

Checklist: to complete when holding an event

Legal information for community organisations

This checklist highlights some of the major considerations for community organisations when holding an event. It is not intended to be an exhaustive list of all issues that your organisation should consider and it is important to note that the laws that may apply to your event are different in each state and territory. Your organisation may need to get specific legal advice about its event plans and potential liability.

For more information about the legal issues involved in holding an event in your state or territory, visit the Events page on the Not-for-profit Law Information Hub at www.nfplaw.org.au/events.

CHECKLIST

- Do we require a permit from the local council for our event?
- If we are hiring a venue or equipment, have we considered the terms and conditions?
- Have we undertaken relevant risk assessments in relation to our event?
- Do we need event insurance?
- Do we need to notify anyone about our event for safety or logistical reasons?
- Our event is to raise money – do we need to consider other legal requirements?
- Have we considered accessibility and discrimination?
- Does our event involve food, alcohol, adventure activities, sport or travel?

Do we require a permit(s) from the local council (or local authority) for our event?

Your organisation should always check with your local council (or local authority) to see what council-specific permits you may require before running your event.

Permits or licenses are generally required for the following events and activities:

- holding an event on council or other public land
- setting up a temporary structure or using a venue for a purpose it is not designed for
- serving food to the public (see our Events involving food fact sheet at www.nfplaw.org.au/events)
- serving alcohol to the public (see our Events involving alcohol fact sheet at www.nfplaw.org.au/events)
- playing live or recorded music
- displaying signs and banners
- using gas cylinders to cook or for other purposes

- using an open flame
- using fireworks, and
- using the footpath or closing a road.

This is not an exhaustive list and there may be other permits and licenses required for your event.

FURTHER READING

One way to identify local, state and federal permits, licences and registrations relevant to your event is to access the [Australian Business Licence Information Service \(ABLIS\)](#).

Although this website has been set up by the Australian Government for small businesses, it may be helpful for people involved in community organisations to work out some of the permits, licences or registrations your organisation may need.



If we are hiring a venue or equipment, have we considered the terms and conditions?

Your organisation should be aware that an agreement to hire a venue or equipment is usually a legally enforceable contract.

It is important to read the terms and conditions of the contract carefully and make sure your organisation can comply with these. In particular your organisation should be aware of the terms and conditions relating to insurance or indemnity (see below), and your organisation's obligations to repair or replace any damage to equipment or property.

Have we undertaken relevant risk assessments in relation to our event?

Your organisation should consider 'what 'bad things' might happen as a result of running the event and what your organisation can do to avoid these risks, or at least minimise the chance they will happen.

Risk assessment doesn't have to be a formal process (although if you are a large organisation, or your event involves higher risk activities, you may well need to document a formal risk management plan).

For events with low risk activities, assessing risks can simply mean setting aside an hour at a committee meeting to consider any risks that might occur and any steps to be taken.

When thinking about the risks arising from events, focus specifically on those that may arise from the involvement of those both 'internal' (ie. its members, staff or volunteers) and external (ie. clients, members of the public) to the organisation.

Do we need to notify anyone about our event for safety reasons?

Your local council should be able to provide specific advice in relation to safety, security and emergency procedures applicable to your community organisation's proposed event.

You should consider whether you need to notify or organise for some of the following groups to be at your event:

- the Police
- the local fire services and other relevant emergency services

- St Johns Ambulance
- private security, and
- the local work health and safety authorities.

Do we need event insurance?

Your organisation has a legal obligation to make sure its event is safe. Your organisation will owe this obligation to people involved in organising the event, volunteers, employees, independent contractors and anyone who comes to the event (for example, members of the public).

For this reason, it is likely that you will need to take out public liability insurance, particularly if your event is to be held on council or public land. If your organisation already has public liability insurance, it should check that the insurance covers the event that will be held.

Owners of land or venues often will insist that organisations hiring or using the land or venue have public liability insurance of at least \$10 million. Some councils and other organisations will also ask you to list them in your policy as an 'interested party' and will request a copy of the policy before giving permission to hold your event. Your organisation should not ignore these requirements.

Checking others' insurance

If your community organisation is booking amusements or other entertainment for an event, insist on receiving a copy of that entertainer's current public liability policy before the event. Try to ensure that participants at your event (like food vans) have their own public liability insurance.

Additional insurances

There are a range of other insurances that your organisation could be required to get or could consider getting if the following applies to the event:

- selling food or other products to the public – you should consider *product liability insurance*
- relying on volunteers to help you with the event - *personal accident (volunteers) insurance*, and
- using employees to help you with the event – *workers compensation insurance*.

Our event is to raise money – do we need to consider other legal requirements?

Yes. There are laws that regulate fundraising in most states and the ACT in Australia. If your community organisation is considering holding a fundraising event you will need to comply with the laws that regulate fundraising. There are also laws that regulate raffles, bingo and gaming. Not-for-profit Law has fact sheets on these requirements for community organisations.

Have we considered accessibility and discrimination?

Equal opportunity and anti-discrimination legislation apply in most states. These laws prohibit discrimination against people on the basis of a 'protected attribute' (protected attributes include a person's impairment or disability, age, sex, race, religious beliefs, status as a parent or carer, pregnancy or breastfeeding among many other attributes). Some exceptions to the laws apply.

RELATED RESOURCES

For further information about risk management and insurance, visit the Insurance page of the Not-for-profit Law Information Hub at www.nfplaw.org.au/insurance.

RELATED RESOURCES

For further information on fundraising laws in each Australian state and territory, visit the Fundraising page of the Not-for-profit Law Information Hub at www.nfplaw.org.au/fundraising.

In general, equal opportunity laws apply to prevent discrimination when providing goods and services to the public. They also apply in other circumstances (for example in employment, sporting activities, and membership of clubs). Your organisation should put in place reasonable measures to ensure that your event (and goods and services) are accessible to all people. Even if your organisation is not covered by these laws, it is best practice to do so.

Does our event involve food, alcohol, adventure activities, sport or travel?

If your event involves food, alcohol, adventure activities, sport or travel, particular legal obligations may apply. For more information, see the Not-for-profit Law resources for your state or territory about covering specific types of events on the Information Hub at www.nfplaw.org.au/events.

Resources

Related Not-for-profit Law Resources

The Not-for-profit Law Information Hub contains many fact sheets on different topics. It can be accessed at www.nfplaw.org.au. The following topics contain relevant further information:

- Seeking funds and holding events – www.nfplaw.org.au/fundraisingandevents
- Insurance and risk – www.nfplaw.org.au/riskinsurance
- The people involved – www.nfplaw.org.au/people

Other Related Resources

- [Australian Business Licence and Information Service](#)

The ABLIS system is designed for businesses but can be used by community organisations. Simply enter a search term for your business type such as 'festival' and choose your region by state, suburb or postcode and then continue to answer questions about the event if asked. A list of licences and permit requirements will be generated.

- [Planning Safe Public Events Practical Guidelines](#)

These Planning Guidelines were developed by the Commonwealth Attorney-General's department.

- [Provision of Disability Access at Council Events](#)

This page consists of event guidelines and a checklist to ensure the equity of access and mobility for people with disabilities that was produced by Canterbury City Council's Community Work Disability Services with assistance from Council staff and the Council's Disability Access Committee.

- [Safe Work Australia](#)

This website features guidance material and fact sheets on work health and safety laws, and workers' compensation.

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

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