



Companies and Intellectual  
Property Commission

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a member of **the dtic** group

# **Annual Performance Plan**

## **2023/24– 2025/26**

**31 January 2023**

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## Abbreviations and Acronyms

AfCFTA	African Continental Free-Trade Agreement
AfriIPI	Africa Intellectual Rights and Innovation
AFS	Annual Financial Statements
API	Application Programming Interface
AR	Annual Returns
BBBEE	Broad-Based Black Economic Empowerment
BISG	Business Information Systems Group
BR	Business Rescue
BRR	Business Regulation and Reputation
CA	Chartered Accountants
CC	Close Corporation
CEO	Chief Executive Office
CFO	Chief Financial Officer
CIPC	Companies and Intellectual Property Commission
CLC	Client Liaison Committee
CO	Company
COVID-19	Corona Virus Disease 2019
CS	Corporate Services
DB	Doing Business
DBSA	Development Bank of South Africa
DDM	District Development Model
DM	Divisional Manager
DST	Department of Science and Technology
<b><i>the dtic</i></b>	Department of Trade, Industry and Competition
EM	Executive Manager
EU	European Union
FATF	Financial Action Task Force
FSCA	Financial Sector Conduct Authority
GCI	Global Competitiveness Index
I&C	Innovation and Creativity
ICT	Information, Communication and Technology
IDC	Industrial Development Corporation
IFRS	International Financial Reporting Standard
IP	Intellectual Property
IPAP	Industrial Policy Action Plan
IT	Information Technology
JSE	Johannesburg Stock Exchange

K2	Code for a digital platform
MOI	Memorandum of Incorporation
MP	Member of Parliament
NEF	National Empowerment Fund
NIS	National Innovation System
NLC	National Lotteries Commission
PPE	Personal Protective Equipment
QRS	Query Resolution System
RIs	Reportable Irregularities
SACCL	Standing Advisory Committee in Company Law
SARS	South African Revenue Services
SCM	Supply Chain Management
SEDA	Small Enterprise Development Agency
SEZ	Special Economic Zones
SM	Senior Manager
SOE	State-Owned Enterprises
SSC	Self-service centres
SST	Self-service terminals
the dtic	The Department of Trade, Industry and Competition
UIF	Unemployment Insurance Fund
USSD	Unstructured Supplementary Service Data
WIPO	World Intellectual Property Organisation
ixBRL	Inline eXtensible Business Reporting Language



## Executive Authority Statement

The 2023/24 Annual Performance Plan of the Companies and Intellectual Property Commission reflects the continued efforts of the dtic Group to align our activities around a common purpose; grounded in efforts to support **Industrialisation** to promote jobs and rising incomes, drive **Transformation** to build an inclusive economy, and build a **Capable State** to ensure improved impact of public policies.

The APP contains an ambitious set of targets aimed at realising the vision of the Companies Act (CIPC), and utilising these regulations to meet their purpose of empowering a larger number of South Africans to contribute towards our shared prosperity. In the year ahead, the CIPC will play a critical role in driving growth and job creation, and advancing our strategic objectives of creating an enabling environment for business through an efficient company registration and administration system. For the year ahead, the CIPC will also take on critical work in ensuring accountability through the establishment of a Beneficial Ownership register. While companies face a challenging global economic environment, the work of the CIPC will help create the conditions for sustained growth that are most needed when times are hardest.

Since the start of the Sixth Administration, the Department of Trade, Industry and Competition and all entities in the dtic Group have begun a process of adopting a revised output-driven planning system – grounded in the objective of combining all our efforts towards creating real impact for South Africans. In 2023/24, the dtic concluded this process by introducing 45 output targets, to which the CIPC makes a critical contribution. These include supporting 1 million jobs, mobilising R200 billion in investment, supporting R700 billion in manufacturing exports, and helping Black Industrialists to create 20,000 jobs and R36,8 billion in output. The attached table sets out the 45 outcomes. While the CIPC has incorporated many of these objectives into the APP, our next steps will be to further align the work of CIPC to meet these common objectives through the implementation of its governing legislation.

Within one month of tabling this version of the plan, CIPC and the dtic will provide me with a revised APP to further align with these joint outcomes. This will require revisions to the APP, which will be submitted to the Executive Authority for review. These efforts form part of a process of continuous evolution of the dtic Group's work, which combined make for a step-change in connecting our work to real impact that matters to South Africans.

Implementation of this plan must take account of the challenging fiscal environment in which government is operating, and as such as I have instructed all entities to undertake a further review of their spending plans for the period of the plan, and to submit a final, revised financial plan within one month of tabling this version of the plan. This plan should aim to reduce unnecessary spending, and redirect these resources to better serve our core objectives.

The APP 2023/24, is hereby submitted in accordance with the Revised Framework on Strategic and Annual Performance Plans.



**Ebrahim Patel**  
**Minister of Trade, Industry and Competition**

Date: 31 March 2023

## Accounting Authority Statement

I present the 2023/24 CIPC Annual Performance Plan that outlines how the CIPC as a regulator will continue to give effect to its mandate as derived from the shareholders compact with **the dtic** and the Companies Act, 2008 (as amended), by which it was established.

The Companies and Intellectual Property Commission (CIPC) has made great strides toward its vision to establish itself as a reputable, modern, world-class regulator of business and intellectual property. By leveraging digital technologies and partnerships and emphasising collaboration and innovation, we established key competencies to respond and adapt to customer requirements and environmental changes such as those presented by the COVID-19 pandemic.

The CIPC has won several innovation awards for innovative ways to make it easy to do business in South Africa (SA), and therefore reduce the administrative regulatory burden for businesses and innovators. This has set CIPC in the international arena as a reputable regulator.

Through collaboration and partnerships, the CIPC has focused on the development and expansion of multiple channels to increase access to the CIPC products and services and improve ease of transacting. These channels include the e-services website, self-service centres (SSCs) and partner sites (self-service terminals (SSTs)), the *BizPortal*, the Mobile App, the Call Centre, the Query Resolution System (QRS), Unstructured Supplementary Service Data (USSD), as well as social media (Facebook, Twitter, You Tube and WhatsApp). The uptake of these channels is increasing by the day. Company Registrations through the Banks was discontinued. The partnerships with the Banks are now only of a strategic nature and in line with the BizPortal objective of offering a one stop shop for businesses.

The CIPC modernisation programme entails migrating processes from the legacy systems to modern platforms, as well as automation of all its processes. A bulk of the core services have been migrated onto the new e-services. As a result of automation, company registrations have been reduced to less than two days. Annual returns (AR) filing takes less than five (5) minutes. Another major achievement is the automation of annual financial statements filing through the Inline Extensible Business Reporting Language (iXBRL).

The CIPC education and awareness programme has focused on IP awareness for SMMEs, institutes of higher learning, and school kids; improving compliance with the Company and IP Laws such as the annual returns filing, the submission of the audited financial statements; as well as IP enforcement. To clamp down on counterfeit trading, and to change consumer behaviour viz. counterfeit purchases, the CIPC has used strategic engagements and operations with multiple domestic and international law enforcement agencies. Corporate enforcement has been realised through compliance surveillance and proactive investigations. The CIPC is strengthening its capacity for IP protection through building a capability of substantive search examination for patents.

The futuristic and forward-looking CIPC Vision 2030 strategy envisions the CIPC making a strategic contribution towards improving South Africa's competitiveness and growth. In line with **the dtic's** six (6)-point programme, the CIPC Vision 2030 strategy focus on four (4) areas:

1. We want to continue building the required competencies and capabilities to become a **world-class modern regulator** that is fit-for-purpose, agile, adaptive, high-performing organisation that is ahead of the curve, making a strategic contribution towards SA's improved competitiveness and growth. This is in line with the national government's priority to improve the capacity of the state. We are also committed "...to

find new ways to protect public resources so as to reassure the public that corruption will not get in the way of effective delivery.” Organisation design to ensure that the organisation is capacitated appropriately is underway.

2. We will continue focusing our efforts on reducing the regulatory administrative burden by creating ease, simplicity, and flexibility in the formation, maintenance and compliance by companies, as well as protection of intellectual property. This will make it **easy to do business in SA**, contributing to enterprise efficiency, growth, and sustainability. This will entail our continued efforts to build and strengthen multiple access channels to the CIPC services, as well as modernisation and digitising all CIPC processes and systems.
3. The CIPC will ensure implementation and compliance with Company and IP Laws to create a reputable Business Regulation and IP Protection environment in South Africa, contribution to **investor confidence in SA businesses and innovations** translating to investments in business and innovations and contributing to business growth and sustainability. We will strengthen compliance monitoring and enforcement efforts, while providing business support to SMMEs through our outreach programme together with our partners, such as Small Enterprise Development Agency (SEDA).
4. We want to **support third party decision-making**, including our own, by leveraging knowledge assets and networks thus extracting maximum value for us and our customers. We will accelerate our efforts to improve data quality and integrity. We will also analyse and package our data to be value adding to third parties who use it.

I believe that the commitment and dedication shown by the CIPC executives, senior management, and staff in performing their jobs admirably in the recent years, thereby contributing to the realisation of our plans and the delivery of services to CIPC clients, will continue, and therefore take the CIPC to new heights. Organised labour contribution has been instrumental to the organisation's effectiveness, and we trust it will continue in the same fashion.

We will rely on Audit, and Risk & IT Committees for their value-add and commitment to governance within the organisation, as it has been done previously. Contribution of Committees like the Client Liaison Committee (CLC), IP Lawyers fraternity, Specialist Committee on Company Law (SCCL), and all collaboration partners is our winning formula, and we will therefore continue to work with these stakeholders.

Finally, and most importantly, we will rely on the support of the Minister of Trade, Industry and Competition, Mr. Ebrahim Patel, Mr. Fikile Majola and Ms. Nomalungelo Gina, the Deputy Ministers of Trade, Industry and Competition; and Ms. Malebo Mabitje-Thompson, the Acting Director-General of **the dtic**; together with **the dtic** staff, to guide and provide oversight on our work as they have done in the past.



**Adv. Rory Voller**

**CIPC Commissioner**

**Date:** 10 March 2023

## Official Sign-Off

It is hereby certified that this Annual Performance Plan:

- Was developed by the management of the Companies and Intellectual Property Commission (CIPC) under the guidance of the Commissioner, Adv. Rory Voller.
- Takes into account all the relevant policies, legislation, and other mandates for which the CIPC is responsible.
- Accurately reflects the Impact, Outcomes, and Outputs which the CIPC will endeavour to achieve over the period 2023/24 – 2025/26.

### Programme 1: Service Delivery Access

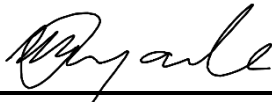
Signature:



MS Hamida Fakira, Executive  
Manager: Corporate Services

Date: 10/03/2023

Signature:



Mr. Phineas Mogale, Executive  
Manager: Business Information  
Systems  
Date:

### Programme 2: Innovation and Creativity

Signature:



Ms. Nomonde Maimela, Executive  
Manager: Innovation and Creativity

Date: 10/03/2023

### Programme 3: Business Regulation and Reputation

Signature:



Adv. Rory Voller, Acting Executive  
Manager: Business Regulation and  
Reputation

Date: 10 March 2023

Signature:



Mr. Muhammed Jasat, Chief Financial  
Officer

Date: 10/03/2023

Signature:



Mr. Lungile Dukwana, Chief Strategy  
Executive  
Date: 10/3/2023

Signature:



Adv. Rory Voller, Commissioner: CIPC  
(Accounting Authority)

Date: 10 March 2023

### Approved by:

Signature:



Mr. Ebrahim Patel

Minister of Trade, Industry and  
Competition

Date: 31 March 2023

## Part A: Our Mandate

### 1. Constitutional Mandate

The CIPC must abide by the Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996) as amended. **Table A. 1: CIPC Constitutional Mandate** highlight sections with more relevance for the CIPC.

Table A. 1: Constitutional Mandate

Chapter and Section	Provision
<b>Chapter 1</b>	A national public entity is a board, commission, company, corporation, fund or other entity (other than a national government business enterprise) which is— (i) established in terms of national legislation; (ii) fully or substantially funded either from the National Revenue Fund, or by way of a tax, levy or other money imposed in terms of national legislation; and (iii) accountable to Parliament;
<b>Chapter 6</b>	Provides for classification; assignment of powers and responsibilities, corporate plans, annual budgets and performance, revenue and expenditure management, information access, annual reports, and financial statements of public entities
<b>Schedule 3A</b>	List the CIPC as a Schedule 3A entity
Chapter and Section	Provision
<b>Chapter 2: Bill of Rights: Section 7.</b>	The state must respect, protect, promote and fulfil the rights in the Bill of Rights.
<b>Equality: Section 9:</b>	The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.
<b>Access to information: Section 32.</b>	(1) Everyone has the right of access to- (a) any information held by the state; and (b) any information that is held by another person and that is required for the exercise or protection of any rights. (2) National legislation must be enacted to give effect to this right and may provide for reasonable measures to alleviate the administrative and financial burden on the state.
<b>Just administrative action: Section 33.</b>	(1) Everyone has the right to administrative action that is lawful, reasonable, and procedurally fair. (2) Everyone whose rights have been adversely affected by administrative action has the right to be given written reasons. (3) National legislation must be enacted to give effect to these rights, and must— Chapter 2: Bill of Rights 14 (a) provide for the review of administrative action by a court or, where appropriate, an independent and impartial tribunal. (b) impose a duty on the state to give effect to the rights in subsections (1) and (2); and (c) promote an efficient administration.

## 2. Legislative and policy mandates

### 2.1 Legislative mandates

The CIPC is listed as a Schedule 3A entity in the Public Finance Management Act, 2001 (Act No. 1 of 2001) as amended (herein referred to as the PFMA).

As shown in **Table A. 2: PFMA Provisions for Public Entities**, Chapter 1, 6, and Schedule 3A of the PFMA has provisions for public entities such as the CIPC.

*Table A. 2: PFMA Provisions for Public Entities*

Chapter and Section	Provision
<b>Chapter 1</b>	A national public entity is a board, commission, company, corporation, fund or other entity (other than a national government business enterprise) which is— (i) established in terms of national legislation; (ii) fully or substantially funded either from the National Revenue Fund, or by way of a tax, levy or other money imposed in terms of national legislation; and (iii) accountable to Parliament;
<b>Chapter 6</b>	Provides for classification; assignment of powers and responsibilities, corporate plans, annual budgets and performance ,revenue and expenditure management, information access, annual reports, and financial statements of public entities
<b>Schedule 3A</b>	List the CIPC as a Schedule 3A entity

As a national public entity, the CIPC was established by national legislation, namely the Companies Act, 2008 (Act No. 71 of 2008). As shown in **Table A. 3: Legislative Mandate**, the CIPC is legislated by a number of Acts of Parliament.

*Table A. 3: CIPC Legislative Mandate*

Legislation	Summary
<b>Companies Act, No 71 of 2008</b>	<p>Register companies, business rescue practitioners and corporate names; maintain data; regulate governance of and disclosure by companies; accredit dispute resolution agents; educate and inform about all laws; give non-binding opinions and circulars, policy and legislative advice</p> <p>Enforce the Companies Act, 2008 to promote voluntary resolution of disputes arising this Act between companies and directors or shareholders as contemplated in Part C of Chapter 7, monitor proper compliance with the Act, receiving or initiating complaints concerning alleged contravention of this Act, evaluating such complaints, and initiating investigations into complaints.</p> <p>Maintenance of accurate, up-to-date and relevant information concerning companies, foreign companies and other juristic persons contemplated in subsection (1) (a) (ii), and concerning intellectual property rights, and the provision of that information to the public and to other organs of state.</p>
<b>Close Corporations Act, No 69 of 1984</b>	Maintain data, regulate governance of and disclosure by close corporations
<b>Co-operatives Act, No 14 of 2005</b>	Register co-operatives, maintain data, regulate governance of and disclosure by co-operatives
<b>Co-operatives Amendment Act, No 6 of 2013</b>	Annual submission of information by co-operatives, audit and independent review of co-operatives, voluntary winding-up of cooperatives by special resolution, liquidation process of co-operatives

Legislation	Summary
<b>Share Block Control Act, No 59 of 1980</b>	Regulate conduct and disclosure by share block schemes
<b>Consumer Protection Act, No 68 of 2008</b>	Register business names
<b>Trade Marks Act, No 194 of 1993</b>	Register trade marks, maintain data, resolve disputes
<b>Merchandise Marks Act, No 17 of 1941 (Unauthorized Use of State Emblems Act, No 37 of 1961)</b>	Prevent and enforce the unauthorized use of state emblems
<b>Patents Act, No 57 of 1978</b>	Register patents, maintain data, publish patent journal, administer Court of Commissioner of Patents
<b>Designs Act, No 195 of 1993</b>	Register designs, maintain data, resolve disputes
<b>Copyright Act, No 98 of 1978</b>	Provide non-binding advice to the public
<b>Registration of Cinematography Films Act, No 62 of 1977</b>	Register films, maintain data
<b>Performers Protection Act, No 11 of 1967</b>	Accredit Collecting Societies; regulate their governance, conduct and disclosure
<b>Counterfeit Goods Act, No 37 of 1997</b>	Conduct and co-ordinate search and seizure operations, oversee depots

## 2.2 Policy mandates

Apart from the pieces of legislation that the CIPC is responsible for, the CIPC also derives its policy mandate from the policies of its principal department, **the dtic**, and SA government in general. The key policies and strategies of **the dtic** relevant to the CIPC are as follows:

*Table A. 4: National Policies and Strategies*

Policies/Strategies	Summary	CIPC Contribution
National Development Plan 2030	<p>The NDP 2030 is a long-term vision for the country, which provides a broad strategic framework to guide key government choices and actions and focuses on the critical capabilities needed to transform the economy and society. The plan highlights that accelerated development in South Africa requires the active support of all citizens, leadership in all sectors that puts the country's collective interests ahead of narrow, short-term goals, and radically improved government performance.</p> <p>The NDP 2030 has two overarching goals:</p> <ul style="list-style-type: none"> <li>– Firstly, a reduction in the number of people who live in households with a monthly income below R419 per person from 39% to zero.</li> <li>– Secondly, a reduction in inequality as measured by the Gini coefficient, from 0.69 to 0.6.</li> </ul>	<p>The CIPC's vision is to make a strategic contribution towards improving SA's competitiveness and growth. This is done through making it easy to do business in SA; regulate business and IP environment contributing to SA becoming an investment destination, and enabling the protection and commercialisation of innovation; and leverage knowledge assets and networks to support third party decision-making. In doing so, the CIPC contributes towards elimination of poverty and reduction of inequality.</p>
National Development Plan Five-Year Implementation Plan 2019/2024	<p>The NDP Five-Year Implementation Plan provides a medium-term roadmap, which will form the basis for developing five-year institutional plans that will guide the realisation of the NDP priorities. The purpose of the NDP Five-Year implementation plan is to advance and guide medium and short-term planning that is responsive to the attainment of the NDP priorities. Intergovernmental and interdepartmental planning is crucial to the realisation of government priorities and ultimately the vision for South Africa. The NDP Five-Year Implementation Plan will allow for the coordination and alignment of priorities across the spheres of government and non-government stakeholders and assist in integrating all the components of national development into mainstream planning processes.</p>	<p>The NDP Implementation Plan forms the basis of the CIPC Strategic Plan and APP as follows:</p> <ul style="list-style-type: none"> <li>• These plans outline how the CIPC will make a strategic contribution towards the improvement SA's competitiveness by improving ease of doing business; regulating business and IP environment contributing to a reputable environment for SA becoming an investment destination, and enabling the protection and commercialisation of innovation as we leverage knowledge assets and networks to support third party decision-making. In doing so, the CIPC contribute to the realisation of NDP priorities</li> </ul>



Policies/Strategies	Summary	CIPC Contribution
		<ul style="list-style-type: none"> <li>The CIPC's digital strategy emphasize development and strengthening of virtual channels, and automation of key services to extend access throughout South Africa.</li> </ul> <p>The risk associated with this strategy is high costs of network data in South Africa. Some of the CIPC customers might not be privileged to afford data costs. This limits access to this group of customers.</p> <ul style="list-style-type: none"> <li>To supplement the digital strategy, the CIPC's collaboration strategy emphasizes collaboration and partnerships not only with government (national and provincial departments), but also with the private sector. The CIPC has used its partnership model to expand its footprint by installing and operating Self-Service Terminals (SSTs) in partner sites such as provincial departments. The CIPC avails its services through banks. In this way, access to the CIPC services is extended to local communities.</li> </ul>

