

Companies Act, 2008

ACT NO.	71 of 2008
CATEGORY	Consumer & Commercial
SHORT NAME	Companies Act

Summary

Incorporation, governance and winding-up of companies. Director duties, business rescue and the Companies Tribunal.

Full text of the Act

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Start Date

End Date

Companies Act 71 of 2008

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770.41 KB

71 of 2008

The Companies Act 71 of 2008 intends:

to provide for the incorporation, registration, organisation and management of companies, the capitalisation of profit companies, and the registration of offices of foreign companies carrying on business within the Republic;

to define the relationships between companies and their respective shareholders or members and directors;

to provide for equitable and efficient amalgamations, mergers and takeovers of companies;

to provide for efficient rescue of financially distressed companies;

to provide appropriate legal redress for investors and third parties with respect to companies;

to establish a Companies and Intellectual Property Commission and a Takeover Regulation Panel to administer the requirements of the Act with respect to companies, to establish a Companies Tribunal to facilitate alternative dispute resolution and to review decisions of the Commission;

to establish a Financial Reporting Standards Council to advise on requirements for financial record-keeping and reporting by companies;

to repeal the Companies Act, 1973 (Act No. 61 of 1973), and make amendments to the Close Corporations Act, 1984 (Act No. 69 of 1984), as necessary to provide for a consistent and harmonious regime of business incorporation and regulation; and

to provide for matters connected therewith.

Amends

Registration of Copyright in Cinematograph Films Act 62 of 1977

Patents Act 57 of 1978

Copyrights Act 98 of 1978

Share Blocks Control Act 59 of 1980

Close Corporations Act 69 of 1984

Trade Marks Act 194 of 1993

Designs Act 195 of 1993

Co-operatives Act 14 of 2005

Commencement

1 May 2011 (Gazette 34239 of 26 April 2011)

Amendments

The Southern African Legal Information Institute provides a complete amended Act at https://www.saflii.org/za/legis/consol_act/ca2008107/ [Updated to 1 June 2023]

Amended by Companies Second Amendment Act 17 of 2024

Amended by Companies Amendment Act 16 of 2024

Amended by General Laws (Anti-Money Laundering and Combating Terrorism Financing) Amendment Act 22 of 2022

Amended by Financial Sector Laws Amendment Act 23 of 2021

Amended by Companies Amendment Act 3 of 2011

Amended by Financial Markets Act 19 of 2012

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