a legal duty as a board/committee member, you may be liable for this breach, which could result in the following:

- fines or compensation: paying fines set out in the incorporating legislation or having to pay the not-for-profit or a third party for losses related to the breach
- disqualification: the person who breached a duty can be prevented from sitting on any governing body (board/committee) for a period of time, and
- criminal penalties: in extreme cases, if board members are deliberately dishonest or reckless and the breach is significant then some of their actions may attract criminal penalties.

While prosecution is a rare event and will only be taken where there is a degree of deliberate wrongdoing, extreme recklessness or negligence, it is important to remember the reputational consequences of a breach of the duties. These can sometimes be more significant than the legal penalties.

In addition to these four key legal duties a not-for-profit's governing body must ensure that the organisation:

- complies with general legal and regulatory requirements - in particular, that it prepares reports, annual returns and financial accounts (e.g. if an incorporated association that it reports to Consumer Affairs Victoria as required) and other laws, such as privacy laws and occupational health and safety laws, and
- does not breach any of the requirements or rules set out in its governing document and that it acts in accordance with the purpose or objects set out in the governing document.

### RELATED RESOURCES

For more information about the key legal duties owed by governing members of a not-for-profit organisations (including Victorian incorporated associations, companies limited by guarantee, cooperatives and indigenous corporations), go to NFP Law's Legal Duties Guide on the Information Hub at [www.nfplaw.org.au/governance](http://www.nfplaw.org.au/governance).



## We are on an external advisory committee for a youth organisation – do we have specific legal duties?

There are no particular legal duties that apply to an external advisory committee of a youth organisation (or other not-for-profit organisation).

The legal duties discussed above apply to all members of the governing body (board/committee). Therefore, they may also apply to an advisory committee or a member of the advisory committee if that person could fall within this definition. This may be the case where an advisory committee member is particularly influential or acts and is treated in the same way as a member of the governing body. Having a 'volunteer agreement' in place and a clear description of the role and responsibilities of the advisory committee may be useful in clarifying the boundaries of the role, and whether or not that role could attract legal duties.

Advisory committee members should be careful not to share information about the organisation gained as a result of advising the group.

### FURTHER READING

For more information about the rules or constitution of a not-for-profit organisation go to NFP Law's Information Hub at [www.nfplaw.org.au/constitution](http://www.nfplaw.org.au/constitution).



## What other laws apply to youth organisations?

There are many laws that could potentially apply to youth organisations. For example:

- privacy
- intellectual property

- employment
- fundraising, and
- tax.

Laws that are particularly relevant to youth organisations include:

Youth issue	Relevant laws
<b>Working with children checks</b>	The <i>Working with Children Act 2005</i> (Vic) requires anyone involved in ‘child related work’ to have a working with children check (WWC Check). There are offences and penalties for both the organisation and the worker if this requirement is not met.
<b>Record keeping</b>	<p>There are many sources of record keeping obligations. For example, there are particular laws around health records, personal information, and in circumstances where there is actual or threatened criminal litigation against the organisation or any of its clients.</p> <p>In relation to youth, employers are required to keep some basic records and documents in relation to the employment of children (under 15) under Child Employment Permits. These requirements are set out in the <i>Child Employment Act 2003</i> (Vic) and the <i>Child Employment Regulations 2004</i> (Vic) .For more information about keeping proper records of child employment, go to the <a href="#">Business Victoria website</a>.</p>
<b>Work conditions</b>	<p>Organisations have special obligations relating to children engaging in volunteering and other activities under the <i>Child Employment Act 2004</i> (Vic) including:</p> <ul style="list-style-type: none"> <li>- a not-for-profit organisation must not allow a child (under the age of 15) to engage in volunteering activities in a public place or engage in door-to-door fundraising earlier than 6 a.m. or sunrise (whichever is later) or later than 6 p.m. or sunset (whichever is earlier), unless the child is accompanied by an adult, and</li> <li>- a person must not cause or permit a child to engage in any activity that is not ‘light work’ (for the meaning go to the <a href="#">Business Victoria website</a>)</li> </ul> <p>The Act also sets out certain work conditions that apply to child employees. Although these are not legally applicable to volunteers, as a matter of best practice your organisation should assume they also apply to youth volunteers (limiting hours to 12 per week during school terms and 30 hours at other times, not starting before 6am or finishing later than 6pm or 9pm pending the activity, resting for 30 minutes after 3 hours work and 12 hours between shifts)</p>
<b>Mandatory reporting</b>	The <i>Children, Youth and Families Act 2005</i> (Vic) creates an obligation to report concerns about a youth’s welfare in certain circumstances. It is important that if your organisation engages workers (employees, volunteers or independent contractors) who are covered by the mandatory reporting requirements, that they are made aware of their legal obligation.
<b>‘Failure to disclose’ and ‘failure to protect’ offences</b>	<p>These are offences under Victorian criminal law (<i>Crimes Act 1958</i> (Vic)), which were passed as a part of the Victorian Government’s response to the recommendations of ‘Betrayal of Trust’, the report of the Parliamentary Inquiry into the Handling of Child Abuse by Religious and other Non-Government Organisations (November 2013).</p> <p>Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.</p> <p>An offence (called ‘failure to protect’) also applies to people within relevant organisations who knew of a risk of child sexual abuse by someone in the organisation and had the authority to reduce or remove the risk, but negligently failed to do so.</p>