<b>Medium-Term Strategic Framework 2019/20 – 2023/24</b>	<p>The Medium-Term Strategic Framework (MTSF) 2019 - 2024 is the government's monitoring framework for the NDP Five-Year Implementation Plan during the electoral cycle. It reflects how government will measure its progress against the commitments made in the election manifesto of the governing party and the NDP Five-Year Implementation Plan. It is a basis for measurement of government performance and must be aligned with measurement of performance at the national, provincial, and local government spheres.</p> <p>MTSF 2019-2024 has seven (7) priorities, of which specific interventions and targets have been set:</p> <ul style="list-style-type: none"> <li>• Priority 1: A capable, ethical, and developmental state</li> <li>• Priority 2: Economic Transformation and Job Creation</li> <li>• Priority 3: Education, skills, and health</li> <li>• Priority 4: Consolidating the social wage through reliable and quality basic services.</li> <li>• Priority 5: Spatial integration, human settlements, and local government</li> <li>• Priority 6: Social cohesion and safe communities</li> <li>• Priority 7: A better Africa and world</li> </ul>	<p>-2024</p>
<b>District Development Model</b>	<p>The District Development Model (DDM) is a New Integrated Planning Model for Cooperative Governance at a District/Metro Scale. It provides both an Institutional Approach and Territorial Approach (<i>geographic space</i>). The focus is on 44 Districts plus 8 Metros as developmental spaces (IGR Impact Zones) as the strategic alignment platforms for all three spheres of government where One Plan for each space guides and directs all strategic investments and projects for transparent accountability. The Plan will harmonise IDPs and create interrelated, interdependent, as well as 'independent' development hubs supported by comprehensive detailed plans. The plan is an inter and intra governmental and leads to creating society wide Social Compact; and the One Plan will be strategic and long-term in nature, with medium-term strategic plans</p>	<p>The CIPC digital strategy emphasize development and strengthening of virtual channels, and automation of key services to extend access throughout South Africa. As indicated in the previous section, the risk associated with this strategy is excessive costs of network data in South Africa. Some CIPC customers might not be privileged to afford network data.</p> <p>The CIPC has used its partnership model to expand its footprint by installing and operating Self-Service Terminals (SSTs) in partner sites such as provincial departments. Some CIPC services are also provided through Banks. In</p>

	and Short-term operational plans all expressing the commonly agreed diagnostics, strategies, and actions.	this way, access to the CIPC services extends to local communities.
<b>the dtic Strategic Plan</b>	<p>Vision: A dynamic industrial, globally competitive South African economy, characterised by meaningful economic transformation, inclusive growth and development, decent employment and equity, built on the full potential of all citizens.</p> <p>Mission:</p> <ul style="list-style-type: none"> <li>• promote structural transformation, towards a dynamic industrial and globally competitive economy;</li> <li>• provide a predictable, competitive, equitable and socially responsible environment, conducive to investment, trade and enterprise development;</li> <li>• broaden participation in the economy to strengthen economic development;</li> <li>• continually improve the skills and capabilities of <b>the dtic</b> to effectively deliver on its mandate and respond to the needs of South Africa's economic citizens;</li> <li>• coordinate the contributions of government departments, state entities and civil society to effect economic development; and</li> </ul> <p>improve alignment between economic policies, plans of the state, its agencies, and government's political and economic objectives and mandate</p>	<p>The CIPC's vision is to make a strategic contribution towards improving SA's competitiveness and growth.</p> <p>The CIPC contribute into providing a predictable business and IP protection environment conducive for investment and enterprise development.</p> <p>The CIPC digital and collaboration strategies contribute to the broadening economic participation by extending the CIPC services to communities who would otherwise not be reached if not for the digitisation and SSTs in provincial partner sites.</p> <p>The CIPC programmes such as education and awareness programme, the Inventor Assistance Programme, and others develop knowledge and provide support on business formalisation and IP protection. In doing so, broaden economic participation.</p>

Policies/Strategies	Summary	CIPC Contribution
<b>The dtic Minister's commitments (Post-Covid-19) and 6 point programme</b>	<p>Minister of Trade and Industry commitments (PostCovid-19):</p> <ul style="list-style-type: none"> <li>• Every directorate of the <b>dtic</b> and every agency will prioritise <b>saving firms and jobs</b>, and report on a monthly basis on their impact. (Reallocate resources, support DDM, common back office for finance, ICT, and HR)</li> <li>• Re-calibrate 6-point programme to save lives and protect livelihoods.</li> </ul> <p>The Minister of Trade, Industry and Competition 6-point programme:</p> <ul style="list-style-type: none"> <li>• To strengthen economic dynamism, • To help pivot the economy from its reliance on imports to greater levels of local manufacture,</li> <li>• In the area of trade, to provide trade support to local firms, both in the domestic market and for exports,</li> <li>• On investment, we will focus on consolidating the presence of firms who have existing operations and help those who made investment pledges to bring projects to fruition.</li> <li>• On transformation, our efforts will go to providing nonfinancial support to black industrialists to complement the funding.</li> <li>• On special economic zones (SEZs), national government will play a stronger role in improved governance, advocacy, and mobilising investment.</li> </ul> <p>To improve the capacity of the state, we will review the performance of the seventeen public entities falling under <b>the dtic</b>, identify opportunities to consolidate and merge some entities, address underperformance, and in the case of the National Lotteries Commission (NLC), promote greater transparency and improved governance.</p>	<p>As indicated above, the CIPC programmes develop knowledge and provide support on business formalisation and IP protection. In doing so, broaden economic participation. The CIPC digital strategy emphasizes development and strengthening of virtual channels, and automation of key services to extend access throughout South Africa and reduces turnaround time for CIPC services. This indirectly contributes to enterprise efficiencies, sustainability, and growth. In line with improving the capacity of the state, the CIPC aims to develop and strengthen organisational and employee competencies and capabilities towards being a modern world-class regulator that is agile, relevant, fit for purpose, high performing and ahead of the curve at all times.</p>

Policies/Strategies	Summary	CIPC Contribution
<b>Industrial Policy Action Plan (IPAP) 2018/19 – 2020/21</b>	<p>To facilitate diversification by promoting increase value-addition per capita and intensification of South Africa's industrialisation process.</p> <p>IPAP has five (5) transversal focus areas:</p> <ul style="list-style-type: none"> <li>• Public procurement – with elimination of corruption</li> <li>• Industrial financing and incentives</li> <li>• Development trade policy including unlocking of the potential of SMMEs and Cooperatives, and supporting the Continental Free Trade Area</li> <li>• Innovation and technology, and</li> <li>• Special economic zones</li> </ul>	The CIPC collaborate with other entities such as SEDA to support small businesses and participate in the Africa Continental Free Trade Area project.
<b>Strategy on the Promotion of Entrepreneurship and Small Enterprise</b>	To increase supply for financial and non-financial support services and creating demand for small enterprise products and services through the reduction of small enterprise regulatory constraints.	Through its education and awareness programme, the CIPC works with entities such as SEDA to provide non-financial support to SMMEs.
<b>Corporate Law Reform Policy</b>	To promote growth, employment, innovation, stability, good governance, and confidence in the South African business environment, as well as increase international competitiveness.	The mandate of the CIPC is to regulate the business and IP environment in South Africa, such that there is confidence in the business environment while the country's competitiveness is promoted.
<b>Co-operatives Development Policy for South Africa</b>	Create an enabling environment for co-operative enterprises which reduces the disparities between urban and rural businesses, and is conducive to entrepreneurship and to promote the development of economically sustainable cooperatives	Through the Co-operatives Unit and the education and awareness programmes, the CIPC supports the co-operatives sector.
<b>Integrated Strategy for the Development and Promotion of Co-operatives</b>	To grow all forms and types of co-operatives and the cooperatives movement, as well as increase its contribution to the country's GDP growth rate, economic transformation, and social impact.	As explained above.

Policies/Strategies	Summary	CIPC Contribution
<i>Cross-cutting policies: Women, Children, Youth and People with Disabilities</i>		
<b>South Africa's National Policy Framework for Women's Empowerment and Gender Equality (2001)</b>	This framework establishes a clear vision and framework for gender mainstreaming across laws, policies, and procedures and practices. The framework serves to ensure equal rights and opportunities for people in all spheres and structures of government, as well as in the workplace, the community, and the family.	The CIPC complies with Employment Equity Framework and reports as required.
<b>Women's Financial Inclusion Framework</b>	Women's financial inclusion includes the collective efforts made to ensure that all kinds of women have effective access to appropriate financial products. However, it does not end with access to financial products only, the concept extends further to include non-financial aspects that are required by women to be entrepreneurial and capacitated with the right skills and knowledge to compete in the economic environment.	The CIPC do not have programmes directed at women.
<b>Framework on Gender-Responsive Planning, Budgeting, Monitoring, Evaluation and Auditing, 2018</b>	This framework aims to ensure a more sustainable, comprehensive and multi-sectoral approach to gender mainstreaming within the country's planning, monitoring, and evaluation and public financing systems. It therefore focuses on closing the gap between plans and budgets through an overall approach of mainstreaming gender through the planning, budgeting, monitoring, evaluation and audit cycle.	As above.

Policies/Strategies	Summary	CIPC Contribution
<b>National Youth Policy, 2030</b>	The National Youth Policy for 2020-2030 (NYP 2030) is a cross sectoral policy aimed at effecting positive youth development outcomes amongst young people at local, provincial, and national levels in South Africa. This youth policy for 2020-2030 builds on South Africa's first and second NYPs, which covered the period 2009–2014 and 2015-2020, respectively, by highlighting the current and new challenges that South Africa's youth face. It takes into cognisance the historical realities that the country face, mainly sluggish economic growth and the challenges of Africa and the rest of the developing world. The 2020-2030 NYP also identifies the potential human capital inherent in young people as an untapped potential that should be leveraged for the benefit of the whole society.	The CIPC collaborate with schools and institutes of higher learning through its education and awareness programme to extend its reach to school-going children and youth.
<b>White Paper on the Rights of People with Disabilities, 2016</b>	The White Paper is a call to action for government, civil society, and the private sector to work together to ensure the socioeconomic inclusion of persons with disabilities. Through this White Paper, government seek to create a caring and inclusive society that protects and develops the human potential of its children, a society for all where persons with disabilities enjoy the same rights as their fellow citizens, and where all citizens and institutions share equal responsibility for building such a society. This White Paper is intended to accelerate transformation and redress with regard to full inclusion, integration, and equality for persons with disabilities. The Implementation Matrix offer both the public, private, and civil society sectors a tangible platform to do things differently to expedite the process of improving the quality of life of persons with disabilities and their families.	The CIPC complies with the requirements to meet the needs of people with disabilities.

## 2.3 Contribution to MTSF

The table below show the alignment and contribution of the CIPC outcomes towards the achievement of the MTSF 2019-2024.

*Table A. 5: Alignment with the Medium-Term Strategic Framework, 2019-2024*

MTSF Priority	MTSF Interventions	CIPC Outcome	CIPC Contribution to MTSF Priority and Outputs/activities
<b>Priority 1: A capable, ethical, and developmental state</b>	Integrated Monitoring System for public sector accountability	Agile, adaptive, and fit-for-purpose organisation design (OD)	Adhere to compliance, governance, and reporting guidelines.
	Modernise service processes in the public sector.	Reduced administrative compliance burden for companies and IP owners.	<p>A service delivery model responsive to customer (public) needs.</p> <p>CIPC will continue to invest in ICT assets:</p> <ul style="list-style-type: none"> <li>• To ensure multiple access channels to CIPC and other services, promoting ease of doing business.</li> <li>• To automate processes to improve speed at which CIPC and other services are delivered.</li> <li>• To collaborate with government entities and private entities such as banks to innovate ways to provide easy access to CIPC and other integrated services.</li> </ul>
	100% reduction of wasteful and fruitless expenditure in the public sector institutions.	Agile, adaptive, and fit-for-purpose organisation design (OD)	Monitor expenditure and ensure adherence to correct procedures.
		Governed, accountable, clean and compliant administration	Achieve unqualified audit opinion with no reportable findings (Clean audit) thereby improving the reputation of the public sector as being ethical and therefore attract investment for developmental purposes.
	Improve financial management capability by implementing the Integrated Financial Management System in the public sector.	Agile, adaptive, and fit-for-purpose organisation design (OD)	Implement Integrated Financial Management System when guidelines are received.
	Implement job competency framework for public sector by 2023 to build a professional public administration.	Agile, adaptive, and fit-for-purpose organisation design (OD)	Implement job competency framework when guidelines are received



MTSF Priority	MTSF Interventions	CIPC Outcome	CIPC Contribution to MTSF Priority and Outputs/activities
<b>Priority 2: Economic Transformation and Job Creation</b>	Improve ease of doing business	Reduced administrative compliance burden for companies and IP owners	<p>CIPC will continue to invest in ICT assets:</p> <ul style="list-style-type: none"> <li>• To ensure multiple access channels to CIPC and other services, promoting ease of doing business.</li> <li>• To automate processes to improve speed at which CIPC and other services are delivered.</li> <li>• To collaborate with government entities and private entities such as banks to innovate ways to provide easy access to CIPC and other integrated services.</li> </ul>
	Facilitate and support 200 000 functional small businesses and cooperatives by 2024.	Reduced administrative compliance burden for companies and IP owners.	<p>Automation of co-operatives registration and maintenance processes.</p> <p>Conduct education and awareness online seminar events for small business and cooperatives on opportunities and compliance with relevant legislation.</p> <p>Conduct virtual media campaigns of CIPC services.</p>
	Create 275 000 jobs per year through Job Summit Commitments, and Operation 'Phakisa' and other public sector employment programmes.	<p>Reduced administrative compliance burden for companies and IP owners.</p> <p>A reputable Business Regulation and IP Protection environment in South Africa</p>	Through reduction of an administrative burden and building a reputable business regulation and IP protection environment in SA, CIPC will indirectly contribute enterprise efficiencies and credibility resulting in sustainable and profitable business contributing job creation.

MTSF Priority	MTSF Interventions	CIPC Outcome	CIPC Contribution to MTSF Priority and Outputs/activities
	Implement Presidential comprehensive youth employment interventions that absorb 1 million youth in NEET in employment by 2024.	Reduced administrative compliance burden for companies and IP owners.  A reputable Business Regulation and IP Protection environment in South Africa	Through reduction of an administrative burden and building a reputable business regulation and IP protection environment in SA, CIPC will indirectly contribute enterprise efficiencies and credibility resulting in sustainable and profitable business contributing job creation.
	Expand government spend on women, youth and persons with disabilities through preferential procurement	Agile, adaptive, and fit-for-purpose organisation design (OD)	CIPC to continue implementing preferential procurement from women, youth and persons with disabilities
<b>Priority 3: Education, skills and health</b>	N/A	N/A	N/A
<b>Priority 4: Consolidating the social wage through reliable and quality basic services</b>	N/A	N/A	N/A
<b>Priority 5: Spatial integration, human settlements, and local government</b>	Profile and support enterprise development in townships through financial incentives and other non-financial forms of support.	Reduced administrative compliance burden for companies and IP owners.  A reputable Business Regulation and IP Protection environment in South Africa	To provide non-financial forms of support for enterprise development through easy and quick access to the CIPC services, as well as conducting education and awareness online seminar events and media campaigns on Company and IP laws and related opportunities.
<b>Priority 6: Social cohesion and safe communities</b>	N/A	N/A	N/A
<b>Priority 7: A better Africa and world</b>	Eighty percent of international standards domesticated, to improve the conditions for all South Africans.	Reduced administrative compliance burden for companies and IP owners.  A reputable Business Regulation and IP Protection environment in South Africa	The CIPC to continue to participate in international bodies such as WIPO, BRICS, and Corporate Registrars Forum.  The CIPC will be implementing a business ownership register as part of a recommendation by Transparency International

## 2.4 International Engagement

South Africa's national government is a member of international community such as the UN, G20, BRICS, African Union, and SADC, and in particular for CIPC, a member of WIPO, Corporate Registers Forum, and FATF. The CIPC must implement policies and strategies adopted by these bodies, including various international treaties and agreements.

Table A. 6: International Policies, Strategies, Treaties and Agreements

Policies, Strategies, Treaties, and Agreements	Summary
<b>United Nations Sustainable Development Goals (SDGs)</b>	The SDGs seek to end poverty and hunger in the world; to combat inequalities within and among countries; to build peaceful, just, and inclusive societies; to protect human rights and promote gender equality and the empowerment of women and girls; and to ensure the lasting protection of the planet and its natural resources. Countries committed to the SDGs aim to create conditions for sustainable, inclusive, and sustained economic growth, shared prosperity and decent work for all, considering different levels of national development and capacities. The SDGs are integrated, indivisible and balance the three dimensions of sustainable development, namely, the economic, social, and environmental. There are 17 Sustainable Development Goals and 169 targets, which demonstrate the scale and ambition of the new universal Agenda.
<b>African Union Agenda 2063</b>	<p>Agenda 2063 is a strategic framework for the socio-economic transformation of Africa over the next 50 years. It builds on and seeks to accelerate the implementation of past and existing continental initiatives for growth and sustainable development.</p> <p>Agenda 2063 has the following aspirations: an integrated continent, politically united and based on the ideals of Pan-Africanism and the vision of Africa's Renaissance; an Africa of good governance, democracy, respect for human rights, justice and the rule of law; a peaceful and secure Africa; an Africa with a strong cultural identity, common heritage, shared values and ethics; an Africa whose development is people-driven, relying on the potential of African people, especially its women and youth, and caring for children; and Africa as a strong, united and influential global player and partner. These aspirations have priority areas, which are aligned to the Sustainable Development Goals.</p>
<b>Recommendations on Beneficial Ownership For Open Government Partnership (OGP) Action Plans</b>	South Africa is a member of the G20, therefore a member of the Financial Action Task Force (FATF). FATF advocates for economies to be transparent about ultimate beneficial owners of legal entities. The CIPC is expected to develop a registration and filing capability to collect UBO information on incorporation of legal entities, on amendments and during annual returns. We are also expected to verify the information and adopt a risk-based approach in investigations and enforcement by using triangulated data from both local and international authorities.
<b>Paris Convention for the Protection of Industrial Property</b>	The Paris Convention, adopted in 1883, applies to industrial property in the widest sense, including: patents, trademarks, industrial designs, utility models, service marks, trade names, geographical indications and the repression of unfair competition. This international agreement was the first major step taken to help creators ensure that their intellectual works are protected in other countries. South Africa's accession to the Paris Convention was in October 1947.

Policies, Strategies, Treaties, and Agreements		Summary
Patent Treaty	Co-operation	The Patent Co-operation treaty makes it possible to seek patent protection for an invention simultaneously in a number of countries by filing an "international" patent application. Such an application may be filed by anyone who is a national or resident of a PCT Contracting State. It may be filed with the national patent office of the Contracting State of which the applicant is a national or resident or, at the applicant's option, with the International Bureau of WIPO in Geneva. South Africa's accession to the treaty was in December 1998.
Berne Convention for the Protection of Literary and Artistic Works		Adopted in 1886, deals with the protection of works and the rights of their authors. It provides creators such as authors, musicians, poets, painters etc., with the means to control how their works are used, by whom, and on what terms. It is based on three basic principles and contains a series of provisions determining the minimum protection granted, as well as special provisions available to developing countries that want to make use of them. South Africa's accession to the treaty was in October 1928.
Budapest Treaty on the International Recognition of the Deposit of Micro-organisms for the Purposes of Patent Procedure		Adopted in 1977, the Budapest Treaty concerns a specific topic in the international patent process: micro-organisms. All states party to the Treaty are obliged to recognise micro-organisms deposited as a part of the patent procedure, irrespective of where the depository authority is located. In practice, this means that the requirement to submit micro-organisms to each national authority in which patent protection is sought no longer exists.
TRIPs Agreement		The TRIPs Agreement is an international legal agreement between all the member nations of the World Trade Organization (WTO). It sets down minimum standards for the regulation by national governments of many forms of intellectual property (IP) as applied to nationals of other WTO member nations. It stems from the desire to reduce distortions and impediments to international trade and taking into account the need to promote effective and adequate protection of intellectual property rights, and to ensure that measures and procedures to enforce intellectual property rights do not themselves become barriers to legitimate trade. South Africa deposited its instrument of acceptance for the 2005 protocol amending the WTO's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) on 23 February 2016.

### 3. Institutional Policies and Strategies over the five-year planning period

#### The CIPC Vision 2030 Strategy

The 2021/22 -2025/26 Strategic Plan is an expression of the CIPC Vision 2030 Strategy. The CIPC Vision 2030 Strategy has four (4) key focus areas:

- i. Building competencies and capabilities required for **a world-class modern regulator**,
- ii. Reducing administrative regulatory burden to make it is **easy to do business in SA**,
- iii. Creating a reputable Business Regulation and IP Protection environment in South Africa, contribution to boosting **investor confidence in SA** businesses and innovations, and
- iv. **Support third party (and CIPC'S) decision-making** by leveraging knowledge assets and networks, extracting maximum value for the CIPC and its customers.

