

Know how to ...
**GET THE LEGAL
STRUCTURE RIGHT**

Know the laws of business.
Know how to manage your legal risks.

Presented by Melissa Bush

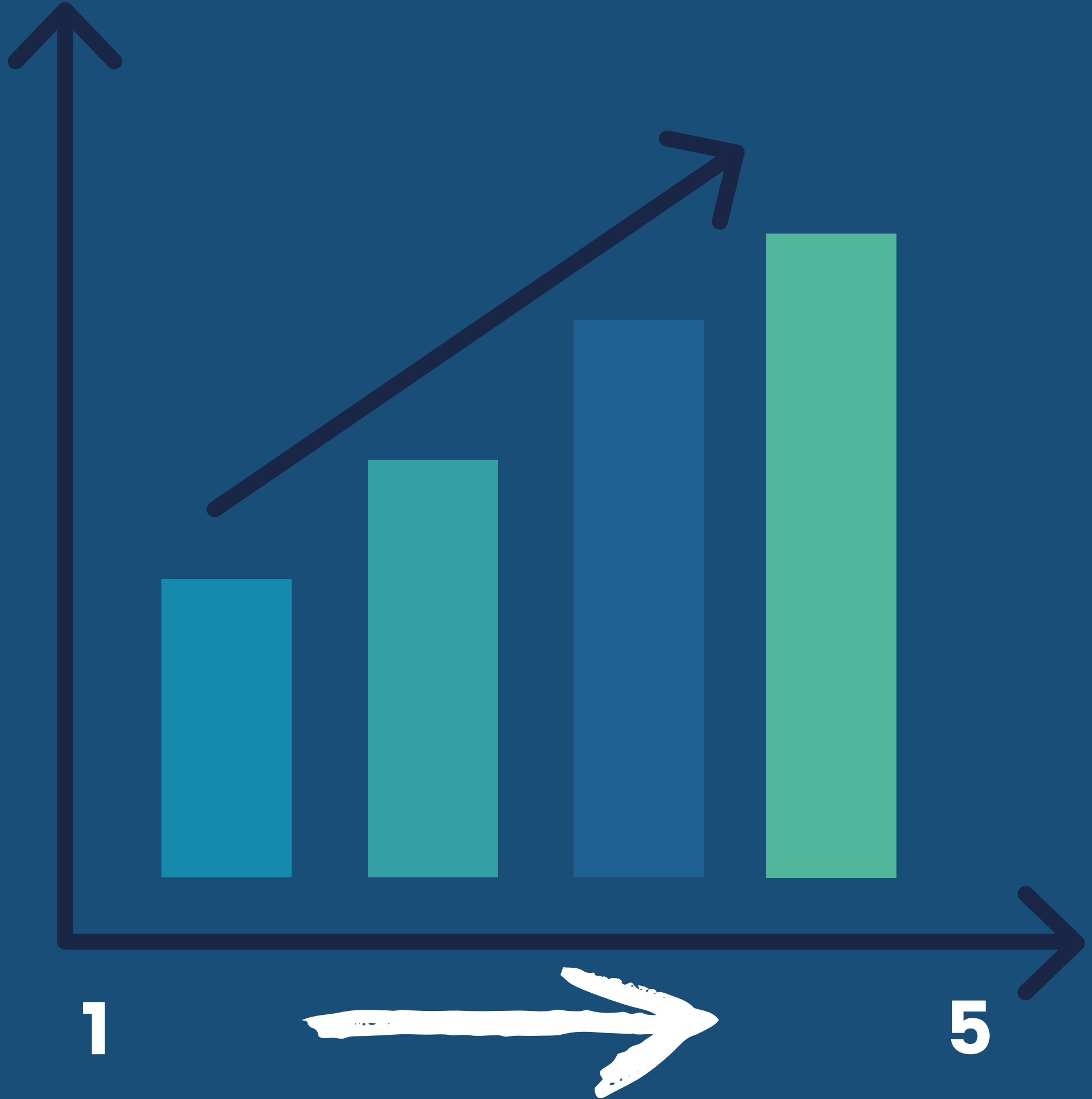


WHO AM I

- 27 years in legal practice
- Assisting business owners
- Educating business owners

BK Business
Know
How





BKH Business
Know
How



AGENDA

- 1 Understand the different legal structures
- 2 Understand the importance of documentation
- 3 Understand what a business is



YOU'RE IN THE RIGHT PLACE IF...