Youth issue	Relevant laws
<b>Minimum child safe standards</b>	<p>Victoria has introduced compulsory minimum standards that apply to organisations that provide services for children to help protect children from all forms of abuse. The child safe standards form part of the Victorian Government’s response to the Betrayal of Trust Inquiry and will assist organisations to:</p> <ul style="list-style-type: none"> <li>• prevent child abuse</li> <li>• encourage reporting of any abuse that does occur, and</li> <li>• improve responses to any allegations of child abuse.</li> </ul> <p>For more information about these new standards, go to the <a href="#">Department of Human Services website</a>.</p>

## RELATED RESOURCES

For more information about various legal issues that relate to volunteers, go to NFP Law’s Information Hub at [www.nfplaw.org.au/volunteers](http://www.nfplaw.org.au/volunteers).



## We don’t have many policies or procedures in place – is this an issue?

Your organisation has a duty of care to take all reasonable steps to mitigate the risks to the health and safety of its staff, volunteers, clients and other members of the public. As discussed above, the board/committee members also have particular legal duties in relation to governing the organisation.

While there is no legal obligation for specific policies to exist, it is good practice to have governance policies which cover certain matters. Developing appropriate policies and procedures may be part of discharging the above duty of care and ensuring compliance with various legal duties. These policies may relate to:

- good governance
- financial management
- management of volunteers and employees
- health and safety
- privacy, IT and social media

It is important to keep in mind that you may be required to have certain policies under government funding or other contractual arrangements.

## We also have no risk management plan - is this an issue?

Risks can expose your organisation, and sometimes individuals, to liability (legal responsibility) that can have serious legal, financial and reputational consequences. If you are involved in a community organisation, no matter what size, it is a good idea to spend at least a short amount of time discussing two simple questions:

- What “bad things” might happen as a result of the operation or activities of our organisation?

- What can we do to avoid these risks, or at least minimise the chance they will happen, and if they did happen, what protections should be have in place (such as insurance policies)?

Many organisations establish a risk committee that is responsible for undertaking this analysis, and reporting back to the board/committee. This process should involve both the board/committee and senior staff (where applicable), should be documented and should include a timeframe for review (e.g. annually).

### RELATED RESOURCES

For more information about insurance and risk management, go to NFP Law's Insurance and Risk Management Guide on the Information Hub at [www.nfplaw.org.au/insurance](http://www.nfplaw.org.au/insurance).



### FURTHER READING

The Australian Institute of Company Directors has developed Good Governance Principles and Guidance for Not-for-Profit Organisations, designed to assist boards in determining what constitutes good governance practice for their organisations at [Good governance principles and guidance for NFPs](#)



## What legal duties do we owe our volunteers?

Your organisation has certain obligations towards it volunteers and to those your volunteers work with. For example:

- you must not allow a volunteer to commence any 'child related work' unless they have had a working with children check (WWC Check)
- your organisation will have legal obligations to protect the health and safety of your volunteers if it has any employees or operates a 'workplace' under the *Occupational Health and Safety Act 2004* (Vic), and
- negligence laws also require your organisation take reasonable steps to prevent foreseeable harm. This includes taking reasonable steps to prevent your volunteers being subject to harmful 'workplace' behaviour such as injuries, discrimination, sexual harassment, bullying and victimisation.

In certain situations, your organisation may also be held legally responsible (be liable) for the actions of its volunteers as representatives of your organisation – for example if your volunteer causes an injury or harm to another person or property while undertaking their volunteer role.

This makes it crucial for your organisation to have good volunteer induction and management practices (which include obligations for the mandatory reporting of child abuse, where relevant), workplace safety and behaviour policies and insurance in place in relation to your volunteers.

## We have 'young volunteers' – are they any special requirements?

All of your obligations to your volunteers also extend to your young volunteers. However, you also have additional conditions for child volunteers (under the age of 15), including not allowing them to engage in volunteering activities in a public place, or certain fundraising activities between certain times unless with an adult. They must also only undertake certain volunteering activities.