The CIPC Vision 2030 strategy was informed by the reality of a D-VUCA-D (Disruption, Volatility, Uncertainty, Complexity, Ambiguity – and Diversity) world. Disruption whether in the form of technology, social change, industry reconfiguration influences and will influence the CIPC in the future. The environment within which the CIPC exist is volatile, uncertain, complex, ambiguous and diverse. The advent of the social media and its impact has highlighted how gender, cross-cultural and inter-generational diversity influences organisational effectiveness.

At the centre of the CIPC Vision 2030 strategy is also the effect of the fourth industrial revolution (4IR) or Industry 4.0. As an ongoing automation of traditional processing practices using modern smart technology such as artificial intelligence, block chain technologies, robotics, cloud computing, *bio* and *Nano* technologies, data analytics, 3D printing and drone technologies, 4IR present threats as well as opportunities in organisations. On one hand, 4IR could have a negative impact on traditional business models, jobs (job displacement), and therefore increase inequality, joblessness, and poverty, however, on the other hand, it can present opportunities for organisations to be agile, more productive, and innovative. The use of technologies also assists countries, which face limited human resources to meet customer demand, as well as reduce administrative costs.

The D-VICAD environment and 4IR calls for the CIPC that is **agile, adept, relevant, innovative, disruptive, and ahead of the curve**. The CIPC Vision 2030 Strategy aims to build such an organisation. At the centre of this strategy is a digital business (modernisation), innovation and collaboration (multi-channel and partnerships), and operational excellence strategies.

### **3.1 Modernisation Strategy (Digital business strategy)**

The modernisation strategy entails migration of the CIPC processes into new modern platforms, as well as automation of all processes. Migration of processes into new platforms provides a foundation for full and ease of automation of the CIPC internal and external processes. Most of the processes have been migrated into the K2 platform and automated; these include the company registrations, co-operatives registrations, and annual returns filings. Annual Financial Statements (AFS) filings have been automated through the inline Extensible Business Reporting Tool (iXBRL) tool. The automation that has been achieved so far has led to the CIPCs registration systems being faster, and more cost-effective. It has enhanced data integrity, information security, registration system transparency, and verification of business compliance.

The modernisation strategy is one of the strategies directed to build a world-class modern regulator, as well as create ease in doing business in SA.

In the next five years, the CIPC will:

1. Automate and migrate 100% all processes to modern platform.
2. Through Intellectual Property Automation System (IPAS), to automate all processes end-to-end in the intellectual property (IP) area.

### **3.2 Multi-Channel Strategy (Innovation and Collaboration)**

The multi-channel strategy is about expanding the CIPC footprint and therefore increasing access to the CIPC and its partners' products and services and increase ease of transacting.

The multiple channels strategy is highly reliant on the modernisation strategy (digitisation). A digitised registration system is crucial for both the virtual multi-channel, one stop-shops, and partnership models. The CIPC channels deliver services faster and more efficiently by digitisation of the back-office workflows. Digitisation also play an essential role in developing integrated systems in the CIPC partnerships network.

The partnerships model is also critical to the success of the multi-channel strategy. The CIPC extend its footprint by collaborating with strategically selected partners, in so doing leverage the capabilities and competencies of these partners. The CIPC will have access to its partner's infrastructure, customer base, and value-add services for its customers. These partnerships are not only limited to the public sector, but it also extends to the private sector. The partnerships model has also been critical in creating a **one-stop shop** for businesses. Channels such as the *BizPortal*, SSTs, and commercial Banks have been developed based on this model. *BizPortal* is a **one-stop shop** that enables entrepreneurs to go to one website, register their company, register for tax, and get their Broad-Based Black Economic Empowerment (BBBEE) certificate, register for the Unemployment Insurance Fund (UIF), get their company's domain name, and even open a bank account. Through SSCs and Partner Sites, businesses not only register companies, but also get their BBBEE certificates. In its efforts to continue providing **value-added services**, the CIPC also collaborated with SARS to offer a tax number when an enterprise is registered. The Banks offer a wide range of CIPC products and services including company registration, name reservation, and payment integration and B-BBEE certificate application, when opening a business bank account.

The Banks are specifically selected based on their extensive branch network and online functionality, which is internationally accessible, as well as their reliable identification verification. In an attempt to differentiate its services for different target markets, the CIPC launched an office in partnership with the JSE. This office provides specific services for listed companies and its subsidiaries, i.e. director and company amendments, advisory services and real-time company registration services. The South African Revenue Services (SARS) partnerships allows for tax registration while registering a company. This is a value-add service for CIPC customers. The partnership between CIPC and the National Treasury (NT) provides a real-time link, which enables the NT to check the status of enterprises and directors prior to them registering the business on the Central Supplier Database. Department of Home Affairs (DHA) provides the CIPC with live identification verification improving the speed at which company registrations are processed.

**Table A. 7: Partner Sites** show the CIPC partner sites where self-service terminals (SSTs) are hosted:

Table A. 7: Partner Sites

Province	Partner
North-West	North-West Development Corporation (NWDC),
North-West	Orbit TVET College in Rustenburg
KwaZulu-Natal	Trade and Investment KwaZulu-Natal (TIKZN),
KwaZulu-Natal	KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs (KZN DEDTE)
Western Cape	West Coast Business Development Centre (WCBDC),
Northern Cape	Northern Cape Department of Economic Development and Tourism (NDEDT)
Free State	Free State Development Corporation (FDC)
Limpopo	Limpopo Economic Development Agency (LEDA)
Mpumalanga	Mpumalanga Department of Economic Development and Tourism (MDEDT)

The CIPC has the following channels operational: the e-services website, self-service centres (SSCs) and partner sites (self-service terminals (SSTs), listed in **Table A. 9: CIPC Channels and services offered**, the *BizPortal* which includes the Banks, the Mobile App, the Call Centre, the Query Resolution System (QRS), USSD, as well as social media (Facebook, Twitter, You Tube, and WhatsApp). *The table also shows the CIPC services offered in each channel.*

Table A. 8: CIPC Channels and Services

Services/Channels	E-service Website	SSCs and Partner Sites (SSTs)	BIZPORTAL	Mobile App	Call Centre	QRS	Social Media (Facebook, Twitter)	Email (Manual)	Drop at CIPC Boxes (Manual)
Integrated services (SARS, UIF, Compensation Fund, Bank Accounts, BEE Cert) - One-Stop Shop	No	Yes – BBBEE certificate Not Compensation Fund, UIF or Bank Account Opening	Yes	No	No	No	No	N/A	N/A
Patents applications	Yes	No	No	No	No	No	No	No	Yes
Patents registration	Yes	No	No	No	No	No	No	No	Yes
Designs applications	Yes	No	No	No	No	No	No	No	Yes
Designs registration	Yes	No	No	No	No	No	No	No	Yes
Copyright in film applications	Yes	No	No	No	No	No	No	No	Yes
Copyright in film registration	Yes	No	No	No	No	No	Yes	Yes	Yes
Trade mark applications	Yes	No	No	No	No	No	No	No	Yes
Trade mark registration	Yes	No	No	No	No	No	Yes	Yes	Yes
Name reservations	Yes	Yes	Yes	Yes	No	No	No	No	Yes
Companies registration	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes
Co-operatives Registrations	No	No	No	No	No	No	No	Yes	Yes
Domain Name Registrations	Yes	No	No	No	No	No	No	Yes	No
Director Amendments	Yes	Yes	No	No	No	No	No	Yes	Yes
Member Amendments	Yes	Yes	No	No	No	No	No	Yes	Yes
Auditor Changes	Yes	Yes	No	No	No	No	No	Yes	Yes
Company Name changes	Yes	Yes	Yes	No	No	No	No	No	No
Company and Close	Yes	Yes	Yes	No	No	No	No	No	No

Services/Channels	Service Website	SSCs and Partner Sites (SSTs)	BIZPORTAL	Mobile App	Call Centre	QR S	Social Media (Facebook, Twitter)	Email (Manual)	Drop at CIPC Boxes (Manual)
Corporation Address changes									
Company and Close Corporation Financial Year-End Changes	Yes	Yes	Yes	No	No	No	No	No	No
Enterprise enquiry	No	Yes	No	No	Yes	Yes	Yes	No	No
Disclosures	Yes	Yes	No	No	No	No	No	Yes	No
BBBEE Certificates	Yes	Yes	Yes	No	No	No	No	Yes	No
Disclosures-MOI Documents	Yes	Yes	No	No	No	No	No	Yes	Yes
Disclosures Approved names	Yes	Yes	No	No	No	No	No	No	NO
Queries	No	No	No	No	Yes	Yes	Yes	Yes	Yes
Information access	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes
Annual Returns filing	Yes	Yes	Yes	No	No	No	No	No	No
AFS filing	Yes – XBRL portal	No	No	No	No	No	No	No	No
Name transfer	Yes	Yes	No	No	No	No	No	No	No

The multi-channels strategy is geared towards availing the CIPC products and services 24/7. **Table A. 9: Channels and Services Available 24/7** shows the CIPC channels and service available 24/7 as of 30<sup>th</sup> December 2022.



Table A. 9: Channels and Services Available 24/7

Channels available 24/7	Services available 24/7per channel
<b>1. CIPC Website</b>	Company registration Company name reservation Company and close corporation address changes Company and close corporation financial year-end changes Company name change Company shareholder change Co-operative registration Annual Returns Domain name registrations BB-BEE certificate XBRL Filing Director amendment Member amendment Name transfer Disclosure certificate Auditor changes Enterprise enquiry MOI documents
<b>2. CIPC Mobile App</b>	Company registration Company name reservation Annual Returns BB-BEE certificate Disclosure Certificates Shopping Cart
<b>3. BizPortal &amp; Banks</b>	Company Registration Company name reservation Domain Name Registrations BB-BEE certificate Annual Return Company/CC Address Changes Company Name Change Additional Links on BizPortal SARS Services Compensation Fund UIF Registration Business Bank Accounts Google Business Services
<b>4. SSTs</b>	Company Registration Company name Reservation Company and close corporation address changes BB-BEE Domain names Annual Returns Amend Company Director Details Amend CC Member Details Certificates and Disclosures Enterprise Enquiry Name Changes Customer Transactions Auditor and ACC Officers

Channels available 24/7	Services available 24/7per channel
<b>5. Emails</b>	Electronic Filing (Prospectus, Independent Review, and Reportable Irregularity) Company registration Company associated name reservation MOI Changes Close corporation to company conversions External company registrations Merger and amalgamations MOI Amendments Company location record changes Voluntary deregistration Voluntary and court order liquidations Business Rescue Proceedings, Status reports, Substantial Implementations, Terminations and court orders relating to business rescue Company and close corporation reinstatements Co-operatives director amendment; Constitution amendment; Changes to addresses and auditors; Conversions; Deregistration; disclosure and financial statements.

During the current 5-year strategic period, the CIPC will:

1. Strengthen virtual channels to avail all the CIPC products and services 24/7.
  - a. Revise all current Mobile Services to function the same as modernised web services.
  - b. Develop more services on the Chat-bot as a new Customer Electronic Channel.
  - c. Implement AI on the processing of names and intellectual property.
2. Develop the capability to measure uptake of each channel.
3. Increase the uptake of virtual channels a. Digital marketing and branding.
4. Strengthen existing partnerships and seek new partnerships to leverage their partners' key organisational competencies and capabilities such as databases, systems, networks, and value-add services.

### 3.3 Data and Information Management Strategy

The data and information management strategy is the basis through which the CIPC will leverage its knowledge assets and networks, to support third party decision-making thus creating shared value for the CIPC and its customers.

During the current 5-year strategic period, the CIPC will:

1. Strengthen internal data reporting by establishing a business intelligence (BI) platform, and a data warehouse.
2. Relocate the data centre and Server Room from **the dtic** Shared Services Centre to an external hosting service provider.
3. Strike a Good Balance between Strong ICT Security and Increased Access to Data
  - a. Further enhance the existing Data Security measures through a fully implemented effective Identity Management (IDM) Solution for CIPC
  - b. Strengthen information security by implementing Security Incident Event Management Solution (SIEM) to complement using the McAfee Solution as a key component of the ISMS.
4. Revise 100% of the current partner integration to be compatible with current CIPC service/data demands, while leveraging the capabilities of modern technologies.

### **3.3 Operational Excellence and Quality**

The operational excellence and quality management strategies are tactical in that these ensure that the CIPC main strategies are executed in a consistent, continuous, and sustained way. At the centre of these tactical strategies is meeting customer requirements, and organisation's regulatory requirements. To this end, the CIPC monitors operational and process performance. Service delivery standards are regularly monitored and reviewed with the aim to improve these. Process audits ensure that processes are simple, value adding, and optimal.

### **3.4 Substantive Search Examination**

In the 2018/19 reporting period, Cabinet approved the first phase of the draft IP Policy of the Republic of South Africa, which seeks to provide a national IP system that is cognisant of other government priorities and to provide a co-ordinated approach on IP matters by government departments and other organs of state. The IP Policy additionally aims to provide a balanced approach between preserving the rights of creators of IP on the one hand, and providing access to knowledge, technology transfer, and safe affordable medicines for the benefit of all South Africans.

One of the key policy instruments emanating from the IP Policy is the legislative reform process i.e. the amendment of the current Patent Act no. 57 of 1978. The legislative reform Substantive Search and Examination (SSE) of patent applications in South Africa. The IP Policy provides for a phased approach to the introduction of SSE, where the Inter-Ministerial Committee on Intellectual Property (IMCIP) established under the IP Policy, will determine the priority sectors in which patent applications will be examined. In terms of the CIPC SSE strategy, rollout patent searchers were recruited and trained. In addition to the appointed patent searches, interns were also recruited and trained as part of ongoing SSE capacity building for readiness to implement SSE of patent applications. The current fields of focus are Physics, Engineering and ICT as well as Chemistry and Biotechnology.

### **4. Relevant Court Rulings**

Not applicable.

## Part B: Our Strategic Focus

### 5. Situational Analysis

#### 5.1 External Environment Analysis

The CIPC's activities are taking place against the backdrop of a rapidly evolving technological and policy environment. The industry must respond to a transition in the digital landscape, as well as evolving customer and stakeholder expectations, to ensure it remains relevant and futureproof.

This section outlines the current external environment within which the CIPC will continue to operate, risks presented by this context, and implications for the CIPC's strategies and policies. Trends over the past five years are presented as a basis for possible trends over the next five years. The PESTEL (Political, Economic, Social, Technological, environmental and Legal) analysis framework was used to conduct an external contextual analysis for the CIPC's vision 2030.

##### **5.1.1 Political Analysis**

Key trends in relation to the external political environment can be described as follows:

- **Pragmatism** will characterise the approaches of states and leaders in the East (particularly China). Moreover, a perceived shift in global power from West to East will result in changes in trade relations, as well as various policy and regulatory frameworks (both national and international).
- Largely due to the effects of **Climate Change** and the new 'scramble for resources' (such as water), new conflicts may emerge and result in increased polarisation and global political instability.
- The South African government has had to respond to the crisis of poor public service delivery within an unprecedented and challenging context brought about by the global health crisis that was the **Covid-19 Pandemic**. The resultant impact on jobs, crime and politics has resulted in shifting government priorities, as well as restructuring of public services.
- The **Russia-Ukraine conflict** has resulted in strained international relations, as well as heightened global unease and uncertainty.

For the CIPC, consideration should also be given to three broad goals presented and communicated to government ministers and the public by President Cyril Ramaphosa during the 2019 State of the Nation Address (SONA):

- (a) Driving an energized and re-focused state
- (b) Enhancing the role of the state as a regulator
- (c) Enhancing the role of the state as a redistributor

In this regard, the CIPC should give consideration to 5 key areas:

##### **1. The District Delivery Model (DDM)**

The DDM impacts on government agencies, including the CIPC, in relation to planning and reporting. The CIPC will need to ensure a district level focus is adopted, ensuring fairness

through district level planning and reporting on performance, as well as rollout of initiatives at district level. The need to report more accurately and consistently in relation to districts requires an overarching approach that accounts for district level reporting, as well as relations between districts.

## **2. Division of Revenue Bill**

Government has shifted its revenue model to provide for the equitable division of revenue among national, provincial and local spheres of government. This has a direct impact on the revenue model of the CIPC and its ability to funnel revenue into capital projects. The CIPC must, therefore, improve on capital project planning and be efficient in executing capital projects. There is currently risk with regards to the OD project, as well as digital projects, due to the project timelines. As such, there is a need to accelerate planning and execution to ensure capital funds can be used prior to National Treasury re-allocation.

## **3. The dtic Joint Key Performance Indicators (JKPIs)**

The dtic has made provisions for entities to be more innovative by allowing entities to 'not be constrained' by their mandate. However, innovation and any form of deviation from the mandate must, nevertheless, occur within the constraints of the law and align to the dtic's joint KPI's. The CIPC should and must respond to each of the three JKPI's to ensure that the dtic and its entities are aligned with the broader objectives of government.

1. **Industrialization** - Grow the economy (through a combination of efforts and partnerships with private sector entities) to build a wider export market and unlock supply chains. However, customer / consumer interests are to be protected.
2. **Transformation** - Address structural challenges to (i) alleviate market entry barriers (ii) deal with abusive dominance (iii) Ensure and drive black, women and small business participation in the economy.
3. **Capable State** – Ensure an efficient and well-run state which optimally utilizes resources and alleviates red tape barriers to enhance service delivery.

## **4. Protection of Personal Information Act (POPIA)**

Information and data have become central to nearly all activities in all spheres of modern life. Concurrently, a host of cybercrime related activities, particularly activities targeting personal and proprietary information and data, have proliferated. With the implementation of POPIA, increasing priority is being given to the protection of personal and proprietary information. As such, the CIPC must be proactive and ensure adequate internal security measures are in place (and regularly updated) for the purpose of safeguarding digital information.

## **5. ESG Requirements**

With increasing global concern around Climate Change and environmental degradation, particularly with regards to industry and corporate contributions to Climate Change, the CIPC must prepare itself for new mandatory Environment, Social and Governance (ESG) reporting requirements to emerge at rapid pace. In particular, the CIPC must consider necessary administrative shifts revolving around reporting.

## **6. Partnerships and Collaboration**

The dtic expects its entities to leverage partnerships and find synergies with potential collaborating entities based on resources at their disposal. The CIPC will need to take a risk-based approach to partnering and collaborating by using a value chain approach to managing risks, particularly around digital systems. Partnerships and collaboration are not limited to the

public sector as there is also a need to partner with private sector entities to drive transformation and ensure industries are developed to the point that South Africa remains an attractive business destination.

## **7. The African Continental Free Trade Agreement (AfCFTA)**

The African Continental Free Trade Agreement (AfCFTA) will likely have a significant impact on the CIPC and its operations going forward. There is a need to harmonise with other regulatory entities in a manner that enables open borders (without compromising sovereignty) while ensuring continued relevance for the CIPC. This will require the CIPC to develop a framework and approach that provides support to government in relation to mitigating such risks.

### **5.1.2 Economic Analysis**

Key trends in relation to the external economic environment can be described as follows:

- **Ballooning national debt** will constrain opportunities for economic growth. Thus, public-private partnerships (PPP's) will become an essential tool for mitigating the effects of rising debt.
- **Lasting effects of the Covid-19 pandemic.** The pandemic significantly impacted economic activity (both national and global) and, as a result, the path to economic recovery is marred with complexity and continued uncertainty. This space must be effectively navigated by the CIPC.
- **The economic toll of the ongoing Russia-Ukraine conflict.** The conflict in Ukraine has undoubtedly had an effect on global economic activity and, therefore, challenges and complexities in terms of economic activity are set to persist. These too must be effectively navigated by the CIPC.

In particular, the Covid-19 pandemic has and continues to impose significant challenges on public and private sector entities. The pandemic led to a slowdown in global trade as global supply chains became critically strained. Further, the pandemic brought with it both domestic and foreign travel restrictions, severely impacting tourism and business-related travel. Moreover, the pandemic also resulted in a complete shift in work environments, as well as the manner in which companies provide products and services, whilst also resulting in service delivery adjustments on behalf of government.

Generally, the pandemic served to accelerate recessions across the globe, including in South Africa. More specifically, South Africa is home to a host of companies that depend on trade to survive, let alone thrive. Therefore, the country as a whole could be said to be dependent on regular and unimpeded trade. As such, the companies referred to above and the country as a whole, which established markets on the back of an integrated global trade network, were particularly affected by the pandemic. Thus, there is a high possibility that several of these companies will continue to run in the red, while many others have and will continue to be liquidated, particularly as the transition to digital platforms and new ways of doing business continues.

Finally, the impact of the Russia-Ukraine conflict on energy prices and energy accessibility has further impacted on Eskom's ability to generate, transmit and distribute electricity, which has implications for the CIPC from an internal operations perspective, but also through its network of partners.

