

Key Considerations When Restructuring a Charity or Non-Profit Organisation

Considering the following issues at an early stage can help your legal advisers understand what the organisation is seeking to achieve and identify the most appropriate route forward.

-  **Your Reason for Considering a Restructure**
Begin by identifying what has prompted the proposed change.
-  **Your Current Legal Structure**
Provide details of the organisation's existing legal structure and governing documents.
-  **Your Charitable Purposes**
The charitable purposes of each organisation involved in a restructure should be considered carefully. This is particularly important where assets or activities are being transferred.
-  **Trustee and Member Approval**
Consider who will need to approve the proposed changes.
-  **Assets and Liabilities**
Prepare an overview of the organisation's principal assets and liabilities.
-  **Contracts and Funding Arrangements**
Review the organisation's key contractual commitments.
-  **Conflicts of Interest and Regulatory Requirements**
Conflicts & regulatory requirements should be identified and managed appropriately.
-  **The Proposed End Structure**
Have a clear understanding of how the organisation should look once the restructuring process is complete.



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