



What legals do I need for my services business?

Congratulations on your new business! You have a range of services that you will provide to your clients and your clients are getting ready to purchase your services.

What key legal document you need? → A Client Agreement

Do you have a website? → You need Website Terms of Use

Do you collect personal information? → You need a Privacy Policy

Would you like to know why? Have a read of our guide below:

A good Client Agreement has 2 key parts (i) Proposal and (ii) Terms and Conditions	
Part 1: Proposal/Quote.	Why? Set out what your client wants, the price, and the time-frames. This is short and clear, which makes it easier to read for you and your clients.
Part 2: Terms and Conditions.	Why? Set out the rights and obligations between you and your client. This helps minimise disputes, protect your interests and limit your liability.
How does my client accept?	You do not want to scare off clients by making them sign lengthy legal documents! Client agreements can include clauses so (i) they can be simply emailed to clients so clients can email back indicating their acceptance of the terms or (ii) they can be uploaded onto your website so clients click a button to agree to the terms. How easy is that?!
How long will it take?	With the right legal assistance, your client agreements can be set up quickly and easily, in a few days.
Can I reuse it?	Yes, a good lawyer will create a master client agreement that you can re-use for every client, and for many years.
5 key provisions to include in your Client Agreement	
1. A description of your business and services	Clearly describe the services that the client has purchased from you. Many disputes arise out of a misunderstanding regarding what the client thinks they have purchased and what they ultimately receive. For the avoidance of doubt, describe what you do not provide as part of your services, this is just as important as the services you <i>do</i> provide!
2. How clients can pay you	You provide exceptional services to your clients, you need to make sure that you get paid for your work! It is a good idea to set out the amount you will charge clients, when payments must be made and how payment can be made. You can require payment in full upfront, an upfront deposit, regular e.g. monthly payment, or payment in stages. This helps you anticipate when you will receive payment from clients, budget for expenses and help you continue to provide great client service!



3. Australian Consumer Law and Refund Policy	<p>A good client agreement will set out your obligations under the Australian Consumer Law so that your client will know what your client service policies are if something goes wrong. For instance, you may need to provide a refund or resupply if there is a major or minor fault in your services.</p>
4. How disputes can be resolved	<p>Make it clear when and how you have done the work required, and the agreement will end. You can also add the right to terminate the agreement if the relationship breaks down, which sets out a clear path for you if there are problems.</p> <p>You should include what to do if you and a client have a dispute. For example, you can go to a mediator (a third party who helps resolve disputes) before a matter can be taken to court.</p> <p>It is much easier to resolve a dispute, if you have a clear process.</p>
5. Disclaimers and Limit your liability	<p>It is important to set out what you are not liable for. For example, you are not liable for delays caused by your client. You are not liable for advice on areas that you cannot advise on, for example a bookkeeper cannot give and is not liable for insurance or legal advice.</p>
LV Tip – add your copyright notice to help protect your work!	<p>If you provide reports, images, film or other work, protect the drafts with your copyright notice.</p> <p>Your Terms and Conditions can say that the drafts belong to you, until the client pays in full.</p> <p>Copyright Notice: © [Creator name] [year] e.g. © LegalVision 2014</p>
What other documents do I need?	
Do you have a Website? You need Website Terms of Use	<p>Your Website Terms of Use apply to every website visitor. These govern the use of your website, address important matters such as copyright issues and set out permissible and prohibited uses of your website.</p> <p>We recommend putting a statement on your website footer stating “Use of this site indicates your acceptance of these terms of use” with a click-through link to the website terms of use.</p>
Do you collect and use personal information? You need a Privacy Policy	<p>Do you collect personal information like names, email addresses, phone numbers etc? Do you use it for direct marketing or to pass on to any third party?</p> <p>Your Privacy Policy applies to each person that you collect personal information from. It sets out what personal information your business collects, how this information is used, and under what circumstances the information will be disclosed to third parties.</p> <p>Your Privacy Policy should comply with Australian Privacy Law, and should be easily accessible on your website, and available anywhere else you collect personal information. It show your customers that you respect and will protect their personal information.</p>

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