## 1. Demand for the CIPC's Services

For the CIPC, there is a need to better segment and serve industry, as well as create the necessary agility and competency to provide customised services. Further, South Africa's Gross domestic product (GDP) has been forecasted to grow by 1% or less, while the unemployment rate is expected to remain considerably high at some margin above 30%.

Past experience has shown that as economic growth slows, more 'survivalist' natured companies seek registration. Therefore, the CIPC might see a spike in company registrations because of the economy's constrained outlook. Meanwhile, within its mandate, the CIPC must contribute to the country's post-Covid-19 economic recovery drive.

Under conditions of slow economic growth and a host of financial constraints, the demand for CIPC services has been illustrated in **Table B. 1: CIPC Key Services – Volumes** below, which reflects process volumes over the past five years. Trends are expected to remain similar over the next five years.

Table B. 1: CIPC Key Service Volumes

CIPC Services	2017/2018	2018/2019	2019/2020	2020/21	2021/22
<b>Patents applications</b>	8 546	8 585	8533	8 393	12 479
Patent registrations	6 551	6 569	5 756	3 525	7 834
Patent renewals	48 001	48 100	48 151	44 948	47 803
<b>Designs applications</b>	2 019	1891	1 873	1 651	1 555
Designs Registrations	2 028	1 790	1 741	1 391	1 825
Designs Renewals	8 831	9 005	8 916	8 522	8 712
<b>Copyright in film applications</b>	61	99	55	26	56
Copyright in film registrations	4	136	18	19	46
<b>Trademarks applications</b>	38 283	39 136	38 148	39 317	42 138
Trademarks registrations	19 256	32 174	32 029	30 102	14 941
Trademarks renewals	No data	23 653	22 410	24 255	26 651
<b>Name reservations</b>	250 352	387 422	539 100	528208	570 907
<b>Companies Registrations</b>	386 373	395 320	385 181	510 024 <sup>1</sup>	469 983 <sup>1</sup>
<b>Co-operatives Registrations</b>	12 748	12 270	12 478	6 142	4 483
<b>Director Amendments</b>	72 312	71 711	5 588	167 415	167 627
<b>Member Amendments</b>	40 412	36 087	31 803	25 273	27 010
<b>Auditor changes</b>	54 242	56 384	53 434	93 204	33 316
<b>Company Name changes</b>	12 748	12 270	12 478	6 142	57 666
<b>Company Financial Year End Changes</b>	5 585	5 762	6 011	5 843	5 387
<b>Business Rescue Proceedings Commenced (Active cases)</b>	362	349	369	335	373
<b>BBBEE Certificates</b>	100 008	127 136	167 482	299 393	339 931

Trends in relation to some of the CIPC's key services are discussed in detail in subsequent sections of this report.

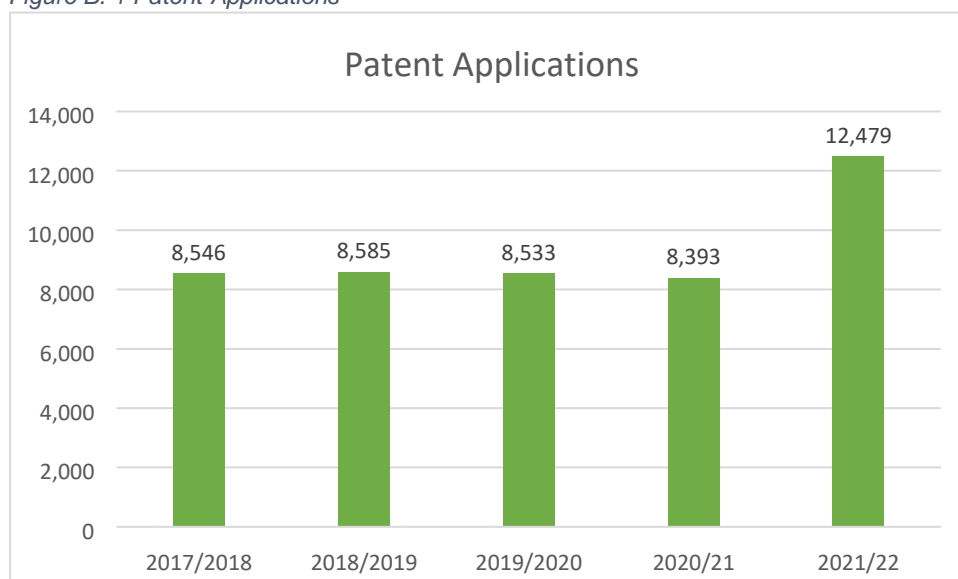
### Patent applications

There has been a decline in patent applications between 2016/17 and 2020/21, as illustrated in **Figure B. 1: Patent Applications**. However, in 2021/22, there was a sharp increase in

<sup>1</sup> Includes external companies registered.

patent applications compared to the previous year. This could be attributed to the initial stages of post-Covid-19 economic recovery, particularly the relaxation of some Covid-19 restrictions.

Figure B. 1 Patent-Applications<sup>2</sup>



The CIPC satisfactorily complied with the published service delivery turnaround times set for processing patent applications, despite the conditions imposed on it by the Covid-19 pandemic, during the 2021/22 reporting period. This is due to the high number of applications filed through the CIPC's automated systems. Further, this illustrates that digitalisation as a strategy to mitigate challenges posed by the Covid-19 pandemic, as well as other global trends, has been effective.

The CIPC received 12 479 patent applications during the 2021/22 reporting period. This was significantly higher than patent applications received the previous year (8 393 applications). The average turnaround time for patent applications was two (2) working days. An average of ninety-seven percent (97%) of transactions were processed within the published service delivery turnaround times of two (2) days. The three percent (3%) that were processed outside of service delivery turnaround times were attributed to manual applications.

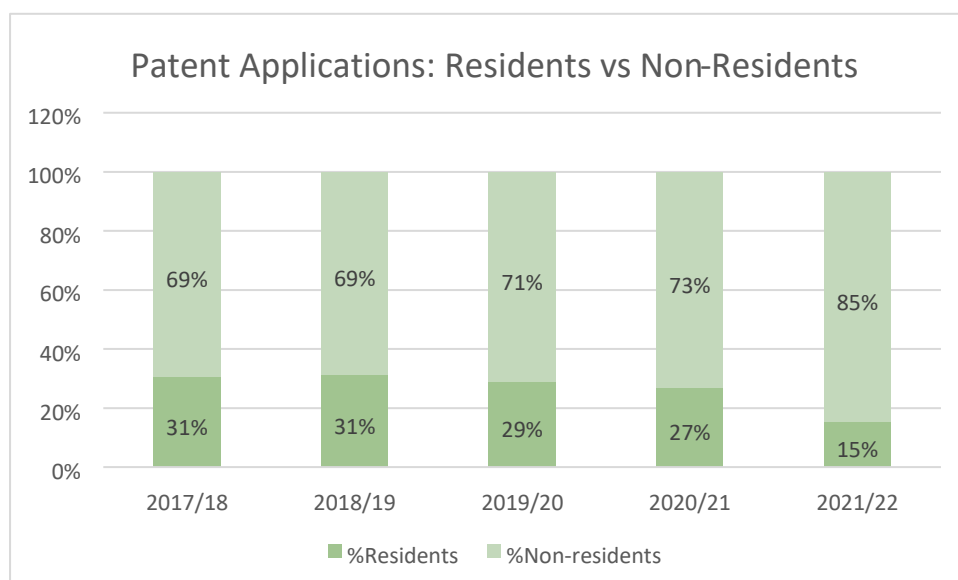
#### Patents Applications: Residents vs Non-residents

There was a decline in patent applications by South African Residents between 2016/17 and 2021/22 (with a very sharp decline between 2020/21 and 2021/22), as illustrated in **Figure B. 2: Patent Applications: Residents vs Non-residents**. On the contrary, patent applications by non-residents appear to have been rising.

<sup>2</sup> The reported information might be slightly different from what was reported in the previous years and during the quarterly reporting in 2022. The provided information is as it currently appears in the system. Certain information, for stipulated time windows, may have changed due to some business rules that allow effecting some office actions retrospectively.



Figure B. 2: Patents Applications: Residents vs Non-residents



The persistent decline in patent applications by SA residents is a cause for concern. The CIPC has in the past few years accelerated its Education and Awareness Programme to raise awareness and inform the public of the importance and benefits of the patent system and to encourage local innovators to protect their inventions. The Inventor Assistance Programme (IAP) has been implemented to ensure that the patent system is accessible to under-financed inventors and Small, Medium and Micro Enterprises (SMMEs). However, it may take years to realise the impact of these interventions on Patent application volumes.

#### Patent Applications per Type

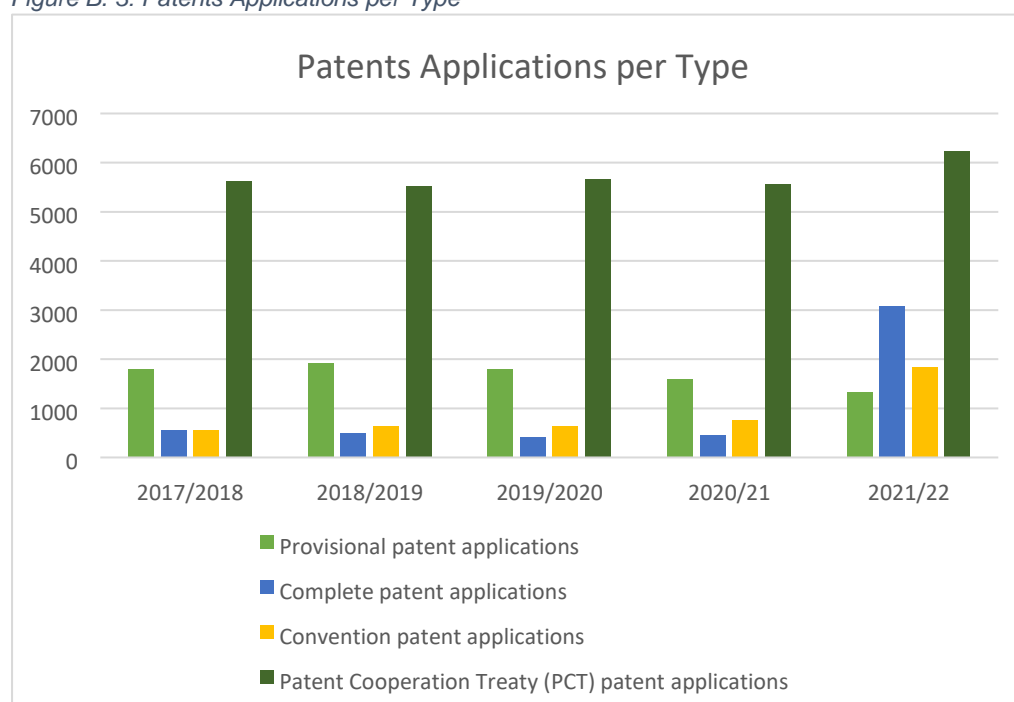
**Table B. 2: Patent Applications per Type** differentiates between provisional, complete, convention and Patent Cooperation Treaty (PCT) patent applications. Provisional and complete applications represent applications by SA residents. A PCT patent application refers to instances where non-SA residents sought protection of their patents in South Africa or in other countries other than their own country of residence. Convention patent applications are filed in accordance with the terms of an international patent treaty other than the Patent Cooperation Treaty.

Table B. 2: Patent Applications per Type<sup>2</sup>

Patent Applications Lodged	2017/18	2018/19	2019/20	2020/21	2021/22
Provisional patent applications	1 803	1 927	1 795	1 591	1 325
Complete patent applications	566	490	423	462	3 086
Convention patent applications	553	640	648	772	1 836
Patent Cooperation Treaty (PCT) patent applications	5 624	5 528	5 667	5 568	6 232
<b>Total</b>	<b>8 546</b>	<b>8 585</b>	<b>8 533</b>	<b>8 393</b>	<b>12 479</b>

**Figure B. 3: Patent Application per Type**, the graphical representation of Table **B. 2** above demonstrates the five-year trend for each patent application type.

Figure B. 3: Patents Applications per Type

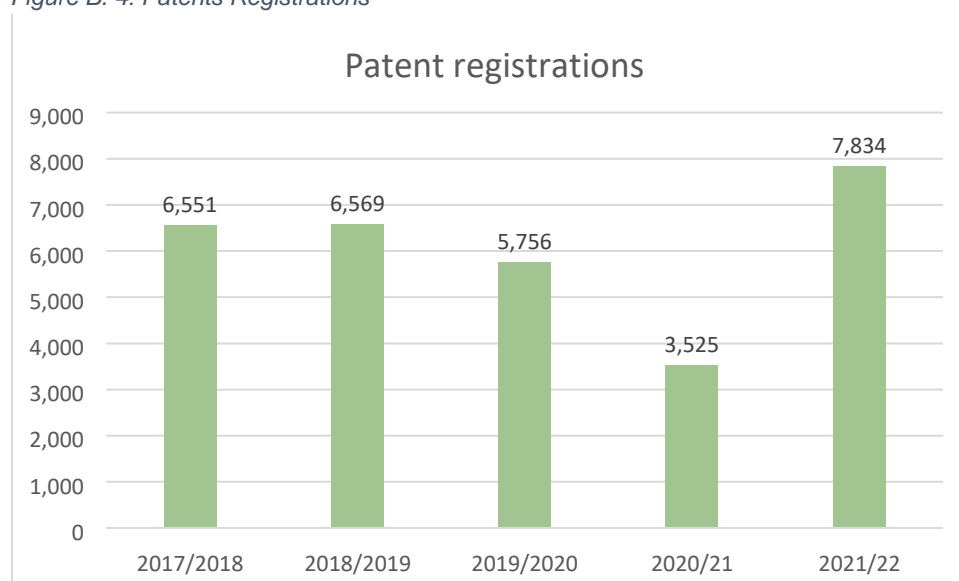


PCT and convention patent applications demonstrate a growing trend over the last five years. Provisional and the complete patent applications have been declining until 2020/21. Provisional Patent Applications continued to decline while Complete Patent Applications rose sharply in 2021/22 compared to 2020/21.

### Patent registrations

**Figure B. 4: Patents Registrations** shows a downward trend over the past five (5) years for patent registrations, with a sharp increase from 2020/21 to 2021/22.

Figure B. 4: Patents Registrations<sup>2</sup>

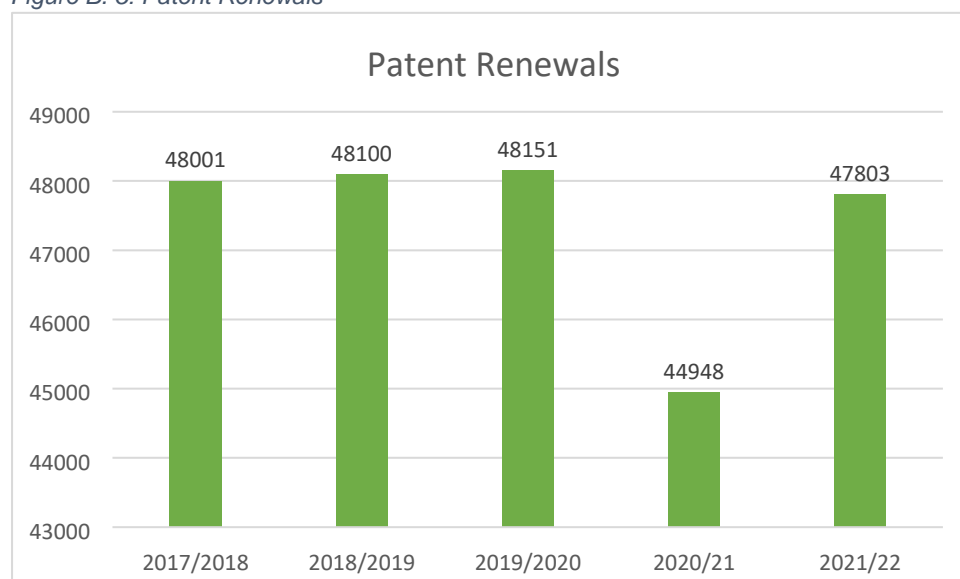


During the 2021/22 period, the CIPC issued 7 834 patent registration certificates, of which ninety-eight percent (98%) were processed within the set service delivery turnaround times of forty-four (44) days at an average turnaround time of twenty-four (24) days from the date of publication in the Patents Journal.

### Patent Renewals

**Figure B. 5 Patent Renewals** demonstrated a steady increase in renewals between 2017/18 and 2019/20. There was, however, a sharp decline in 2020/21, which could be attributed to the Covid-19 pandemic and its associated restrictions on economic activity. On the other hand, 2021/22 saw a significant increase in renewals, which could be attributed to the relaxation of Covid-19 restrictions.

Figure B. 5: Patent Renewals

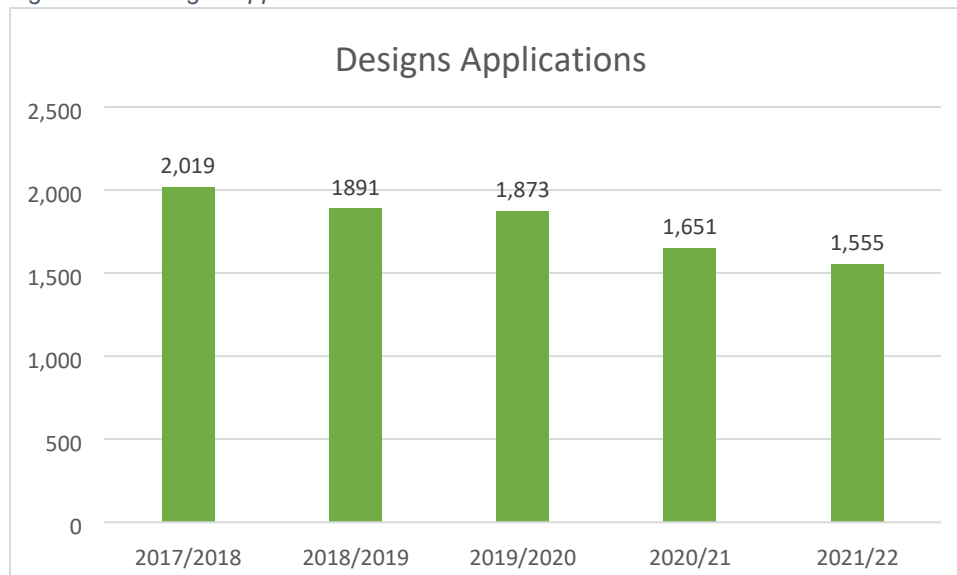


During the 2021/22 period, of the 47 803 patent renewals that were processed, twenty-six (26%) were filed and processed electronically, while all (100%) were processed within two (2) days. However, of the seventy-four percent (74%) of patent renewals that were logged manually, 34% were processed within the two (2) day published service delivery turnaround time at an average turnaround time of three (3) days. Dominant stakeholders are currently still utilising the manual renewals processing option which poses a challenge for the CIPC.

### Design applications

There has been a steady decline in design applications over the past five (5) years as shown in **Figure B. 6: Designs Applications** below.

Figure B. 6: Designs Applications



The CIPC satisfactorily complied with the published service delivery turnaround times for processing design applications, despite Covid-19 related restrictions and challenges during the 2021/22 reporting period. This is due to the high number of applications filed through automated processes. Further, this speaks to how digitalisation as a strategy for mitigating challenges posed by the Covid-19 pandemic, has been working.

The CIPC received 1 555 design application during the 2021/22 reporting period, which is lower than the number of applications received in 2020/21 (1 651). It would seem as though the Covid-19 pandemic had a negative effect on design applications. The average turnaround time for design applications was two (2) working days. Ninety-two percent (92%) of the applications were processed within the published service delivery turnaround time of two (2) working days. The eight percent (8%) processed outside of the published service delivery turnaround time can be attributed to manual applications.

#### Design registrations

There has been a steady decline in design registrations between 2017/18 and 2020/21, with a significant increase in volumes in 2021/22 compared to 2020/21. This is illustrated in **Figure B. 7: Designs Registrations** below.

