Legal Startup Checklist (South Africa)

Get the Basics Right. Launch Without Legal Headaches.

Starting a business in South Africa comes with a fair share of red tape — but it doesn't have to be overwhelming. This checklist walks you through the **bare minimum legal steps** you need to protect your business, stay compliant, and build with confidence.

⚠ *This is not legal advice — just a practical guide to help you get started. Always speak to a legal professional if unsure.*

Your Legal Startup Checklist

1. Register Your Company with CIPC

Set up a Private Company (Pty Ltd) or a Sole Proprietorship, depending on your needs.

- Register at CIPC
- Tip: A (Pty) Ltd gives you more credibility and protects your personal assets.

2. Get Your Tax Number from SARS

Once registered with CIPC, SARS will usually auto-generate your tax number.

- SARS eFiling Portal
- Also register for VAT if turnover will exceed R1 million/year.

3. Draft a Founders Agreement (If You Have Partners)

This covers equity splits, roles, decision-making, and exit clauses.

- Tip: Have the "hard" conversations early to avoid major issues later.
- Include vesting clauses to protect long-term commitment.

4. Set Up Basic Contracts

You need a few simple templates to protect your business from Day 1.

- NDA (Non-Disclosure Agreement)

- Independent Contractor / Freelancer Agreement
- Terms & Conditions for your product/service
- Client Service Agreement (for service businesses)
- Hello Contract or DocFox offer local templates

5. Open a Business Bank Account

Keep personal and business finances separate from day one.

- Use your registration docs and tax number to apply.
- Popular options: Standard Bank, FNB, Capitec Business, or digital options like TymeBank Business or Lula.

6. Get POPIA Compliant

If you collect any personal data (names, emails, client info), POPIA applies.

- Have a clear Privacy Policy
- Only collect what you need
- Allow users to opt-out or request deletion
- Read the POPIA compliance basics

7. Understand B-BBEE (Broad-Based Black Economic Empowerment)

Depending on your customers (especially if working with corporates), you may need a B-BBEE certificate.

- If annual turnover is under R10 million, you qualify as an EME (Exempt Micro Enterprise) and can self-certify.
- Get more info here

8. Protect Your Brand (Optional But Smart)

Register your company name, logo, or slogan as a trademark.

- Trademark info via CIPC

9. Add Your Privacy Policy, Terms & Conditions to Your Website

Especially if you run an e-commerce site, SaaS business, or collect user data.

- Include disclaimers and refund policies if applicable
- Generate terms with TermsFeed or consult a lawyer for tailored docs

Quick Summary Table

Task	**Required?**	**Link / Notes**
Company Registration	☑	CIPC
Tax Number (SARS)	☑	SARS eFiling
Founders Agreement	☑	For co-founders only
Contracts (NDA, Client Terms, etc.)	☑	Use templates or get legal help
Business Bank Account	☑	Separate personal & business
POPIA Compliance	☑	If handling personal data
B-BBEE Certificate	Optional	Needed for corporate contracts
Trademark Registration	Optional	To protect name/logo
Website Legal Pages	☑	Privacy + Terms