



Membership Requirement Checklist

AHASA membership is not automatic. A health agency wishing to apply for membership must meet minimum entry requirements. A list and purpose of the membership requirements are described below. As a benefit to members, AHASA has already engaged with below Government Departments and has prepared a range of Toolkits and Guidelines that simply explains the process for compliance.

1. Companies and Intellectual Property Commission (CIPC)

CIPC replaced CIPRO when the Companies Act came into effect in April 2011. It is now compulsory for all companies to complete an annual return with CIPC. More information can be found by visiting www.cipc.co.za

2. Private Employment Agency (PEA) Certificate

This is a certificate issued to recruitment companies by the Department of Labour to 'operate a services for gain' company. According to the Skills Development Act, anyone who offers employment services for money must register with the Department of Labour.

There is no cost attached to registration with the Department. Once you have applied the process includes site inspection and verification which takes up to 60 days to issue. The certificate is renewable every 2 years. Go to www.eservices.gov.za to register as a new user.

3. SARS Tax Clearance Certificate

Valid **Tax Clearance Certificate with Pin** issued by SARS refers to a written confirmation from Revenue that a companies tax affairs are in order at the date of issue of the Certificate. This certificate is issued free of charge by the SARS. Your company must be registered with SARS and be in possession of all **Income Tax, PAYE, UIF** and other reference numbers.

Visit www.sars.co.za for more information on obtaining your Tax Clearance Certificate.

4. COIDA Letter of Good Standing

All companies that have employees, whether permanent or temporary, are required to be registered with the Compensation Commissioner. AHASA will require a letter of good standing which is issued from the Compensation Commissioner.

For more information visit <https://www.labour.gov.za/find-more-info/all-about-workmens-compensation/>

5. UIF Letter of Compliance

The UIF Letter of Compliance has not been issued since 2023 due to UIF being under administration. To verify a company's UIF deductions, AHASA requires either the most recent **3 months' EMP201** submissions or the latest **EMP501** for the year.



6. Proof of last Employment Equity submission

Employment Equity is about equal opportunities to all in the workplace, eliminating unfair treatment and implementing Affirmative Action measures. As of 1 January 2025, the Employment Equity Amendment Act (EEA) has redefined "designated employers" to include only those with 50 or more employees. This is irrespective of their annual turnover.

This means that the new amendments are not related to an employer's turnover and the annual threshold falls away completely. Employers with:

- Below 50 employees and below the threshold that was applied previously: no evidence needed
- Below 50 employees and over the threshold that was applied previously: their 2024 EE submission
- Below 50 employees and no longer wanting or needing to comply based on the amendments: no evidence needed going forward
- Below 50 employees but still want to comply: their EE compliance plan going forward

The Employment Equity Act has stipulated significant penalties for organisations that do not comply with these requirements. You can download the Act from the Employment Equity section on the Departments website www.labour.gov.za

7. Valid Proof of agencies Professional Indemnity cover

According to the National Health Act 61 of 2003, Section 46: Obligations of private health establishments: *Every private health establishment must maintain insurance cover sufficient to indemnify a user for damages that he or she might suffer as a consequence of a wrongful act by any member of its staff or by any of its*

Additionally, the Labour Relations Act prescribes that the client company and TES may be held jointly and severally liable for any contravention.

It is for these reasons that you are required to provide proof of policy from your insurer stating the period for which you are covered.

8. Copy of Registration/Application Form and Contracts

AHASA does not dictate terms and conditions, but members are required to be compliant with all prevailing legislation. The Basic Conditions of Employment Act require that all employers must have a contract in place with their employees. A registration form must be in place as it is a statutory requirement which ensures that the employer has the correct details for the employee e.g. tax information, contact numbers etc.

If you are unsure of any of the requirements mentioned above or what you need to do to formally apply for membership with AHASA please contact us on **Cell: 083 444 9227** **Email: info@ahasa.org**

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