- You are a start-up and don't know where to start
- You have started but you don't know if you've done it right
- You need to re-visit these legal concepts



**TYPE "YES"
IN THE CHAT
IF YOU'RE READY
TO TAKE STEPS TO
SAVE TIME, MONEY
AND ENERGY IN
YOUR BUSINESS**



KNOWLEDGE IS POWER

Scientia potentia est



PROACTIVE RATHER THAN REACTIVE

Take proactive steps to avoid, rather than reacting

3-PART FRAMEWORK



Part One

Legal structures



Part Two

Documentation



Part Three

The business

STRUCTURES

1

Sole trader



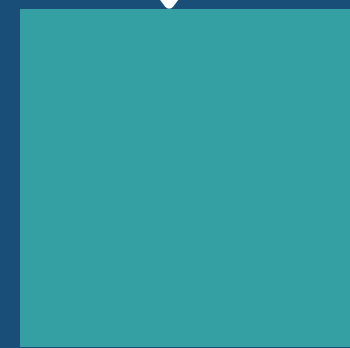
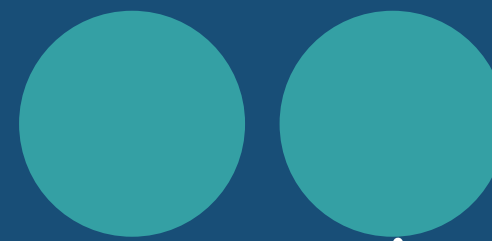
2

Partnership



3

Company



FORMATION

PARTNERSHIP

- Partnership Act 1892 (NSW)
- the relation between persons
- carrying on a business
- in common
- with a view of profit

COMPANY

- Corporations Act 2001 (Cth)
- Registration with ASIC
- Pty Ltd

DOCUMENTATION

PARTNERSHIP

- Partnership Agreement

CORPORATION

- Shareholders Agreement

COMPARISON

PARTNERSHIP

- Not a separate legal entity
- Unlimited liability

COMPANY

- Separate legal entity
- Limited liability
- Higher set up & running costs
- Obligations under Corp Act
- Taxation requirements
- Director ID



THE BUSINESS

- Plant & equipment
- Fixtures & fittings
- Machinery
- Motor vehicles
- Stock

- Business name
- Logo -> trade mark
- Domain name / website
- Social media
- Employees
- Lease for premises
- Supply agreements
- Business licences
- Goodwill

STRUCTURES

1

Sole trader



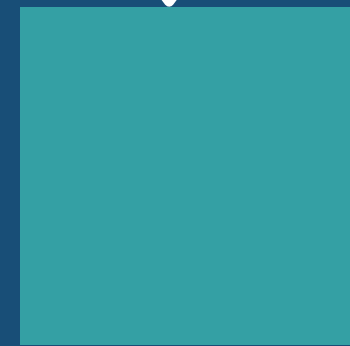
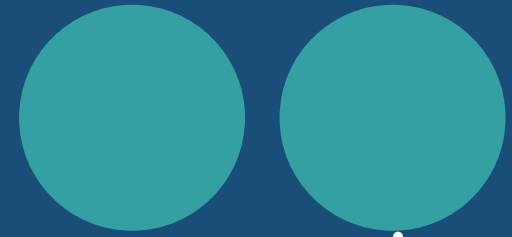
2

Partnership



3

Company



BKH Business
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CASE STUDY #1

- Business partnership -> corporation
- Death of a partner
- No Shareholders Agreement
- No insurance



CASE STUDY # 2

- Company selling a business
- Listed for sale for 6 months
- Negotiated the sale with a buyer
- No contract or other documentation
- Buyer got cold feet and walked away



CASE STUDY # 3

- Worker -> cash payments
- Damage to customer premises
- Contractor?
 - Covered by own insurance
- Employee?
 - Covered by business insurance
 - Fair Work considerations

