

Checklist: Questions about your group

Legal information for community organisations



This checklist covers:

- key questions before starting a not-for-profit organisation.

Before starting a not-for-profit it is important to have a clear idea about the aim and proposed structure of your group.

This information will help you make decisions about the best way to set up your group. It will also help to highlight any legal issues your group may need to consider now, and in the future. Although you may be just starting out, it is important to think now about the longer-term goals of your group.

You might like to write down a few lines under each question. You may wish to do this as a group, or to have each group member do this separately and then discuss as a group.

The aim of and purpose of your group

What is the aim or purpose of the group? 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?
- undertake advocacy and campaigning activities to promote a particular issue?

Write down a few lines about the aim 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? (Remember, there can be extra expenses and paperwork involved in running a separate group. In addition, 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, their location, and the reasons why a new group is needed.

Is the group forming to produce 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

Do you have people who are 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 assist with the administration involved in running the group? If not, how will you attract people to join your group?

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?

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 other not-for-profit organisations, to a targeted group of the public or just to members of the group?

What equipment, buildings, infrastructure, insurance, websites, logos, intellectual property and/or 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 etc.)? 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 Related Resources section 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 your 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)?

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.

An overview of the steps involved in choosing a legal structure and setting up your organisation is outlined in our [Decision Tree diagram](#). You may also want to use our Getting Started Decision Framework, a web application that will guide you through the key decisions that you need to make. The Framework is free, and once completed will email you a tailored report about your organisation. You can access it on Not-for-Profit law's website at www.nfplaw.org.au/gettingstarted.

Resources

Related Not-for-profit Law Resources

▀ [Before you start](#)

This information on the Not-for-profit Law website provides further guidance on the practical and legal questions to address prior to establishing a new not-for-profit organisation.

▀ [Getting started](#)

Should you decide to proceed with the establishment of a new not-for-profit organisation, the resources on this section of our website can help you get your idea off the ground.

A Not-for-profit Law resource. Access more resources at www.nfplaw.org.au

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