When you have young volunteers, your organisation should also consider the following:

- its duty of care to provide a safe workplace for young volunteers
- whether or not the young person has the required skills or experience to safely perform the volunteer role
- whether its insurance policies apply to young volunteers (both harm caused to volunteers and the actions of volunteers)
- the requirement that people working with the young volunteers have working with children checks (in most circumstances young people under the age of 18 who are volunteering are exempt from the WWC Check)
- whether it needs consent from parents or parents present for very young volunteers, and
- the fact that young people are particularly vulnerable and may need special policies and procedures around the activities they undertake (depending on their age).

## RELATED RESOURCES

For more information about various legal issues that relate to volunteers, go to NFP Law's Information Hub at [www.nfplaw.org.au/volunteers](http://www.nfplaw.org.au/volunteers).



## How can we stay up to date with changes to the laws relevant to youth organisations?

Justice Connect's Not-for-profit Law service provides legal information and training to not-for-profit organisations. The Information Hub houses an extensive range of resources and is the 'first port of call' for the many thousands of volunteers, boards and staff at not-for-profits and charities seeking to navigate the legal landscape, govern well, understand law reform, and behave lawfully and efficiently.

Not-for-profit law also sends a monthly newsletter containing information relevant to the sector, including developments in the law. You can subscribe to Not-for-profit Law's monthly newsletter by visiting [www.nfplaw.org.au](http://www.nfplaw.org.au).

You may also wish to subscribe to updates and alerts from other relevant peak and governing bodies such as:

- **Youth Affairs Council of Victoria** – the peak body and leading policy advocate on young people's issues in Victoria ([www.yacvic.org.au](http://www.yacvic.org.au))
- **Volunteering Victoria** – the state peak body for volunteering that focuses on advocacy, sector development and the promotion of volunteering ([www.volunteeringvictoria.org.au](http://www.volunteeringvictoria.org.au))

- **Australian Charities and Not-for-profit Commission** – the independent national regulator of charities. For information about governance and reporting for registered charities ([www.acnc.gov.au](http://www.acnc.gov.au))
- **Department of Justice and Regulation** – for updates relating to working with children checks and child protection laws ([www.justice.vic.gov.au](http://www.justice.vic.gov.au))

# Resources

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## Related Not-for-profit Law Resources

- ✔ [Choosing a legal structure](#)
- ✔ [Registering as a charity](#)
- ✔ [Deductible Gift Recipient Endorsement](#)
- ✔ [Governance](#)
- ✔ [Rules or Constitution](#)
- ✔ [Insurance and Risk](#)
- ✔ [Volunteers](#)
- ✔ [Documents and records](#)

## Legislation

- ✔ *Charities Act 2013* (Cth)
- ✔ *Income Tax Assessment Act 1936* (Cth)
- ✔ *Occupational Health and Safety Act 2004* (Vic)
- ✔ *Children, Youth and Families Act 2005* (Vic)
- ✔ *Working with Children Act 2005* (Vic)
- ✔ *Crimes Act 1958* (Vic)
- ✔ *Child Employment Act 2003* (Vic)

## Other Resources

- ✔ [Department of Human Service](#)

For more information relating to child protection laws, including the new child safe standards

- ✔ [The Australian Institute of Company Directors](#)

The AICD has released Good Governance Principles and Guidance for NFP Organisations

- ✔ [Youth Affairs Council of Victoria](#)

The peak body and leading policy advocate on young people's issues in Victoria

- ✔ [Volunteering Victoria](#)

The state peak body for volunteering that focuses on advocacy, sector development and the promotion of volunteering

- ✔ [Australian Charities and Not-for-profit Commission](#)

The independent national regulator of charities. For information about governance and reporting for registered charities

- ✔ [Department of Justice and Regulation](#)

For updates relating to working with children checks and child protection laws, including the Victorian Government's response to the recommendations of ['Betrayal of Trust'](#), the report of the

Parliamentary Inquiry into the Handling of Child Abuse by Religious and other Non-Government Organisations

▀ [Royal Commission into Institutional Responses to Child Sexual Abuse](#)

For information about the Royal Commission, submissions and recommendations

▀ [Business Victoria](#)

For more information about child employment laws and requirements, including specific obligations for keeping records

▀ [Worksafe Victoria](#)

For more information about protecting the health, safety and welfare of employees and other persons who are at, or come in to contact with a workplace

A Not-for-profit Law Information Hub resource. Access more resources at [www.nfplaw.org.au](http://www.nfplaw.org.au)

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