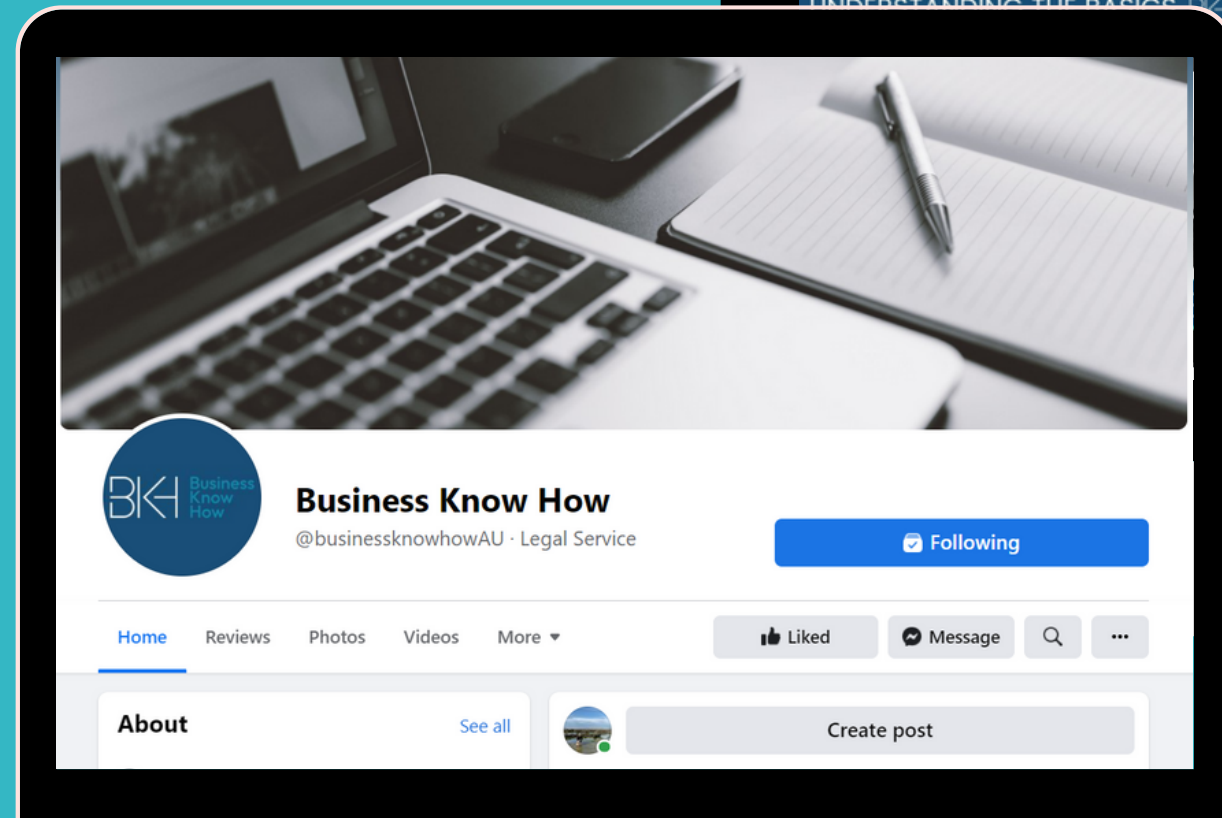
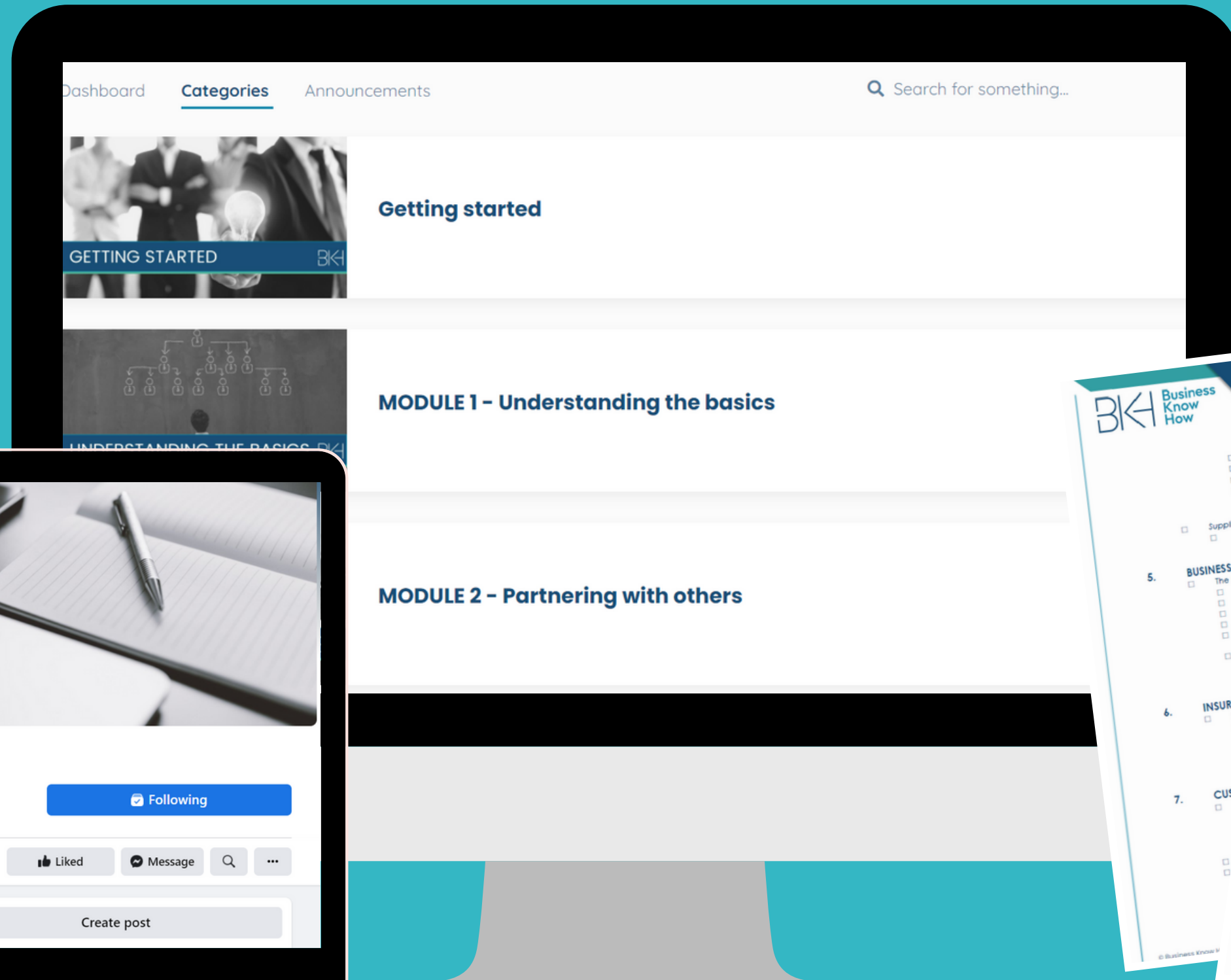