Figure B. 7: Designs Registrations

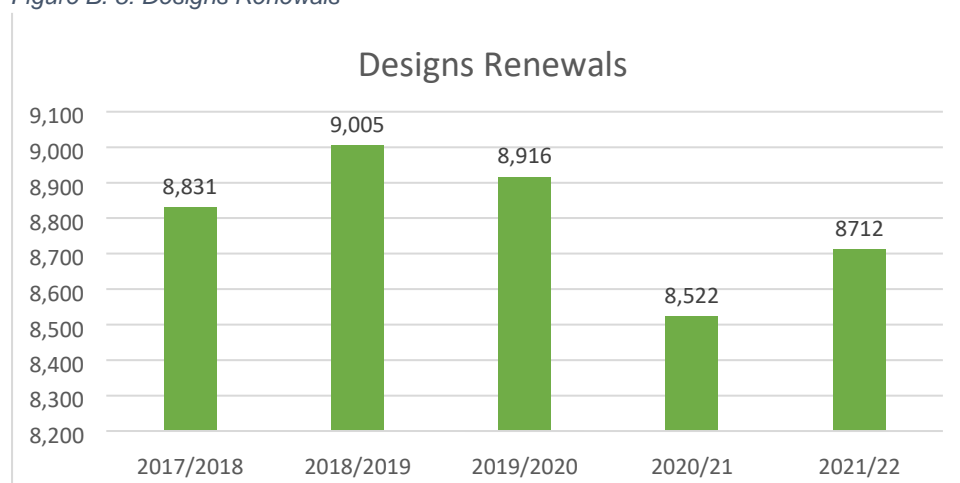


During the 2021/22 period, the CIPC issued 1 825 design registration certificates, of which ninety-eight percent (98%) were processed within the published service delivery turnaround times of forty-four (44) days from the date of publication in the Patents Journal at an average turnaround time of thirty-eight (38) days.

### Design Renewals

**Figure B. 8: Designs Renewals** shows both upward and downward movements in terms of design renewals over the past five (5) years.

Figure B. 8: Designs Renewals



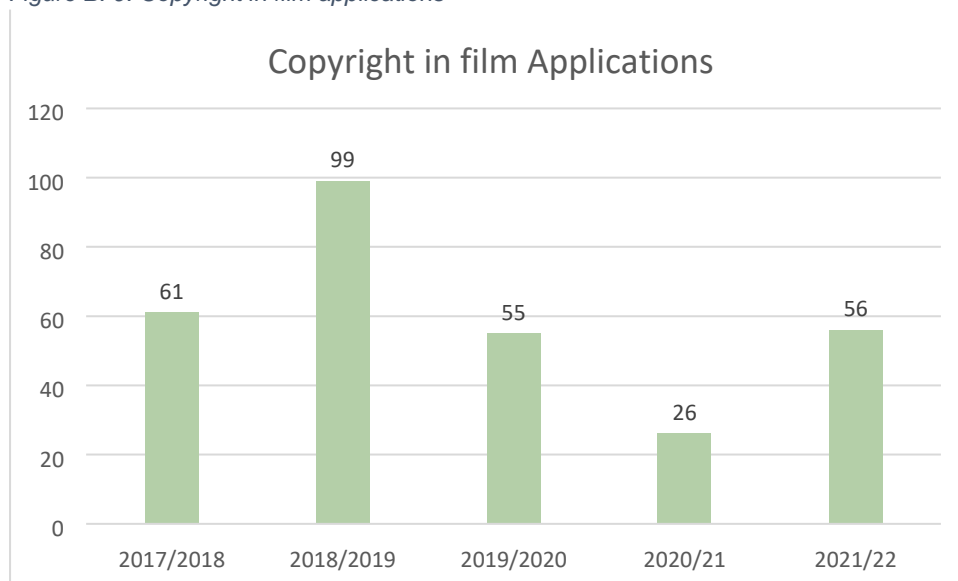
During the 2021/22 period, the CIPC processed 8 712 design renewals which is higher than the design renewals processed in 2020/21 (8 522). Seventy-four percent (74%) of design renewals were processed within the published service delivery turnaround times of two (2) working days at an average turnaround time of two (2) working days.

### Copyright in film applications

Copyright in film applications fluctuated over the past five (5) years, with a sharp rise in 2018/19 and 2021/22. This is illustrated in Figure B.9: Copyright in film applications. The sharp rise in

2021/22 could be as a result of relaxations of Covid-19 restrictions, which served to promote economic activity.

Figure B. 9: Copyright in film applications

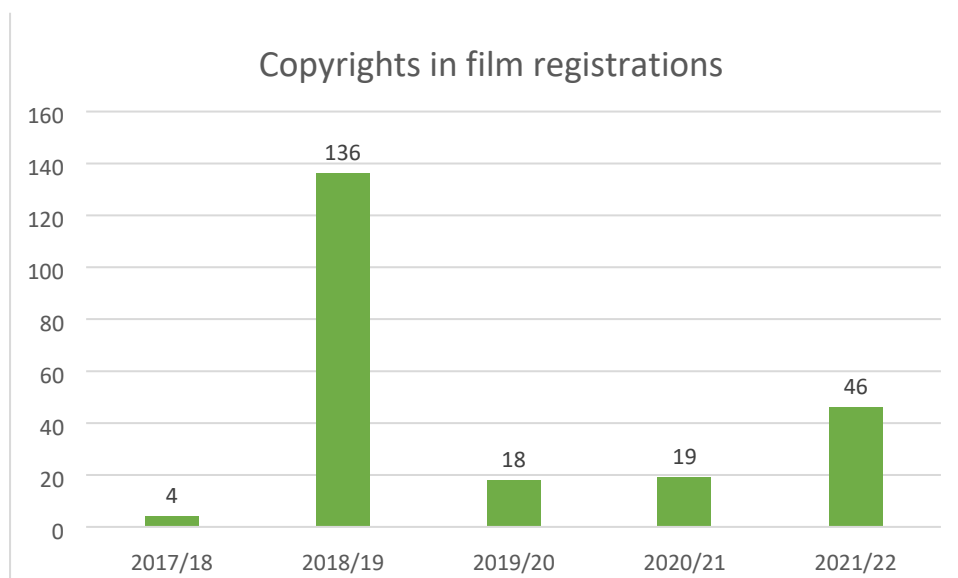


Only fifty-six (56) copyright in film applications were filed in 2021/22, compared to twenty-six (26) in 2020/21. Ninety-two percent (92%) of copyright in film applications were processed within the published service delivery turnaround times of two (2) working days at an average turnaround time of two (2) working days.

#### Copyright in film registrations

The number of copyrights in film registration certificates issued over the past five (5) years has been fluctuating. There was a sharp increase in registration certificates issued in 2021/22 compared to 2020/21, as shown in **Figure B. 10: Copyright in film registrations**.

Figure B. 10: Copyright in film registrations

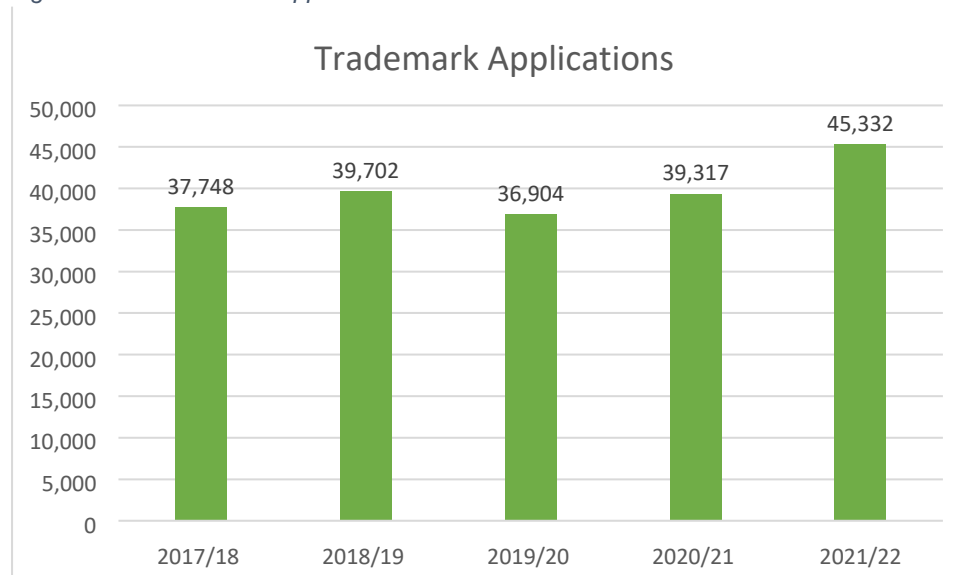


During the 2021/22 period, the CIPC issued 46 copyright in film registration certificates, of which sixty-seven percent (67%) were processed within the published service delivery turnaround time of twenty-two (22) days from the date of publication in the Patents Journal, and at an average turnaround time of thirty-one (31) days.

### Trademark applications

Trademark applications have been fluctuating over the past five (5) years as shown in **Figure B. 11: Trademark Applications** below.

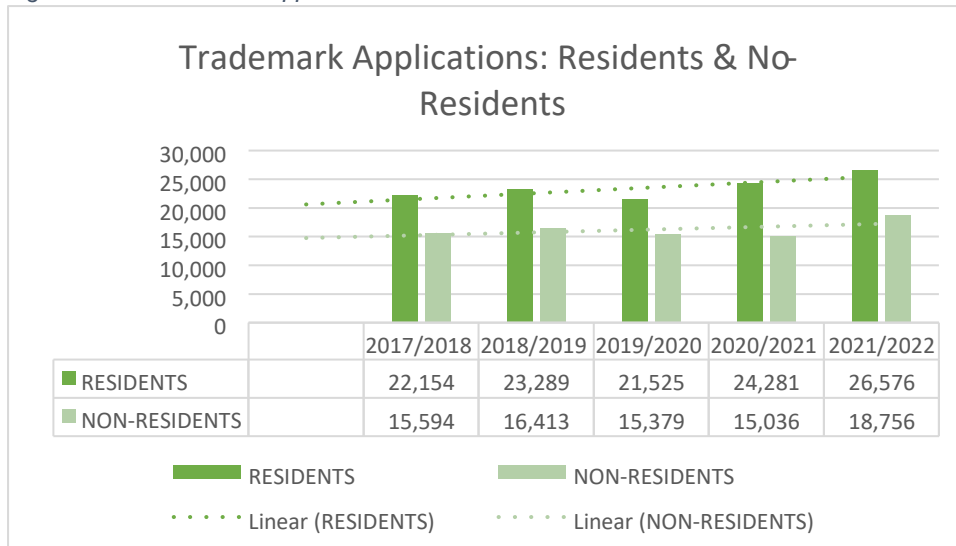
Figure B. 11: Trademark Applications



Trademark applications filed stood at 45 332 in 2021/22, which was significantly higher than in 2020/21 (39 317). Ninety-four percent (94%) of trademark applications were processed within the published service delivery turnaround time of three (3) working days and at an average turnaround time of two (2) working days.

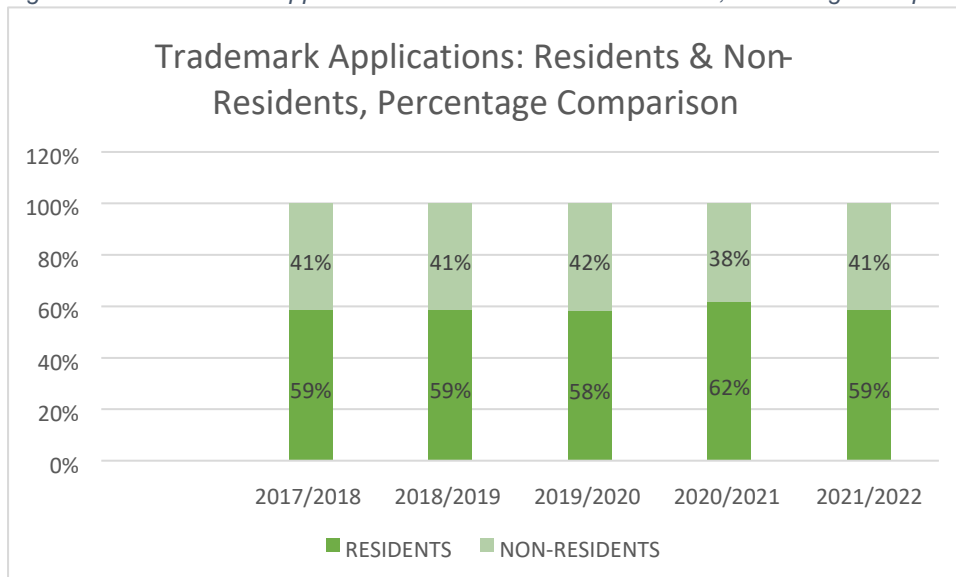
**Figure B. 12: Trademark Applications: Residents vs Non-residents** demonstrates an increasing trend for trademark applications for both South African residents and non-South African residents.

Figure B. 12: Trademark Applications – Residents & Non-residents



South African residents filed 26 576 trademark applications in 2021/22, whereas non-South African residents filed 18 756 applications. Compared to 2020/21, there was an increase in both categories. However, **Figure B. 13: Trademark Applications: Residents vs Non-residents, Percentage Comparison** illustrates the average percentage ratio between the two categories was 59% to 41%.

Figure B. 13: Trademark Applications: Residents vs Non-Residents, Percentage Comparison



### Trademark registrations

**Figure B. 14 Trademark registrations** illustrates the volume of trademark certificates issued in the past five (5) years<sup>3</sup>. There has been a decreasing trend between 2018/19 to 2021/22.



Figure B. 14: Trademark Registrations



Trademark registration certificates issued stood at 14 941 in 2021/22, which was significantly less than in 2020/21 (30 102). Thirty percent (30%) of trademark certificates were issued within the published service delivery turnaround time of 132 working days, and at an average turnaround time of 210 working days.

#### Special searches

The CIPC received and processed 446 special searches during the 2021/22 reporting period.

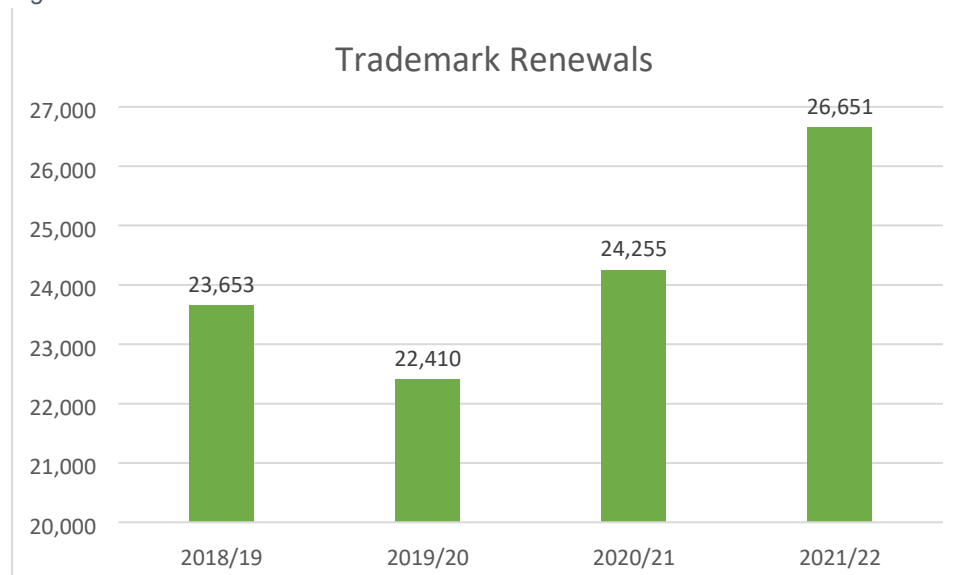
#### Trademark renewals

**Figure B. 15 Trademark renewals** shows the number of trademark renewals issued in the past four (4) years.<sup>4</sup> There was a slight decline in trademark renewals between 2018/19 to 2019/20, and a steady increase between 2019/20 and 2021/22.

<sup>3</sup> 2017-2019 are calendar years.

<sup>4</sup> 2017/18 statistics not available.

Figure B. 15: Trademark Renewals



Trademark renewals processed in 2021/22 stood at 26 651, which was somewhat higher than volumes processed in 2020/21 (24 255). Ninety-eight percent (98%) of transactions were processed within the published service delivery turnaround time of three (3) working days, and at an average turnaround time of two (2) working days.

#### Official actions

Trademark official actions issued stood at 8 504 in 2021/22. Ninety-nine percent (99%) of transactions were processed within the published service delivery turnaround time of three (3) working days.

#### Business Rescue

There is stability in business rescue in the relationship amongst stakeholders.

**Table B. 3: Business Rescue** below shows business rescue statistics over the past five (5) years.

Table B. 3: Status of Business Rescue Proceedings

Status of BR Proceedings	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021/22
<b>Active</b>	127	151	177	237	335	296
<b>Liquidation</b>	49	32	19	17	5	9
<b>Nullity</b>	17	22	33	15	3	8
<b>Set aside</b>	2	2	5	2	1	0
<b>Substantial</b>	71	56	44	46	11	8
<b>Termination</b>	109	99	71	56	17	26
<b>Grand Total</b>	<b>375</b>	<b>362</b>	<b>349</b>	<b>373</b>	<b>372</b>	<b>347</b>

Out of 347 business rescue cases that commenced during 2021-2022, 296 were considered active. Nine (9) cases resulted in liquidations, eight (8) were nullified, none (0) were set aside, eight (8) were considered substantial cases, and twenty-six (26) were terminated.

## 2. Consumer Trends

### Customer responsiveness

The CIPC utilises its call centre, query resolution system (QRS) and social media platforms (Facebook and Twitter) to stay engaged with customers.

**Table B. 4 Call centre** below shows call centre performance over the past five (5) years.

*Table B. 4: Call centre*

	2017/18	2018/19	2019/20	2020/2021	2021/22
<b>Calls received</b>	184 062	315 503	356 803	Not available	Not available
<b>Calls answered (%)</b>	130 991 (71%)	187 276 (87%)	199 932 (56%)	134 912	118 796

The CIPC strives to continuously find innovative ways to make it easier to do business in South Africa. Its success may have contributed to fewer calls answered by the call centre in comparison to previous years.

Primary reasons why customers called the CIPC related to annual returns, e-services, company registrations, e-services director amendments, customer code and password resets and name reservations.

**Table B. 5: Query Resolution System** below demonstrates the performance of the QRS over the past five years.

*Table B. 5: Query Resolution System*

	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
<b>Queries received</b>	106 326	85 362	86 179	95 105	122 629	170 896
<b>Queries resolved (%)</b>	100%	100%	100%	99,8%	97%	100%

The QRS was introduced during September 2015. Customers progressively make use of the system to log tickets for resolution of queries. The number of queries received during 2021/22 decreased slightly from the previous reporting period.

The top five reasons why customers used the query resolution system (QRS) were customer code / password reset; allocation of funds, paper-based disclosure (request for copies); Co/CC de-registration and annual returns.

The CIPC's social media followership continues to grow. Recorded growth for the year under review was 51% across all social media platforms. A noticeable trend has been that the CIPC's Twitter account followership growth rate has always been higher than that of the CIPC's Facebook page, notwithstanding the high number of actual followers of the CIPC's Facebook page compared to the Twitter account.

**Table B. 6: Social Media Queries (Facebook and Twitter)** below demonstrates social media performance with regards to resolving queries.

Table B. 6: Social Media Queries (Facebook and Twitter)

		2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
<b>Facebook</b>	Queries received	-	-	670	7090	81 902	80 882
	Queries resolved (%)	-	-	658 (98%)	1932 (27%)	68 331 (83%)	(94%)
<b>Twitter</b>	Queries received	-	1303	1939	7300	41 587	21 730
	Queries resolved (%)	-	571 (43%)	982(48%)	1249(17%)	13 527 (33%)	(88%)

System downtime was the topical issue for social media customer queries during the 2021/22 financial year. The majority of queries related to clarity on company registration and annual return processes, as well as company registration application status.

### Website traffic

The CIPC website recorded an increase in user activity, which was marked by a 101% increase in website visitors for the period under review, the majority (98%) of which were new visitors. Most notable is that the average session time increased by 6% compared to the previous financial year. The increase in session times can be attributed to the number of new visitors who may not necessarily be familiar with the website's functionality. It is worth noting that the new website under development makes provision for different visitor profiles in which both new and frequent visitors were considered in the overall planning and development of the website.

### 5.1.3 Social Analysis

Key trends in relation to the external social environment can be described as follows:

- Renewed primacy of **individual freedoms** and renewed calls for truly open and transparent societies.
- A **rising global middle class** requires careful resource planning and management. Education and awareness are key with regards to helping middle-classes realise their potential.

#### 1. Education and awareness

To increase awareness of the CIPC and its partners' services, channels, and compliance requirements, as well as improve compliance with corporate and IP laws, the CIPC conducts its own education and awareness programme. The CIPC education and awareness programme is targeted at SMMEs, institutes of higher learning, including **Technical and Vocational Education and Training (TVET) colleges**, and schools. In collaboration with its partners, the CIPC conducts no less than forty (40) education and awareness events per year. Annual events such as World IP Day and WIPO SA IP Summer School and Technology Transfer also contribute to the IP education and awareness programme. The public seems to have responded positively to these efforts.

Over the years, the CIPC has realised the need to support and, therefore, increase protection for local innovation and creativity by providing more information on IP rights and by raising awareness around the opportunities that could arise from owning IP rights through official

registration. Hence, the CIPC in collaboration with local and international partners, in this case WIPO, introduced innovative programmes such as IP for SMMEs in South Africa and the IAP.

