

SME Compliance Checklist

Use this form to check whether you or your business conforms to South African Business Compliance Stipulations:

1. Business Registration & Legal Structure

- ☐ Company registered with the Companies and Intellectual Property Commission (CIPC)
- ☐ Company name reserved and approved
- ☐ Certificate of Incorporation received
- ☐ Memorandum of Incorporation (MOI) filed
- ☐ CIPC annual returns submitted and up to date
- ☐ Share certificates issued (if applicable)
- ☐ Directors' details updated with CIPC

2. Tax Compliance (SARS)

- ☐ Company income tax number obtained from South African Revenue Service (SARS)
- ☐ VAT registered (if turnover exceeds R1 million per year)
- ☐ PAYE registered (if employing staff)
- ☐ UIF registered
- ☐ SDL registered (if payroll exceeds R500,000 per year)
- ☐ VAT returns submitted on time
- ☐ EMP201 submitted monthly
- ☐ EMP501 reconciliations submitted bi-annually
- ☐ Annual income tax return (ITR14) submitted
- ☐ Provisional tax submitted (if applicable)
- ☐ All tax payments up to date

3. Employee & Labour Law Compliance

- ☐ Written employment contracts in place
- ☐ Contracts aligned with the Basic Conditions of Employment Act (BCEA)

- ☐ Employees registered for UIF
- ☐ Registered with Compensation for Occupational Injuries and Diseases Act (COIDA)
- ☐ Workplace policies in place (disciplinary, grievance, leave)
- ☐ Minimum wage compliance verified
- ☐ Employment Equity reporting (if applicable)
- ☐ Skills Development reporting submitted (if applicable)

4. Industry-Specific Compliance

- ☐ POPIA compliance in place (if handling personal information)
- ☐ Information Officer registered under the Protection of Personal Information Act (POPIA)
- ☐ Required industry licenses obtained
- ☐ Registered with relevant professional body (if required)
- ☐ Health & Safety compliance implemented

5. Municipal & Operational Compliance

- ☐ Business bank account opened
- ☐ Municipal trading license obtained (if required)
- ☐ Zoning approval confirmed
- ☐ Fire safety compliance certificate obtained
- ☐ Health certificate (if operating in food industry)
- ☐ Signage approval (if applicable)

6. Financial Compliance & Governance

- ☐ Accounting records up to date
- ☐ Annual Financial Statements prepared
- ☐ Independent review or audit completed (if required)
- ☐ Asset register maintained

- ☐ Inventory controls in place
- ☐ Board or management meeting minutes recorded
- ☐ B-BBEE certificate or affidavit obtained (if applicable)

7. Contracts & Legal Protection

- ☐ Client service agreements in place
- ☐ Supplier agreements signed
- ☐ Terms & Conditions documented
- ☐ Privacy policy available (for websites)
- ☐ Insurance policies active (public liability, professional indemnity, etc.)
- ☐ Intellectual property protected (if applicable)

8. Ongoing Monthly Compliance Review

Every month, the business owner should ask:

- ☐ Are all tax submissions up to date?
- ☐ Are payroll deductions correctly processed?
- ☐ Are staff files complete?
- ☐ Are statutory payments made?
- ☐ Are business licenses still valid?
- ☐ Has anything changed that requires regulatory updates?

9. Risk Indicator Check

If you answer **NO** to any of these, your business may be at compliance risk:

- ☐ I am unsure whether my tax returns are submitted.
- ☐ I don't have written employee contracts.
- ☐ I haven't filed CIPC annual returns this year.
- ☐ I don't know whether POPIA applies to my business.

☐ I mix personal and business finances.