CASE STUDY #4

- Registered business name
- No pre-registration searches
- Cease and desist letter
- Rebrand the entire business



INTRODUCING:

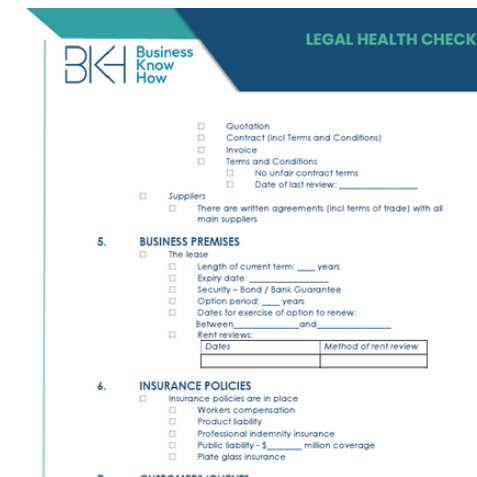
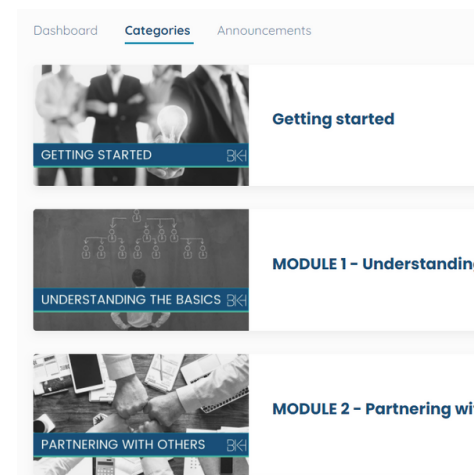


"GETTING OFF THE GROUND"

3 Lesson Modules
Video Tutorials
Checklists
Flowcharts
Templates
FB community
Weekly Live Q&A
12 weeks' access

VALUED AT
\$2,500

3 x monthly payments of \$379



BKH

GETTING OFF THE GROUND

Get the legal structure right,
deal with customers and suppliers, get paid

JOIN
FOR ONLY
\$997



**DOORS ARE
CLOSING
VERY SOON!**

Thank you

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