The IP for SMMEs Capacity Development Programme is a national flagship programme spearheaded by the CIPC in partnership with WIPO and the National Task Force Team comprised of the dtic, Department of Small Business Development (DSBD), Small Enterprise Development Agency (SEDA), NIPMO, and several research institutions. The programme aims to increase IP awareness, build capacity, and make the patent system more accessible to financially under-resourced inventors and small businesses, respectively, thus ensuring more inclusivity in terms of use of the IP system. The project has three main objectives:

- Enhance SMME competitiveness through effective use & management of IP assets
- Strengthen the institutional capacity of SMME support institutions (also known as SMME Intermediaries) in delivering IP related services for their stakeholders. Through the SSAIP (Swiss-South Africa IP program) special interventions are planned to include the enhancement of the CIPC website to create a specific link for SMMEs. This serves to streamline finding of information, which SMMEs previously indicated to be an issue.
- Building capacity among the SMME sector has also seen interventions such as training key stakeholders (SEDA, TIA and other government departments/agencies) that play some in IP related matters.

All state institutions have been advised to apply stringent cost-containment measures due to government budget constraints. Government coffers have been hit hard by the Covid-19 pandemic and by continued efforts to bailout certain SOE's. Although the CIPC's investments to improve service delivery have not been affected, due to the CIPC's ability to sustain itself financially, the education and awareness programme was, however, negatively affected. The CIPC was not able to meet demand for education and awareness events in more communities because of resource constraints relating to the introduction of cost-containment measures. The CIPC is exploring the use of online platforms to conduct future education and awareness events. Means by which to reach communities who do not have access to online platforms, due to poor access to hardware or poor access to internet connectivity, will be explored.

#### **5.1.4 Technological Analysis**

Key trends in relation to the external technological environment can be described, and are illustrated in **Figure B. 17: Technological Trends**, as follows:

- On one hand, technology has become a major change agent for reducing barriers to entry. On the other hand, rapid technological advances are also contributing to the divide between rich and poor.
- Technological advances contribute to increased personal longevity and an altered perspective of what it means to be human, but may also result in increased unemployment, job displacement, and subsequent social unrest.
- Technological advances will decentralise power, increase the speed of transactions, eliminate intermediaries, and may contribute to an increase in trust between contracting parties across national borders.
- Regulators will use technological advances to meet their mandated obligations (for example block-chain technology).
- Rapid digitalisation of business operations and product/service channels.
- Intensified efforts to drive the Fourth Industrial Revolution (4IR) in South Africa and abroad.

Figure B. 16: Digital Personalisation



Largely due to the Covid-19 pandemic, there have been recent technological developments, particularly in relation to new technologies being incorporated into everyday work and life, which require a shift in perspective on behalf of businesses. Further, pre-eminent multi-national software companies and their contributions to rapid development of Artificial Intelligence (AI) technology have served to create unique new business models and opportunities, most especially as automation has served to heighten efficiencies.

Further, digital savvy customers are now accustomed to digital excellence and finger-tip accessibility. Thus, the need to shift towards holistic and customer centric User Experiences (UX) is apparent. Organisations, including the CIPC will need to adjust to these and other developments. In particular, there is a need to ensure that CIPC employees are adequately skilled and attuned to the digital future, this to ensure that the CIPC realises its ambition to become a regulator fit for the future.

Digitalisation has further unlocked global connectivity and, subsequently, has created unique new opportunities within the IP and company registration space. On the international scene, new competitors and agencies have emerged, and these have increasingly sought to leverage block-chain technologies. As a result, business continuity risks for the CIPC are evident. Thus, there is a need to develop a more integrated response to external risks of this nature.

### 1. Offering services through multiple-channels

Technological advances over the past few years, under the banner of 4IR, have had a major influence on the CIPC's service innovations. In South Africa, the pervasive use of and access to technological devices, and more specifically mobile and portable devices, and increased internet, broadband, and Wi-Fi connectivity have enabled ease of access allowing organisations such as the CIPC to improve customer experiences by availing services and information through multiple channels, as demonstrated above in **Section 3.1**.

### 2. Automation

Transaction times have been reduced drastically due to the introduction of automated systems. Company registration takes on average one (1) business day to complete. IP applications (Patent, Design, Copyright in film, Trademark) take no more than three (3) business days to complete. Compliance in respect to Annual Return and Annual Financial Statement (AFS)

filings have also been simplified. The introduction of In-line eXtensible Business Reporting Language (iXBRL) in July 2018 has simplified AFS filing to take not more than five (5) minutes. iXBRL is a digital reporting mechanism used for generation and presentation of Company AFS to be submitted by qualifying entities to the CIPC. The business intelligence system of iXBRL has been used to identify companies for targeted enforcement, by proactively acting against public companies that file Financial Accounting Supplements (FAS) instead of AFS, as well as those companies that declare turnover of more than R350 million but do not file AFS.

### **5.1.5 Environmental Analysis**

Key trends in relation to the external environmental context can be described as follows:

- **Climate Change** and increasing awareness of humanity's influence over the environment. The drive towards sustainability will impose new requirements on businesses.
- New resource rush for access to future important resources (like water and minerals and metals for production of renewable energy systems).
- The effects of rapid **urbanisation and migration** on societies.
- Expected **population growth rates**. Populations in Asia and Africa are expected to continue increasing, while populations in Europe and China are expected to stagnate or decline.

Increased utilisation of the CIPC's online platforms has led to a reduction in paper usage, thereby contributing to a more sustainable global environment. However, the CIPC will need to ensure alignment with new standards of environmental reporting. Moreover, the CIPC will also need to manage the environmental footprint of the entire business environment in the country, as well as provide support and advice to customers on environmental or sustainability matters.

### **5.1.6 Legal Analysis**

Key external Legal trends can be described as follows:

- Enabling and business-friendly environments will become a priority. As a result, regulatory developments will have to keep pace with increased complexity on the one hand, but at the same time reduce the compliance burden for small and medium-sized entities on the other.

#### **1. Standard incorporation**

The CIPC utilises standard incorporation documents to enable a number of key benefits, including:

- Enabling entrepreneurs to ensure legality without having to resort to notaries and lawyers
- Decreasing the cost burden for the applicant as the cost for a lawyer is eliminated
- Decreases the cost burden for the commission as the processing of applications is more efficient
- Easing the workload at the commissions or registries
- Assisting in preventing errors and expediting the registration time

The move towards a single standardised incorporation document is one which mature economies subscribe to and is a principle which the CIPC has implemented.

## 2. Reducing turnaround times

To reduce business regulatory burdens, the CIPC has increased the number of service access channels and modernised (automated) its systems and processes. The impact of these efforts is a reduction in turnaround times, as shown in **Table B. 7: CIPC Key Services – Transacting Times** below, which shows processing times over the last five (5) years. In the next five years, the CIPC will continue on this trajectory.

*Table B. 7: CIPC Key Services - Average Turnaround Times*

CIPC Services	2017/2018	2018/2019	2019/2020	2020/21	2021/22
<b>Patent applications</b>	3 days	3 days	3 days	3 days	2 days
Patent registrations	Not reported	Not reported	Not reported	Not reported	44 days
Patent renewals	Not reported	Not reported	Not reported	Not reported	3 days
<b>Designs applications</b>	3 days	3 days	3 days	2 days	2 days
Designs registrations	Not reported	Not reported	Not reported	Not reported	44 days
Designs renewals	Not reported	Not reported	Not reported	Not reported	2 days
<b>Copyright in film applications</b>	3 days	3 days	3 days	10 days	1 day
Copyright in film registrations	Not reported	Not reported	Not reported	Not reported	32 days
<b>Trademarks applications</b>	3 days	3 days	3 days	3 days	3 days
Trademarks registrations	Not reported	Not reported	Not reported	Not reported	132 days
Trademarks renewals	Not reported	Not reported	Not reported	Not reported	2 days
<b>Name Reservations</b>	Not reported	Not reported	Not reported	2 days	1 day
<b>Companies Registrations</b>	2 days	1 day	2 days	2 days	1 day (Instant <sup>3</sup> )
<b>Co-operatives Registrations</b>	2 days	2 days	2 days	2 days	1 day
<b>Director Amendments Manual</b>	Not reported	Not reported	Not reported	4 days	2 days
<b>Director Amendments Electronic</b>	Not reported	Not reported	Not reported	1 day	1 day
<b>Member Amendments Manual</b>	Not reported	Not reported	Not reported	3 days	1 day
<b>Member Amendments Electronic</b>	Not reported	Not reported	Not reported	1 day	2 days
<b>Auditor Changes Manual</b>	Not reported	Not reported	Not reported	2 days	1 day
<b>Auditor Changes Electronic</b>	Not reported	Not reported	Not reported	1 day	1 day
<b>Company Name changes</b>	Not reported	Not reported	Not reported	1 day	Instant
Company Share Changes	Not reported	Not reported	Not reported	Not reported	Instant
<b>Company Financial Year End Changes Electronic</b>	Not reported	Not reported	Not reported	1 day	Instant
Companies and CC Address Changes	Not reported	Not reported	Not reported	Not reported	Instant provided the effective date of change is reached.
Memorandum of Incorporation (MOI) Amendments (JSE, e-mail)	Not reported	Not reported	Not reported	Not reported	Instant
Location of company records	Not reported	Not reported	Not reported	Not reported	Instant
Company and voluntary deregistration	Not reported	Not reported	Not reported	Not reported	Instant
Company Liquidations	Not reported	Not reported	Not reported	Not reported	Instant

<sup>3</sup> Only short standard private company and short standard NPC without members) via BizPortal, Banks, Self Service Terminal and Mobile App.



CIPC Services	2017/2018	2018/2019	2019/2020	2020/21	2021/22
Company reinstatement	Not reported	Not reported	Not reported	Not reported	Instant
Company and CC Commencement of Business Rescue Proceedings	Not reported	Not reported	Not reported	Not reported	Instant
<b>Annual Returns Filings</b>	Instant	Instant	Instant	Instant	Instant
<b>AFS Filings</b>	Instant	Instant	Instant	Instant	Instant
<b>BBBEE certificate</b>	Not reported	Not reported	Not reported	Instant	Instant

### 3. IP Enforcement

Selling counterfeit goods online, specifically fast-moving consumer goods and pharmaceuticals, is a huge threat to consumers and IP rights owners. Combating counterfeit trade is a global priority as it is to the CIPC. One strategy is to change consumer behaviour by influencing them not to purchase counterfeit goods. This strategy requires new skills that the CIPC currently does not have. Furthermore, because IP rights owners are experiencing financial distress due to a decline in economic activity, their resources to enforce IPR are limited.

### 4. Corporate Governance Surveillance and Enforcement

The CIPC conducts proactive investigations, as well as in response to specific complaints, as compliance related activities. The CIPC proactively ascertained compliance with Social and Ethics Committee (SEC) requirements in respect to Companies Tribunal Decisions refusing applications for exemption to certain companies establish SECs.

### 5. Corporate Compliance Disclosure Regulation

The CIPC is responsible for ensuring compliance with the Companies Act of 2008. Automation and iXBRL have made AFS filing and Annual Returns filing compliance easy.

This section outlines key compliance surveillance activities. **Table B. 8: Reportable Regularities** below illustrates the status of cases of reported irregularities in the past (5) years.

*Table B. 8: Reportable Irregularities*

	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
<b>Opening Balance</b>	189	180	123	229	361	313
<b>Cases Received</b>	293	258	394	274	Not available	98
<b>Closed Cases</b>	302	315	281	144	Not available	117
<b>Closing Balance</b>	180	123	229	409	313	294

The majority of cases involved failure to comply with Section 30 of the Companies Act of 2008, where entities are required to prepare AFS' within six (6) months of the end of the financial year. The process is used as an opportunity to educate target entities from becoming repeat offenders. A compliance notice is issued only if entities fail to demonstrate change in their governance practices or fail to commit to changing behaviour to avoid future non-compliance. The Independent Regulatory Board reports reportable irregularities to the CIPC for Auditors

(IRBA) for investigation, where applicable. Auditors are mandated in terms of Section 45 of the Auditors Profession Act of 2005 (Act No. 26 of 2005) to report persistent non-compliance to the board, thereby alerting them of continuing non-compliance.

**Table B. 9: Independent Reviews – Regulations 29** below illustrates the type and status of cases received from independent reviewers (IR) in relation to regulation 29 (Company Act, 2008 Regulations).

*Table B. 9: Independent Reviews - Regulation 29*

	2017/18	2018/19	2019/20	2020/21	2021/22
<i>Opening Balance</i>	215	499	351	225	159
<i>Allocated</i>	108	171	198	47	214
<i>Liability Exceeds Assets</i>	37	87	40	36	Not available
<i>Financial Assistance</i>	9	42	36	62	Not available
<i>VAT Tax Return Not Declared to SARS</i>	4	27	5	4	Not available
<i>Other</i>	8	15	20	13	Not available
<i>Total Closed</i>	58	171	101	115	256
<i>Closing Balance</i>	157	328	250	159	117

The reason for entities reporting reportable irregularities RIs in relation to technical insolvency is usually related to start-up capital provision by owners / shareholders, tough economic conditions (taking time for companies to break-even), and accounting principles applied upon valuation of assets. One of the challenges with the administration of the independent review reports includes difficulty in obtaining contact details for entities being investigated.

**Table B. 10: Report on Cold Cases** below shows the status of cold case matters, which have been referred to the State Attorney by the CIPC for imposition of an administrative fine in terms of Section 175 of the Companies Act, 2008.

*Table B. 10: Report on Cold Cases*

Description	2017/18	2018/19	2019/20	2020/21	2021/22
Opening Balance	21	20	16	21	22
Order Granted	0	3	0	3	4
Settlement Order/Offer	0	3	2	3	2
Opposed	0	4	4	4	4
Removed From the List	1	0	0	1	1
Currently In Court/Set Down	0	10	10	4	5
Closing Balance	20	16	16	6	6

On matters whereby an order has been granted, a forensic accountant has to be appointed in order to determine the exact administrative fine that the company has to pay.

**Table B. 11: Prospectus Registered** below shows the number of types of prospectuses registered over the past five (5) years.

*Table B. 11: Prospectuses Registered*

	2017/18	2018/19	2019/20	2020/21	2021/22
<b>Prospectus registered</b>	33	42	41	52	36

The majority of the prospectuses registered in 2019/20 related to Section 12J of the Income Tax Act, 1952 (Act No. 58 of 1962). Section 12J is an incentive that was introduced to enable small businesses to diminish the capital procurement deficiency they face.

The CIPC has a responsibility to ensure that companies apply acceptable financial reporting standards. **Table B. 12: Annual Financial Statements** shows AFS received, reviewed, and proactive investigations conducted.

*Table B. 12: Annual Financial Statements*

Description	2017/18	2018/19 (iXBRL only)	2019/20 (iXBRL only)	2020/21 (iXBRL only)	2021/22
<b>Annual Financial statements received</b>	29 899	7 118	13 940	16 884	15 736
<b>Annual financial statements reviewed</b>	359	308	430	773	720
<b>Proactive investigations</b>	-	-	60	171	406

*Table B. 13: Financial Accountability Supplements*

Description	2017/18	2018/19	2019/20	2020/21	2021/22
<b>Financial Accountability Supplements</b>					415 061

## 6. Covid-19 Regulations

The CIPC was forced to abide by Covid-19 regulations. Employers were required to ensure measures were put in place to ensure that Covid-19 infections were minimised. In general, the CIPC's strategy and service delivery model has been leaning on automated and online service offerings and, therefore, it has been relatively easy for the organisation to abide by Covid-19 regulations.

Annual Financial Statements, including Financial Accountability Supplements filing as prescribed in terms of Section 30 and 33 of the Companies Act of 2008 (Act No. 71 of 2008) are currently done online. Therefore, Covid-19 did not affect the filing capability and the quality of the content filed, however it did affect the volume of filings. The volume was affected because of the inability of companies to hold annual general meetings, as well as delays in auditors finalising auditing processes within prescribed timeframes due to lockdown regulations and, in other instances, due to the "going concern" status of entities not able to be confirmed.

## 7. International bodies

Participation in international bodies provides an opportunity for South Africa to make relevant input into the discussion, policies, and conventions.

South Africa, as a member of G20, is bound by the Financial Action Task Force (FATF) requirements. The G20 is an international forum comprised of governments and central bank

governors from 19 countries and the European Union (EU). The FATF is the global money laundering and terrorist financing watchdog, which sets international standards that aim to prevent these illegal activities. FATF requires the establishment of a **register of beneficial ownership** in order to mitigate the risk of “Terror Financing and Money Laundering” by legal entities. The Companies Act of 2008 (Act No. 71 of 2008) is, therefore, in the process of being amended to ensure alignment with these requirements, thereby implying that the CIPC would have to develop processes, procedures, and systems to be able to administer the register.

The CIPC serves on the executive of the Global Corporate Registers Forum. The CIPC also serves in the BRICS Heads of IP forum, for which meetings are held regularly. It also serves on the International Trademarks Association (INTA). As a member of WIPO, the CIPC is actively pursuing automating the IP regime using systems that are made available to WIPO members in line with international best practices. The CIPC is also building capabilities for substantive examination of patents and training for substantive examination of patents is ongoing.

## **5.2 Internal Environment Analysis**

In order to adapt to a dynamic external environment, the CIPC must ensure internal operations remain efficient and effective while driving innovation and technological advancement. It is also imperative that the CIPC empowers and develops its people to align to the Commission’s desired future state. In this regard, an Organisational Design (OD) project and skills audit are underway to begin to address these challenges.

Relatedly, the CIPC OD project was emphasised as the primary mechanism for alleviating capacity issues within the entity. However, concerns were raised around the future-fitness of the draft structure. In particular, the draft structure was seen to address current organisational concerns without enabling the CIPC’s transformation, as well as without enabling the CIPC to achieve its vision 2030 (and beyond) strategy. Thus, it was emphasised that the CIPC should fill critical positions, while following due process, independent of the OD project.

Several other key elements were analysed with regards to the internal environment of the CIPC:

### **1. Governance**

Leadership alignment and culture are foundational elements necessary for driving the strategic objectives of the CIPC. Key challenges identified were the fragmented nature of communications within the organisation, as well as an apparent lack of strategic objectives cascading down into day-to-day operations.

Further, the legislative environment and uncertainty around legislative amendments was identified as a key risk to the CIPC. In response to these issues a corporate strategy around communication was proposed together with enhancing and expanding the mentorship programme to develop leadership capabilities and drive accountability throughout the organisation.

## 2. Policies & Compliance

The CIPC has instituted a work from home policy, which has resulted in additional effort required on behalf of staff to maintain communication via virtual meetings. Working from home influences the way staff communicate with one another, as well as how the CIPC communicates with customers and the public. However, staff seem to have adapted quite well to the new circumstances and are able to perform their duties effectively.

### Status of policies

Table B. 14: Status of Policies as of 31 March 2022

DIVISION	NO OF POLICIES	DUE FOR REVIEW	UP TO DATE	IN PROGRESS	NEW POLICIES
HR	15	3	12	-	-
BISG	11	-	10	-	1
Finance	8	-	8	-	-
Facilities and Security	5	3	2	-	-
Client Engagement	1	-	1	-	-
GRC	8	-	8	-	-
Strategy	5	1	2	-	2
TOTAL	53	7	43	0	3

### Declaration of Interest, Code of Conduct and Ethics Policies

The CIPC's Declaration of Interest, Code of Conduct and Ethics Policies were approved, effective as of 01 April 2022. Education and awareness initiatives were planned to ensure that employees understood the contents and implications of the Policies.

The compliance status of Senior Managers, as outlined in the approved Fraud Prevention Policy, is illustrated below:

Table B. 15: Senior Manager Compliance Status

Figure 2			
 All senior manager declarations for the current financial year were submitted. No adjustments have been made to the initial declarations for the reporting period interest.	Status of compliance as of 31 Mar 2022	No of SM	%
	Compliant	35	100
	Non-compliant	00	00
	Total	35	100

## Compliance Management

Based on the information provided and reviewed, the CIPC's legislative compliance status has improved, and the organisation seems to be compliant with the 25 Acts assessed.

### Implementation of Governance Framework

The review of the Governance Framework is in progress and a proposal in relation to the functioning of the Divisional Managers Committee, in particular, has been prepared for consideration and approval by EXCO.

### **3. Anti-corruption**

This section provides information and progress on fraud and corruption related complaints. It further outlines channels through which complaints were received and gives a summary of the nature of allegations received during the reporting period.

