

Bulletin

Friday, 13 March 2009

Charity & Not-For-Profit Resources Centre

The launch of Makinson & d'Apice's Charity & Not-For-Profit Resources Centre was noted today in the *Australian Financial Review*.

Struggling charities get access to online advice

Alex Boxsell

Sydney firm Makinson & d'Apice Lawyers has set up an online resource centre for charities and not-for-profit groups to meet a rise in the need for legal advice as the economy slows.

The resource centre aims to remove confusion about the rules and regulations that govern the myriad organisations in the non-profit sector.

A federal report, which found inconsistent legislation burdens charities, recommended that a single body handle registration and regulation. This would include new national fund-raising legislation, more transparency and accountability.

The release of the report in December coincided with the launch of Makinson's resource centre, which details laws, publications and cases by topic and jurisdiction. Charity and community law practice group head Vera Visevic oversees the resource centre. This year is the firm's 150th anniversary, marking a long history of acting for charities.

"The legislation for the non-profit sector is extremely confusing," Ms Visevic said. "Each state does its own thing."

"You could run a charity in NSW and some of the legislation that applies to you is federal and the other is state. Charities really struggle with this because they don't know which act applies to them."

The resource centre is aimed at



Vera Visevic, with partners John Baxter, centre, and Richard d'Apice, believes charities will need more legal help as the economy slows. Photo: LOUISE KENNERLEY

many of the firm's clients, which include professional associations, sporting clubs, larger charities such as the Fred Hollows Foundation and the Taronga Foundation, smaller local charities, community associations and churches.

"Being a lawyer who practises in this area, if I found it difficult to look up legislation, contacts or

authorities, it must be hell for people who aren't lawyers."

The downturn in the economy would result in an increase in demand for the services of charities, particularly as unemployment rose, she said. This was likely to lead to greater demand for legal help in applying for fund-raising licences, with

PROVIDING A DIRECT LINK

As unemployment is expected to rise, community legal centres are bracing themselves for a spike in work for the most vulnerable members of society.

The positive contribution that CLCs made to their communities was on display last Friday, when federal Attorney-General Robert McClelland launched Youthlaw Online.

Youthlaw, a CLC based in Melbourne, runs on about \$350,000 a year. It provides legal advice to marginalised young people for matters including employment disputes and dealing with shoplifting, debts and fines.

Advice has traditionally been provided to clients who visit the centre and by email, but the new online service promises to extend its remit, by allowing clients to seek advice using computers in their local youth centres. This makes the advice-seeking experience less intimidating.

Youthlaw received a one-off grant of \$150,000 from the federal

government last year, part of the government's one-off \$10 million payment to CLCs on top of the \$22.6 million already budgeted for.

But with this year's budgetary process in full swing, CLCs say that more funds will be needed to deal with their expanding workload.

"I hope Treasury does not slash too much," says Ariel Couchman, director of Youthlaw.

"We are hoping they maintain our funding or even increase it. The economic downturn will flow down to unemployment in rural areas and we expect community legal centres, including Youthlaw, will see higher demand."

Youthlaw has three full-time lawyers, including one provided by Blake Dawson, and one working part-time.

Couchman says Youthlaw is considering hiring two additional lawyers and connecting the computer service to 10 locations in regional Victoria.

James Evers

changes to constitutions to increase or broaden a charity's activities, or with efforts by non-profit organisations to obtain endorsements as charities.

Makinson has 10 partners and a total staff of 60. Apart from charity advice, the firm specialises in finance, dispute resolution, corporate, property, construction

and intellectual property law.

Last July it appointed its first chief executive, Anthony d'Arbon, a non-lawyer who was formerly head of Macquarie Group's child-care investments division before it was sold to ABC Learning Centres.

He previously worked in legal management roles in TressCox and Blake Dawson.

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