SECTION 53 CERTIFICATE OF COMPLIANCE

South Africa | Practical readiness, EEA15 declaration and renewal checklist

A six-page employer action pack for checking whether your business is ready to request or renew an Employment Equity (EE) Certificate of Compliance. This is an SSA planning aid—not the government EEA15 form, an issued certificate, legal advice or a guarantee of approval.

ESSENTIAL FACT	WHAT IT MEANS
Certificate authority	Section 53 of Employment Equity Act 55 of 1998, as amended; 2025 regulation 16.
Request method	Apply through the Department of Employment and Labour online system.
Designated route	Submit annual EE report before applying; complete EEA15 A, B, C and D.
Non-designated route	Complete EEA15 A, B and D; declare Chapter II and National Minimum Wage compliance.
Certificate issued	EEA16A (designated) or EEA16B (non-designated).
Validity	12 months from issue; renewal is not automatic.
Relevant business need	Applicable state-contract eligibility and certificate due diligence.

First decision: check your employer category

☐ Legal employer / registration name: _____

☐ Employee count and snapshot date: _____

☐ Organ of state or designated under collective agreement? YES / NO

☐ Status for this application: DESIGNATED / NON-DESIGNATED / REVIEW REQUIRED

☐ Certificate currently held? YES / NO Issue date: _____ Expiry: _____

IMPORTANT: Current status must be declared accurately. A changed status does not, by itself, invalidate an otherwise valid certificate before its 12-month expiry.

Official application system: Department EE Online Reporting

TWO APPLICATION ROUTES

The EEA15 form is not the same as an issued EEA16 certificate.

DESIGNATED EMPLOYER	NON-DESIGNATED EMPLOYER
Generally 50+ employees; also qualifying public/collective agreement cases.	Generally 1–49 private-sector employees not otherwise designated.
EEA15 sections A + B + C + D.	EEA15 sections A + B + D.
Submit EEA2/EEA4 annual reports first.	Declare Chapter II of EE Act and National Minimum Wage Act compliance.
Review actual annual EE goals, sector targets and reasonable grounds for any shortfall.	No automatic Chapter III reporting just because certificate is sought.
Issued EEA16A upon successful assessment.	Issued EEA16B upon successful assessment.

Pre-application information register

☐ Company legal/trade names, CIPC/registration, PAYE/SARS, UIF and EE number (if applicable).
☐ CEO/Accounting Officer and responsible EE senior manager contact details.
☐ Industry/sector, national/provincial EAP, SETA and bargaining council details.
☐ Physical/postal addresses and whether part of a holding/group company.
☐ Annual EE report acknowledgement (designated employers), where required.
☐ Current National Minimum Wage compliance evidence and CCMA/court matter register.

Portal responsibility controls

CONTROL	RECORD
Account owner	_____
Authorised approver	_____
Reporting status	_____
Target application date	_____

Employer notes / unresolved category questions

EEA15 SECTIONS A & B

Completed by both designated and non-designated applicants.

SECTION A — Employer identity and accurate classification

Compare the legal registration details and the official portal record before completing the application. Incorrect company registration, designation status or CEO email can misdirect the certificate and the responsibility for the declaration.

CHECK	EVIDENCE OR OWNER
Registered entity and registration numbers	_____
PAYE/SARS, UIF and EE number	_____
Employee count, sector, EAP basis	_____
CEO/Accounting Officer email	_____
EE senior manager / responsible user	_____

SECTION B — Common requirements for both employer routes

The official EEA15 asks employers to assess the National Minimum Wage Act position, prior 12-month CCMA award history and Chapter II of the Employment Equity Act, including relevant adverse findings. It also asks if an applicable decision is the subject of appeal or review. Do not tick yes by assumption.

EEA15 QUESTION	DOCUMENTARY CHECK
NMW Act compliance and previous 12 months	Payroll compliance evidence and CCMA award register.
Chapter II and discrimination findings	HR legal-compliance log; Labour Court and CCMA matters.
Appeals/reviews for any relevant matters	Formal appeal/review reference and current status.

Document-controlled evidence checklist

☐ National Minimum Wage policy / payroll evidence checked.
☐ Previous 12-month CCMA and Labour Court matters reviewed.
☐ Appeal/review status verified, not guessed.
☐ Evidence held securely; do not upload confidential source records without an authorised need.

Section B review findings / evidence custodian

DESIGNATED ROUTE: SECTION C + D

Section C is designated-employer-only; section D is the executive declaration.