#### Allegations Received

*Table B. 16: Number of allegations received*

<b>Opening balance 01/04/21</b>	<b>Adjustment 01/04/21</b>	<b>Adjusted opening balance</b>	<b>Calls logged</b>	<b>Feedback Requests additional info</b>	<b>Resolved</b>	<b>Balance 30/06/21</b>
<b>Quarter 1</b>						
<b>111</b>	<b>(86)</b>	<b>25</b>	290	(89)	(100)	<b>136</b>

The Opening balance at the beginning of the first quarter was adjusted downward after taking into consideration factors which influence the likelihood of resolution of complaints. Some of the factors considered included:

- Long outstanding complaints - (more than 6 months) with no progress and or without contact from the complainant.
- Lack of information - information has been received from the complainant for more than 2 months.
- Unavailability - Complainants no longer reachable.

The adjustment ensures that the limited resources employed in the resolution of complaints are efficiently and adequately utilised.

There has been improvement in the resolution of complaints during the review period. This improvement is attributed to the allocation of a dedicated resource to administer and handle complaints. This strategy has yielded the following results:

- Decreased backlog;
- Decrease in the number of feedback requests;
- Increased response rate to requests for evidence from affected parties;
- Speedy implementation of recommended action(s) emanating from investigations; and
- Increased customer satisfaction.

## Status of open cases

Table B. 17: Status of Open Cases

Total	Under investigation	Pending investigation
136	(41)	95

The above table shows the status of complaints which remained unresolved at the end of the review period. Of the 136 outstanding complaints, 41 were under investigations at the time of reporting, leaving 95 pending investigations. The total number of pending investigations represents the backlog which requires urgent attention if feedback requests are to be minimised.

## Reporting Channels

The hotline is the preferred channel of reporting, presumably because it provides an option for anonymity. Internally, the utilisation of the hotline has been useful in that it provided for an adequate audit trail of complaints. Such controls help build trust and confidence in the system.

Table B. 18: Reporting Channels

Channel	Received Cases
1 Hotline	179
2 Emails	25
<b>Total</b>	<b>204</b>

The contract with previous hotline Management Company lapsed on 31<sup>st</sup> May 2022. To ensure that there is no break in service, a new request for quotation (RFQ) has been issued and the service provider was appointed prior to the expiry of the current Service Level Agreement.

## Nature of Cases

Table B. 19: Nature of Cases

#	Types of cases	Q1		Q2		Q3		Q4	
		No. of Cases	%	No	%	No	%	No	%
1	Fraudulent removal or addition of directors	34	40%	30	41%	30	45%	24	22
2	Misuse of Clients Accounts	1	1%	0	0%	2	3%	3	5%
3	Essential services certificates complaints	1	1%	0	0%	0	0%	0	0%
4	Implicating CIPC employees	0	0%	1	1%	2	3%	1	1%
5	Other: General categories	16	18%	25	34	20	30%	16	25%
6	Other: Feedback request/ additional information	34	40%	18	24%	13	19%	19	30%
Total		86	100%	74	100%	67	100%	63	100%

The majority of cases related to fraudulent director changes and 62% of the cases were found to have substance. Judging by the number and nature of cases the unit continues to receive,

this trend is expected to remain. There is a notable decrease in the number of feedback requests owing to the strategy of deliberately assigning an official dedicated to managing communication with complainants. Fraudulent / unauthorised director changes are often lodged by third parties claiming to be associated with the CIPC.

During the period under review, there were reported matters implicating CIPC employees. One matter was finalised, and a report issued to the executive concerned.

Most of the cases reported related to unauthorised changes to company information. More than 70% of investigated cases within this category were found to have substance. Despite the many controls which the organisation has implemented to curb this trend, this remains a concern, as the perpetrators continue to subvert the controls implemented.

### Emerging Risk- Investigations

Of the matters under investigation, two complaints were lodged by two representatives of listed entities relating to fraudulent director changes. Central to their complaints, were questions around CIPC processes and controls, as well as the issue of Protection of Personal Information. Preliminary investigations have revealed the possibility of involvement of CIPC employees and / or their relatives in the alleged fraudulent activities.

Considering the size and reputation of these entities, and in the event that the alleged fraudulent activities are proven to have occurred, whose impact is deemed to be detrimental to the entities in question and are attributed to flaws in CIPC processes, the possibility of litigation increases. Due to their complexity and nature, the cases were referred to the external service provider.

### Annual Case Statistics

*Table B. 20: Annual Case Statistics*

Cases	Q1	Q2	Q3	Q4	Total Per Year
<b>Opening balance 01/04/21</b>					41
<b>Received</b>	86	74	67	63	290
<b>Feedback/Additional information</b>	34	26	13	16	89
<b>Actual New Cases</b>	52	48	54	47	201
<b>Resolved</b>	28	28	22	28	106
<b>Closed: Internally</b>	22	23	14	22	(81)
<b>Closed: Externally</b>	6	5	8	6	(25)
<b>Cases: Pending 31/03/22</b>					<b>136</b>
<b>Channels: Ethics Hotline</b>	86	68	57	54	265
<b>Internal/ External Emails</b>	0	6	10	9	25

As indicated in the table above, there were a significant number of fraud related complaints, averaging 50 complaints per quarter. The case resolution rate stood at 53%, which requires improvement in line with increasing customer satisfaction. Capacity shortages within the Fraud Prevention Unit resulted in a lower than desired resolution rate. Most cases reported are



resolved internally, reducing the cost associated with the appointment of external investigators. Due to the difficulty in forecasting the number of cases in a given period, the GRC division will continue implementing the strategy of combining both internal and external resources in the 2022/23 financial year.

#### **4. New Strategies**

There has been considerable progress in achieving the strategic objective of automating CIPC processes. Around 40% of CIPC processes have been automated, with key processes having been prioritised. However, management is of the view that there needs to be an acceleration of the programme, while ensuring alignment between business and ICT in developing automated solutions.

Automation of CIPC processes has provided definite value to the Commission in terms of efficiency and cost reduction. However, there is a need to take a comprehensive approach to digitalisation and to envision what comes next. The data that has been collected as a result of the automation of processes represents an opportunity for the CIPC to provide new products and services, as well as optimise and improve operations and decision making.

Thus, there is a need to develop business intelligence capabilities and to ensure the digitalisation journey is sufficiently capacitated. This, to not only achieve the CIPC's short-term goals, such as improving cloud capabilities, data management and analytics, but also for building the foundations for long term initiatives centred around AI and block chain technologies.

Finally, there is a need to ensure that SOPs are updated and aligned to the new digital way of work, as well as that they drive purposeful collaboration through digital and in-person channels. It is also to ensure business processes are integrated.

#### **5. Reputation Building**

The CIPC leverages opportunities for receiving free publicity through engaging media on highlights and milestones that the CIPC achieves. Some of the engagements have been to state the CIPC's position on matters that impact on the country and the Commission's reputation. The CIPC also regularly monitors media coverage to track its reputation; track the effectiveness of media releases and gauge media sentiments on the coverage of CIPC related stories. The Commission also monitors media coverage to identify matters that are likely to become issues and, therefore, institute pre-emptive corrective action.

Media monitoring enables the organisation to monitor and address coverage in the media (Print, broadcast and social). It is also enables the CIPC to determine the Advertising Value Equivalent (AVE) of the CIPC for public relations activities and coverage in the media. Advertising Value Equivalent (better known as AVE) is the monetary value of what it would cost to place editorial content as an advert. It was created to give Public Relations (PR) professionals a measurable indicator in the communications and marketing sphere, originally comparing it against brand advertising. An arbitrary multiplier is often applied, justified on the basis that editorial content has greater credibility and is valued more by consumers than advertising space.

## 6. Human Capital Matters

One of the CIPC's critical considerations going forward is in relation to human capital management. On one hand, there is a need to ensure succession planning for the eventuality of critical human resources leaving the Commission. On the other hand, the CIPC's automation strategy has and is creating redundancies within the entity.

Further, there is a need to develop capabilities and shift employee mind-sets towards ensuring future relevance both from a skills and culture-fit perspective. A culture which emphasises new ways of work, especially digital and cultural aspects thereof, is required.

The Work from Home (WFH) model was highlighted as a driver of improved productivity and employee satisfaction, however the impact on management requirements, as well as the wellness of employees was raised as a concern. Flexible working hours provide value to employees and allows the CIPC to be more responsive after hours. However, there is a downside in that a lack of physical interactions amongst staff stifles creativity and collaboration.

A hybrid approach is being explored to try and maximise the benefits of virtual work whilst also ensuring physical interaction. This approach has been envisioned as one purposefully designed to drive the cultural requirements necessary for the entity to thrive.

Moreover, to achieve its strategic objectives and move closer to the 2030 vision of the CIPC, there is a need to address the lack of innovation and collaboration within the organisation. Cultural initiatives were proposed together with creating an agile operating model to drive a culture of adaptability, innovation and continuous learning whilst still remaining ethical and customer focused.

Furthermore, the intensified automation of CIPC processes has created human capital risks for the CIPC, not only in terms of redundancies but also in terms of the need to upskill and reskill employees. Moreover, the maturity of digital technologies and new technologies have the potential to create existential threats for the Commission. AI and block chain technologies which enable embedded regulation, as well as the global integration of software, services and systems, together with the AfCFTA, may result in restructuring of the IP and company registration space. This may affect the CIPC's currently monopoly. As such, the CIPC must review its business and operating models to ensure that its products and services remain relevant and are provided through appropriate channels to relevant customers.

Finally, slow legislative reform processes create additional risk in relation to the CIPC being able to stay ahead of the curve in relation to services and technology, as well as from a revenue and pricing perspective. Therefore, the CIPC must be proactive in relation to advising the DTIC, as well as ensure it develops future fit capabilities to monitor and assist in responding to industry trends. An inter-related government approach must be used to ensure customer needs are met through collaboration and partnerships to maximise value creation and ensure efficient and effective service.

## 7. Appointments, Resignations, Retirements, Terminations

*Table B. 21: Appointments, Resignations, Retirements and Terminations*

	Quarter 1	Quarter 2	Quarter 3	Quarter 4
<b>Appointments</b>	5	4	3	1
<b>Resignations</b>	1	4	1	4
<b>Retirements</b>	2	0	1	2
<b>Terminations</b>	0	0	2	0

## 8. Labour Relations

Table B. 22: Labour Relations Issues

Category	Number
Misconduct cases under investigation	4
Misconduct cases at a disciplinary hearing stage	22
Warnings	5
Grievances finalized	3
Labour disputes at CCMA	19
Labour disputes at GPSSBC	4
Labour disputes at Labour Court stage pending	21

## 9. Facilities and Security

### Compliance to OHS Act

An organisational emergency evacuation drill was successfully conducted, gaps identified, and remedial measures actioned accordingly. While in Cape Town a fogging / decontamination service provider (Bidvest) was appointed for a period of 12 months.

### Compliance to MISS (Physical Security)

A new security guarding service provider (Veningo Holdings) was appointed to render security guarding services within the Pretoria Self Service Centre (SSC) for a period of 12 months at an amount of R536 400.00.

## Part C: Measuring Our Performance

### 6. Institutional Programme Performance

#### 6.1 Programme 1: Service Delivery and Access

**Purpose:**

The purpose of the Programme 1: Service Delivery and Access is to promote better access to the CIPC services by ensuring that our access channels are secure and easily accessible to all; that the institution has sufficient and appropriate organisational resources to deliver the best possible service; and that operational excellence is established in all areas of the organisation.

In order to ensure quality service delivery, the CIPC must place focus on its internal performance. The CIPC must function as an intelligent, innovative, high-performance organisation in which employee morale and development is emphasised.

The emphasis of the CIPC business model is equally on the quality of the services it provides, the acceptable speed with which it delivers them, and the value that its products, services, and solutions generate for Customers. The CIPC's business model focuses on the manner in which it will deliver services, the quality of those services, the fees it will charge to be sustainable, and the potential for value addition.

The following is a list of sub-programmes:

1. Broader Office of the Commissioner
  - a) Advisor to the Commissioner
  - b) Innovation and Collaboration
  - c) Strategy
    - (i) Strategy, Planning, and Monitoring
    - (ii) Operational Excellence
    - (iii) Strategic Communications
  - d) Compliance, Governance, and Risk
    - (i) Compliance and Governance
    - (ii) Risk
    - (iii) Ombuds
  - e) Internal Audit
2. Corporate Services
  - a) Human capital
    - (i) Human capital
    - (ii) Knowledge Centre
    - (iii) Labour Relations and Employee Engagement
  - b) Facilities and Security
    - (i) Facilities
    - (ii) Security
    - (iii) Disclosure
  - c) Service Centres
  - d) Client Engagement and E-communications
3. Finance
  - a) Financial Management

- b) Treasury
  - c) Supply Chain Management
4. Business Information and Systems
- a) Chief Technology Officer
  - b) Enterprise Information Management
    - (i) Enterprise information management
    - (ii) Information assurance
  - c) Enterprise Programme Management Office
  - d) ICT Service Delivery
    - (i) Application management
    - (ii) Infrastructure management
    - (iii) Process Engineering

#### 6.1.1 Outcomes and the dtic Joint-KPIs

Programme 1 outcomes discussed below are in line with the two dtic Joint-KPIs i.e., **Delivery/Capable State** and **Transformation**.

**Delivery/Capable State** focus areas are:

- *Building the entity staffing and governance capacity and quick response*
- *Addressing red tape and compliance in internal processes, including targets on turnaround times*
- *Coordinating with other parts of the state to ensuring effective outcomes on mandates and the industrialization/transformation agenda*

**Transformation** focus areas are:

- *District Development Model Reporting*
- *Integrated Delivery*

#### (i) Organisational competencies and capabilities

##### (a) Organisation Design, Skills Audit, and Capacity Building

The OD process review and design an organisational structure (including the design of business areas, and business units), business processes, workflows, roles and responsibilities, volumes of work, activities and resources to ensure alignment with the organisation's mandate, strategic framework, and meet its business objectives and service delivery. The skills assessment and skills audit identify skills gaps, is used as a basis for employee training and development, thus improving their competencies and capabilities. The OD process and a skills audit lay a foundation to build competencies and capabilities to build a world-class modern regulator. Through these activities the CIPC contribute to dtic Joint-KPI through **Entity staffing**.

In the 2023/24 financial year, the following will continue:

- a. Implementation of Phase 1 of the Skills Development Programme
- b. Review of Job Descriptions and Job Evaluations

The KPIs to be measured include:

- i. Progress Report on the Implementation of the Skills Development Programme
- ii. Progress Report on the Reviewed job descriptions and evaluations

(b) Governance, policies, processes, and systems

Governance, policies, processes, and systems are critical organisational capabilities.

Corporate governance, including ethics, risk management, combined assurance and audits is the system by which an organisation is controlled and operates, and the mechanisms by which it, and its people, are held to account. It also provides the structure through which the objectives of the company are set, and the means of attaining those objectives and monitoring performance are determined.

Policies provide guidance and instructions of how employees should conduct their work, specifically decision-making. Policies are internal control measures to mitigate organisational risks.

Processes outline how organisational activities are conducted, breaking it down to logical, sometimes repeatable steps to achieve distinct business tasks. Processes streamline organisational activities to ensure optimal use of resources, quality, consistency, and reliability, as well as accountability. Business process management (improvement, simplification etc.) is a capability that will allow the CIPC to be agile, efficient, effective, and regulatory compliant, as well as make it easy transfer of business knowledge and practice continuous improvement.

Systems, for purposes of this document, refers to ICT technologies to transmit, store, and manipulate data and information. It includes hardware, software, and data. Modernised ICT systems will contribute to an efficient work environment, easy data tracking, greater collaboration and access to data, data safety and cyber security, and ultimately improved customer access increasing customer satisfaction.

In the 2023/24 reporting period:

- a. One of the essential elements in building a capable state is to have a properly governed organisation that complies with laws and regulations of the country as well as its own policies and procedures. Over the past five years, the CIPC has received a *clean audit* result. The entity will continue to take deliberate actions to maintain this outcome.
- b. The CIPC will continue with the review of all its policies to align to its strategy.
- c. The CIPC will continue with migration and integration of processes to modern platforms and automation, as well as strengthening virtual channels (to realise 24/7 availability of services) reducing turnaround times and improving overall customer experience. The entails ensuring the availability of secure ICT systems and infrastructure; continuous ICT business applications development, enhancement and maintenance; as well as implementation of the ICT strategy. The objectives are to provide ICT Infrastructure and

business applications to support the CIPC to deliver on its mandate, while enabling effective and efficient operations of the CIPC, and to support efficient achievement of departmental strategic objectives. The end goal is reduced turnaround/transaction times, capabilities for intelligent reporting including alignment to the District Development Model, and Transformation Targets.

Through these activities, the CIPC not only ensures that its corporate governance system, policies, processes, and systems are aligned to its vision and strategies, but also contribute to governance to dtic Joint-KPI through ***building governance capacity ensuring compliance to internal processes; building quick-response capacity; addressing red tape, including improvement on turnaround times***. The CIPC also ***coordinating with other parts of the state (such as SARS, Compensation Commission, Department of Labour, and Department of Home Affairs) to ensuring effective outcomes on mandates and the industrialization/transformation agenda***.

Moreover, the CIPC contribute to the dtic Joint-KPI ***Transformation, Integrated Delivery*** which through its collaboration efforts ***identify and implement measures to integrate the*** CIPC work with that of other public institutions in the 52 districts (such as SARS, Compensation Commission, Department of Labour, and Department of Home Affairs).

The KPIs to be measured include:

i. *AG Audit Outcome*

Customer and Stakeholder Satisfaction

Customer satisfaction measures indicate organisational effectiveness in meeting customer expectations. These measures whether the CIPC improvement efforts are effective or not in promoting a functional, efficient and integrated services to improve economic development and the ease of doing business.

The CIPC as a regulator must create a conducive environment for doing business and protection of intellectual property, and therefore reducing a regulatory burden on business and IP owners.

This is line with the two dtic Joint-KPIs i.e., **Delivery/Capable State and Transformation**.

The KPIs measured include:

% Overall customer and stakeholder satisfaction.

The survey is one of CIPC's efforts to be responsive to customer needs; improve customer experience; and meeting customer requirements. By simplifying our process and improving our service offering, enables the ease of doing business. Other surveys are conducted in relation to the call centre, e-communication services and Self-Service Centres. The KPIs to be monitored here are reflected in the Annual Operational Plan.

Table C. 1: Programme 1: Service Delivery and Access - Outcomes, Outputs, Performance indicators, and Targets

Outcome	Output	Performance Indicator / Measure	Audited Actual Performance			Estimate Performance/Baseline	Medium Term Targets		
			2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
<b>Impact Statement #1: A world-class modern regulator</b>									
Improved Organisational Competencies and Capabilities towards building a capable state and improved service delivery	Implementation of the skills development programme aligned to the CIPC Strategy	Progress Report on the Implementation of the Skills Development Programme	New indicator	New indicator	OD	Skills audit analysis	Phase 1 Skills Development Programme	Phase 2 Skills Development Programme	Phase 3 Skills Development Programme
	Reviewed job descriptions and evaluations to align to the new organisational structure	Progress Report on the Reviewed job descriptions and evaluations	New indicator	New indicator	OD	Project plan for JDs and JEs review	Updated JDs and Evaluations	Updated JDs and Evaluations	Updated JDs and Evaluations
	A governed, accountable, clean and compliant administration enabling improvement in operational efficiency and better service delivery	AG Audit Outcome	Clean audit	Clean audit	Clean audit	Clean Audit	Clean audit	Clean audit	Clean audit



Outcome	Output	Performance Indicator / Measure	Audited Actual Performance			Estimate Performance/Baseline	Medium Term Targets		
			2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Customer / citizen expectations in relation to service delivery / delivery of the CIPC's core mandate met, and enhanced the CIPC's good reputation	Enhanced insights for improving customer / citizen experiences and satisfaction	% overall customer and stakeholder satisfaction	Not measured	8 (equivalent to 80%)	Not measured	8 (equivalent to 80%)	Not measured	80%	80%

Table C. 2: Programme 1: Service Delivery and Access - Indicators, Annual and Quarterly Targets

				Quarterly Milestones			
Output	Performance Indicator/Measure	Baseline	Annual Target 2023/2024	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Implementation of the skills development programme aligned to the CIPC Strategy	Progress Report on the Implementation of the Skills Development Programme	Skills audit analysis	Phase 1 Skills Development Programme	-	Development of the skills development plan for phase 1	Implementation of the skills development plan for phase 1	Implementation of the skills development plan for phase 2
Reviewed job descriptions and evaluations to align to the new organisational structure	Progress Report on the Reviewed job descriptions and evaluations	Project plan for JDs and evaluations review	Project plan for JDs and evaluations review	Updated JDs and job evaluations	Approved JDs	Approved job evaluations	-

				Quarterly Milestones			
Output	Performance Indicator/Measure	Baseline	Annual Target 2023/2024	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
A governed, accountable, clean and compliant administration enabling improvement in operational efficiency and better service delivery	AG Audit Outcome	Clean Audit	Clean Audit	-	AGSA audit report issued with no findings	-	-
Enhanced insights for improving customer / citizen experiences and satisfaction	% Overall customer and stakeholder satisfaction	8 (Equivalent to 80%)	Not Measured	-	-	-	-

Table C. 3: Recourse Considerations for Programme 1: Service Delivery and Access

Programme Name: Administration (Service Delivery and Access)					
Economic classification	Expenditure Outcome	Approved Budget	Medium-Term Expenditure Estimate		
	2020/21	2021/22	2022/23	2023/24	2024/25
	R '000	R '000	R '000	R '000	R '000
<b>Current payment</b> Compensation of employees and Goods & services, etc.	423 241	437 035	562 658	574 777	600 365
<b>Payments of capital assets</b> Building and other fixed structure Machinery & equipment	10 230	26 032	43 662	28 400	28 400
<b>Other classifications</b>					

## 6.2 Programme 2: Innovation and Creativity Promotion

### **Purpose:**

The purpose of Programme 2: Innovation and Creativity Promotion is to support and promote local innovation and creativity by maintaining accurate and secure registries of patents, designs, and cinematograph films. This includes maintenance of accurate, up-to-date and relevant information concerning companies, foreign companies, and other juristic persons contemplated in subsection (1) (a) (ii) of the Companies Act, no 71 of 2008, and concerning intellectual property rights and the provision of that information to the public and to other organs of state. IP enforcement includes referring offense to law enforcement agencies such as the National Prosecution Authority.