SECTION C — Sector targets, annual goals and lawful grounds

Review the actual sector classification, five-year Gazette targets and the employer's EEA13 annual numerical goals. The Department assesses designated employers against their own annual targets set toward the relevant sector targets. A shortfall may be explained with justified, evidenced circumstances; merely selecting a reason is not sufficient.

SEVEN REGULATION 16(5) GROUNDS	EVIDENCE TO EXAMINE
Insufficient recruitment opportunities	Vacancy approvals and genuine recruitment opportunities.
Insufficient promotion opportunities	Role hierarchy, vacancies and succession records.
Insufficient suitably qualified candidates	Searches, job requirements, experience/prior learning evidence.
Impact of a CCMA award or court order	Dated decision and its effect on appointments or promotions.
Transfer of business	Section 197 / transaction documents.
Mergers or acquisitions	Agreement, organisational and employee-transfer records.
Economic conditions impacting business	Budget, staffing and operational evidence.

Section C self-check

☐ 2026 annual EEA2 report submitted and acknowledged before certificate request.
☐ EEA12 workforce analysis and EEA13 plan version matched to reporting period.
☐ Sector classification and annual numerical goals checked.
☐ Where target was not met, actual evidence is stored against the selected ground.

SECTION D — CEO or Accounting Officer sign-off

The EEA15 declaration must be authorised and verified by the CEO or appropriate Accounting Officer. Do not allow a consultant or employee to falsely sign on behalf of an employer.

EXECUTIVE CONTROL	VALUE
Authorising officer	_____
Verification completed	_____
Signature / signed date	_____

ONLINE APPLICATION & RENEWAL

Working control sheet: use the real Department portal for the actual application.

ORDER	EMPLOYER ACTION
1 — Identify	Determine current designation status and legal employing entity.
2 — Confirm access	Check Department online account, authorised users and CEO details.
3 — Report if designated	Submit accurate annual EEA2 and EEA4 first; save acknowledgements.
4 — Review EEA15	Complete applicable A/B/(C)/D and support declarations.
5 — Authorise	Have CEO/Accounting Officer verify and sign/approve as required.
6 — Apply online	Request certificate through the official EE Online system.
7 — Inspect outcome	Verify certificate employer name, EEA16A or EEA16B, reference and issue date.
8 — Preserve evidence	Save certificate and approval trail in a controlled secure register.
9 — Renew	Schedule review before 12-month expiry; declare new category if status changed.

Renewal tracker — do not assume permanent validity

FIELD	ENTER DETAILS
Certificate reference	_____
Issued / expiry dates	_____
Employer status at expiry	_____
Renewal responsible person	_____
Evidence completeness check	_____

Two common problems to prevent

☐ A saved EE report is not necessarily a submitted or acknowledged EE report.

☐ Renewal is not automatic: an employer’s status at renewal must be declared accurately.

Important: 2026 online reporting deadline is 15 January 2027 at 23:59 SAST; this is an annual reporting deadline, not a universal Section 53 certificate-expiry date.

Government application: Department EE Online

AUTHORITATIVE SOURCES & NEXT ACTIONS

Official guidance and SSA related reading — clickable references.

AUTHORITATIVE SOURCE	PURPOSE
Gazette 52515: Regulation 16, EEA15, EEA16A/B	Official application form, employer categories, certificate types and 12-month validity.
Department EE Regulations Hub	Current regulations and government notices.
Department: July 2026 certificate update	Renewal and changes in designated status.
Department: August 2026 assessment update	First annual-goal assessment and certificate after report.
Department EE Online Portal	Only the official system can receive and decide applications.

Read More — SSA Employment Equity Guides

RELATED SSA GUIDE	WHY READ IT
Employment Equity Submission — EEA2 / EEA4	Understand annual reports and acknowledgement checks.
Employment Equity Sector Targets	Know the correct sector and target comparisons.
Employment Equity Plan — EEA13	Connect targets, action measures and annual evidence.

Employer action decisions

☐ Our next action: _____

☐ Responsible person: _____ Due date: _____

☐ Evidence repository or reference: _____

REQUEST AN EMPLOYMENT EQUITY READINESS QUOTE	REQUEST A CALLBACK	WHATSAPP SSA

Get an EE consulting quote | Request a callback | WhatsApp SSA

Email: info@swiftskillsacademy.co.za | Tel: 021 828 0772 | WhatsApp: +27 60 998 7412

This employer workbook is not an EEA15, not a Section 53 certificate, and does not give any guarantee of acceptance, eligibility or legal compliance. The Department alone controls the certificate process.