Under this programme, the CIPC also supervises and regulates the distribution of collected royalty by accredited collecting agencies. In addition, the programme is responsible for providing policy inputs and legal advisory opinion on the coordination, implementation, and impact of the respective IP laws. Furthermore, the group ensures that the implementation of the national IP regime is in alignment with the international IP system.

The primary function of the Innovation and Creativity Promotion Programme is to promote and support the registration of i) patents, ii) designs, and iii) cinematograph films. The group also registers patent attorneys that have passed the Patent Board Examination. Other functions of the Programme include the coordination of appropriate enforcement actions, education, and creating awareness of the requirements and benefits of registration of IP rights, the remedies available, and the opportunities for commercialisation and industrial development through efficient management of IP assets.

Through this programme, the CIPC also provides policy and legal insights on the implementation and impact of the relevant IP legislation. Thus, additional functions in this programme include in-depth research to identify gaps and to analyse the impact of IP rights registration forming a basis for further IP policy inputs.

In line with the COVID-19 conditions, a professional online seminar environment will be created. This will include various virtual platforms, content development, packaging and delivery accessible anytime. The CIPC will use of free platforms for the disadvantaged communities. Staff will be trained for the new way of working.

### List of sub-programmes

1. Innovation support and creativity
  - a) Patents and Designs Registration
  - b) Innovation Policy and Outreach
2. Creative Industries
  - c) IP Enforcement
  - d) Copyright and
  - e) IP Education and Awareness

**Education activities** increased over the last couple of years due to effective use of online platforms. CIPC formed strategic alliances with the United States Trademark and Intellectual Property Office (USPTO) and the International Computer Hacking & Intellectual Property

Attorney Advisor (ICHIP) for Internet Fraud and Public Health. The focus of the work is on Women in IP and Pharma Crime. Capacitating partners for both the public and private sector are a strategic priority. The KPIs are monitored through the AOP.

**Copyright enforcement and compliance with Copyright Legislation** is a high priority. The best results are obtained by educating the public. A high-profile awareness campaign is in progress and is a partnership between the CIPC and the Swiss IP office. The project will start from February 2023. Other work focuses on preventing uploading of protected content, as well as rights holders seeking criminal remedies in response to infringements.

Further, building a capable state is achieved through auditing of Collecting Societies by the CIPC to ensure good governance and transparency. The broader impact of this regulatory function is that proper and efficient distribution of royalties is achieved by Collecting Societies to ensure that musicians / artists make a living from their careers.

Accredited Collecting Societies have been transformed and have, thus far, established Funeral Schemes and a Performers Development Fund for members. This transformation is as a result of the CIPC's regulatory function. The broader impact of this is that musicians / artists will benefit over the long term.

The KPIs to be measured include:

- i. Annual audit report on promoting compliance with regulations by Collecting Societies conducted by the CIPC

### **Policy Dialogue**

Through close collaboration with the International Trademark Association (INTA) a policy dialogue with a focus on counterfeit Toys and the Alcoholic beverage sectors are planned. This event will coincide with the SA investment week in November. Sensitizing political decision makers forms an integral part of building respect for IPR. It also assures industry and the public that government is taking its role to protect IPR seriously.

CIPC is driving a **project that focus on sustainability and the green economy**. This project is envisaged to repurpose confiscated counterfeit clothing items through an artistic effort. Displaying the results will coincide with a conference planned with the Delegation of the European Union to South Africa, AfrilPI EU IP Africa SME Helpdesk/ IP Awareness that will have a launch event in March 2023 as an awareness raising session for interested SME's.

### **IP BRICS**

WIPO has adopted the SDGs specifically as it relates to IP matters. At this year's 14th HIPO meeting, the IP BRICS forum adopted SDGs 7 and 9 and engaged on issues specifically relating to IPs support to these goals.

The KPIs to be measured and monitored here are reflected in the Annual Operational Plan.

### 6.2.1 Outcomes and Joint-KPI

Programme 2 outcomes discussed below are in line with the two dtic Joint-KPIs i.e., **Delivery/Capable State** and **Transformation**.

#### **i. Substantive Search and Examination**

The purpose of the above KPIs is to capacitate CIPC to ensure readiness for substantive examination of Patent Applications. This in turn will contribute to a capable state than has the ability to regulate monopolies created through patent rights. The SSE's success will ensure that artificial monopolies are justified and not hindering industrialisation.

Experiential Learning Project will mimic the actual patent examination and interaction with patent attorneys under the guidance of an experienced international patent office (EPO). Non-Binding Examination Reports (NBEPRs) refers to work products issued per examiner (work product includes Written Opinion and Search Report on patentability) such a work product will in future be issued to an applicant) in line with SSE Experiential Learning.

Through the SSE Experiential Learning Project and Internship Programme, the CIPC aims to create new permanent jobs, and temporary jobs.

For the 2023/24 period, the following KPIs are measured:

- i* Number of new sustainable permanent posts created through implementation of the Experiential Learning Project (ELP) of the SSE Programme
- ii* Number of new interns employed biennially through implementation of the Experiential Learning Project (ELP) through SSE Programme

#### **ii. IP Education and Awareness**

SMMEs, entrepreneurs and the public at large will protect their IP and commercialize it to realize economic benefits. This increases local IP ownership in the market (localisation). The broader impact of this increased awareness on IP registration is that the structure of the economy and township economy are transformed to include participation of local SMEs and entrepreneurs in the economy through commercialization of their registered IP. CIPC has been championing WIPO SA IP Summer School and Technology Transfer in collaborating with NIPMO, WIPO and JPO to deliver the a very technical capacity building IP programme to the SA citizens, African region and the parts of the world.

On the World IP Day celebrations CIPC as a champion, collaborated with SEDA, NIPMO, DSI, TIA, the dtic and Universities to educate the SMEs, entrepreneurs, youth and the public at large about the importance of IP. This is an integrated approach of capacity building by state institutions / agencies to benefit the South Africans.

More substantive and detailed plans are outlined in the Annual Operational Plan.

### **iii. Improved Compliance with IP Laws**

The CIPC aims to provide training to students, women and SMME's, leading to sustainable businesses that can rely on IP for growth. Further, IP rights enforcement fosters higher levels of investment, especially in the creative content industry pertaining films, music and software programmes. Targeted events are hosted for stakeholders in these sectors. The CIPC has also seen investment in assembly plants in the clothing industry. Ultimately, as such, IP rights enforcement underpins economic growth, the promotion of investment and job creation.

Furthermore, collaboration and partnerships with the SAPS, SARS, NPA and other government law enforcement agencies leads to the development of an intergraded government approach towards IP rights enforcement.

Improved compliance is a driver for the creation of equal playing fields, and also supports the ease of doing business priority of the CIPC and the country. Further, partnerships with private sector entities pertaining education and awareness are being maintained and improved in fast-moving consumer goods industries, pharmaceuticals, and creative industries.

Finally, collaboration to address public demand for protection against counterfeiting is done with international partners, like the World Intellectual Property Organization, World Customs and World Trade. Critically, IP rights owners remain a fundamental part of these efforts to change consumer behaviour in relation to counterfeit goods.

### **iv. IP Enforcement Education and Awareness**

Monthly training sessions to own staff and government partners. Public awareness decreases the demand for fake goods. Keeping consumers safe from fake goods.

**Capable State:** Monthly training sessions to own staff and government partners. Public awareness decreases the demand for fake goods. Keeping consumers safe from fake goods.

**Transformation:** Review of legislation and regulations in the GI space. Building economic inclusion through transformation to focus on women in IP.

### **v. Training of Law Enforcement Agencies**

Training sessions for law enforcement agencies recently occurred in South Africa and Senegal. These events focussed on investigating and prosecuting all facets of IP crime and had the intention of sharing lessons learned. Two additional training events were planned for October and November 2022. These events envisaged training local health inspectors and provincial prosecutors. The Pharma Crime Work Group secretariat also hosted its working group meeting in South Africa during the first week of November 2022.

Focusing on building respect for students, entrepreneurs and SMEs through a basket of IP offerings has also increased the demand for information on the value of IP in the business environment.



Finally, the CIPC hosted six online events in partnership with UNISA, while more such events are envisaged.

Considering the above, in 2023/2024, the CIPC will conduct an assessment of the impact or results of the various training programmes that were done in previous years.

The KPIs to be measured include:

- i. IP Enforcement Operations Report which specifies the impact on jobs and the investment environment

**vi. *Promoting Industrialisation by providing assistance to IP owners***

The CIPC aims to assist with transforming the economy through increased localisation (increasing the number of local patents) of patents. The CIPC aims to achieve this, and many other benefits, through the continuation its Inventor Assistance Programme (IAP).

The KPIs to be measured include:

- i. Number of IAP Review Committee meetings to screen applications
- ii. Annual Status Report: tracking the status of paired applications to ascertain whether the applications resulted in granted, enforced, licensing or commercialised inventions, and to make recommendations for reconceptualization of the program if there is a need.

Table C. 4: Programme 2: Innovation & Creativity - Outcomes, Outputs, Indicators, and Performance Targets

Outcome	Output	Performance Indicator / Measure	Audited Actual Performance			Estimate Performance/Baseline	Medium Term Targets		
			2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Impact Statement #1: A world-class modern regulator									
Building state capacity to better regulate and ensure integrity of granted patent rights.	Implementation of Experiential Learning Project (ELP) with the SSE team	Number of non-binding work products issued per examiner (work product includes Search Report and a Written Opinion on patentability such a work product will in future be issued to an applicant) in line with SSE Experiential Learning	New Indicator	New Indicator	16 SSE examiners and trained. Twenty-eight interns training patent.	24	24	24	24
					Twenty-eight interns training patent				
		Number of SSE training initiatives	New Indicator	New Indicator	New Indicator	4	4	4	4
	Sustainable job creation through implementation of Experiential Learning Project (ELP) through the SSE programme	Number of new sustainable permanent posts created through implementation of the Experiential Learning Project (ELP) of the SSE Programme	New Indicator	New Indicator	New Indicator	0	20	0	20
	SSE Internship Programme	Number of new interns employed biennially through implementation of	New Indicator	New Indicator	New Indicator	0	20	0	20

Outcome	Output	Performance Indicator / Measure	Audited Actual Performance			Estimate Performance/Baseline	Medium Term Targets		
			2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
		the Experiential Learning Project (ELP) through SSE Programme							
Transform the economy through localisation through increased number of local patents	Inventor Assistance Programme (IAP) implemented: pair applications with Pro-Bono Attorneys to file applications for ownership of the interventions, resulting in the applications granted, enforced, licensed or commercialised inventions.	Number of IAP Review Committee meetings to screen applications	New Indicator	New Indicator	New Indicator	4	4	4	4
		Annual Status Report: tracking the status of paired applications to ascertain whether the applications resulted in granted, enforced, licensing or commercialised inventions, and to make recommendations for reconceptualization of the program if there is a need.	New Indicator	New Indicator	New Indicator	1	1	1	1
Impact Statement #3: Investor confidence in SA businesses and innovations									
Increase compliance with IP Regulations to transform the economy through	Compliance with Regulations by Accredited Collecting Societies to transform the industry to benefit artists	Annual audit report on promoting compliance with regulations by Collecting Societies conducted by the CIPC	New Indicator	New Indicator	New Indicator	1	1	1	1

Outcome	Output	Performance Indicator / Measure	Audited Actual Performance			Estimate Performance/Baseline	Medium Term Targets		
			2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
collection and distribution of Royalties to local musicians to contribute to social security and transformation of the creative industry	Efficient and Effective collection and distribution of royalties for the benefit of local musicians	Rm Royalties distributed by Collecting Societies to local musicians for poverty alleviation, job creation, social security and promotion of the creative industries	New Indicator	New Indicator	New Indicator	New Indicator	R100m	R100m	R100m
Towards building a capable state, enhance capacity to deal with IP Crimes with the objective of creating a conducive environment for investment	Increased IPR capacity within Law Enforcement Agencies to enhance their capacity to deal with IP Crimes with the goal of creating a conducive environment for investment	IP Enforcement Operations Report which specifies the impact on jobs and the investment environment	New Indicator	New Indicator	New Indicator	1	1	1	1

Table C. 5: Programme 2- Innovation and Creativity - Indicators, Annual, and Quarterly Targets

				Quarterly Milestones			
Output	Performance Indicator/Measure	Baseline	Annual Target 2023/2024	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Implementation of Experiential Learning Project (ELP) with the SSE team	Number of non- binding work products issued per examiner (work product includes Search Report and a Written Opinion on patentability such a work product will in future be issued to an applicant) in line with SSE Experiential Learning	24	24	6	6	6	6
	Number of SSE training initiatives	4	4	1	1	1	1
Sustainable job creation through implementation of Experiential Learning Project (ELP) through the SSE programme	Number of new sustainable permanent posts created through implementation of the Experiential Learning Project (ELP) of the SSE Programme	New Indicator	20	-	-	-	20

				Quarterly Milestones			
Output	Performance Indicator/Measure	Baseline	Annual Target 2023/2024	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
SSE Internship Programme	Number of new interns employed biennially through implementation of the Experiential Learning Project (ELP) through SSE Programme	New Indicator	20	-	-	-	20
Inventor Assistance Programme (IAP) implemented	Number of IAP Review Committee meetings to screen applications	4	4	1	1	1	1
	Annual Status Report: tracking the status of paired applications to ascertain whether the applications resulted in granted, enforced, licensing or commercialised inventions, and to make recommendations for reconceptualization of the program if there is a need.	New Indicator	1	-	-	-	1
Compliance with Regulations by Accredited Collecting Societies	Annual audit report on promoting compliance with regulations by Collecting Societies conducted by the CIPC	New Indicator	1	-	-	-	1

				Quarterly Milestones			
Output	Performance Indicator/Measure	Baseline	Annual Target 2023/2024	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Efficient and Effective collection and distribution of royalties for the benefit of local musicians	Rm Royalties distributed by Collecting Societies to local musicians for poverty alleviation, job creation, social security and promotion of the creative industries	New Indicator	R100m	-	-	-	R100m
Increase IPR capacity within Law Enforcement Agencies to enhance their capacity to deal with IP Crimes with the goal of creating a conducive environment for investment	IP Enforcement Operations Report which specifies the impact on jobs and the investment environment	New Indicator	1	-	-	-	1

Table C. 6: Recourse Considerations for Programme 2: Innovation and Creativity

Programme Name: Innovation and creativity promotion					
Economic classification	Expenditure outcome	Approved Budget	Medium-Term Expenditure Estimate		
	2020/21	2021/22	2022/23	2023/24	2024/25
	R '000	R '000	R '000	R '000	R '000
<b>Current payment</b> Compensation of employees and  Goods & services, etc.	58 443	63 475	83 463	87 151	91 030
<b>Payments of capital assets</b>  Building and other fixed structure Machinery & equipment					
<b>Other classifications</b>					



### **6.3 Programme 3: Business Regulation and Reputation**

#### ***Purpose:***

The purpose of Programme 3: Business Regulation and Reputation is to enhance the reputation of South African businesses and the South African business environment by ensuring that the registers of corporate entities, their managers, and their identity have integrity and that a culture of corporate compliance and exacting standards of governance, disclosure, and corporate reputation is established. The programme also aims to provide policy and legal insight and advice on the co-ordination, implementation, and impact of the respective laws.

The following functions, amongst others, fall within this programme:

- maintaining registers of companies and close corporations, co-operatives, directors and delinquent persons, and trademarks as well as company names and business names,
- accreditation of practitioners and intermediaries,
- educating business owners and practitioners on compliance of the legislation as well as,
- promote and enforce compliance with the legislation.

The CIPC is required to monitor compliance with certain requirements of the legislation, such as the submission of annual returns, the rotation of auditors and disclosures in terms of the financial reporting standards and the requirements for prospectuses. Furthermore, the CIPC investigates complaints and enforces the provision of the Companies Act, the Close Corporations Act, the Share Block Companies Act, and the Co-operatives Act relating to governance and disclosure.

The Business Regulation and Reputation Programme also incorporate a focus on corporate policy and legal matters. This includes support for the prosecution of offences, the interpretation of laws, as well as the proposal of amendments to legislation and regulations. The function also entails continuously tracking international developments in the areas of corporate governance, disclosure, corporate registration, and enforcement and trademarks.

Complaints relating to Companies may be filed in writing with the CIPC upon receiving a complaint, the CIPC may resolve:

- (i) not to investigate,
- (ii) to refer it to the Companies Tribunal or Accredited Agency or other appropriate regulatory authority, or
- (iii) to direct an investigator or inspector to investigate.

After receiving an investigation report the Commission may

- (i) excuse a respondent;
- (ii) refer the complaint to the Companies Tribunal;
- (iii) issue a notice of non-referral to complainant, advising the complainant of any rights to seek a remedy in court;
- (iv) propose that the complainant and any affected person meet with the Commission or with the Tribunal, to resolve matter by consent order;
- (v) commence proceedings in a court in the name of the complainant, if the

complainant-

- has a right to apply to a court; and
  - has consented to the Commission to do so;
- (vi) refer the matter to the NPA, or other regulatory authority, if Commission alleges that a person has committed an offence in terms of this Act or any other legislation; or (vii) issue a compliance notice in terms of section 171.

List of sub-programmes

1. Corporate Compliance and Enforcement
  - a) Corporate Disclosure and Compliance
  - b) Corporate Governance, Surveillance, and Enforcement
2. Corporate Registers
  - a) Companies and Close Corporations (CCs)
  - b) Co-operatives
  - c) Directors, Members, and Practitioners
  - d) Trademark
3. Legal Policy and Outreach
  - a) Corporate Education and Voluntary Compliance
  - b) Corporate Legal and Policy Support

#### 6.3.1 Outcomes and Joint-KPI

Programme 3 outcomes discussed below are in line with the three dtic Joint-KPIs i.e., **Industrialization, Capable State and Transformation.**

##### ***i* Pro-active investigations:**

The CIPC aims to pro-actively investigate matters relating to contraventions of the Companies Act No 71 of 2008 by companies identified in the State Capture Report. Further, the CIPC also aims to instigate investigations as it pertains the Social and Ethics Committee.

The KPIs to be measured include:

- i Number of Pro-Active Investigations in response to contraventions of the Companies Act No 71 of 2008 by Companies identified in the State Capture Report
- ii Number of targeted proactive pre-investigations

##### ***ii* Business Rescue:**

An analytical research paper will provide broader understanding of the triggers of financial distress (per industry and company and close corporation category and size) which leads to business rescue within the business environment. It will also provide understanding whether business rescue proceedings are delivering on the policy directive to provide an effective recovery mechanism for companies and close corporations and sharing such paper with the relevant direct stakeholder and sharing with other government department.

CIPC reduces red tape and increases the ease of doing business (specifically registering a new company) by reducing the timeline to register a company, increasing the quality of the company data and providing additional value-added services by providing:

- 24/7 electronic access channels and broader access for all citizens (including women and youth) to such service via CIPC Omni channel approach;
- identity verification with Department of Home Affairs for director information associated with companies;
- sharing new company registration data with SARS (tax registration) and CSD (for government tendering);
- additional value-added services on behalf of BB-BEE Commission (BB-BEE certificates for Micro exempted enterprises), ZADNA (domain name registrations) and Banks (opening a bank account).

CIPC further contributes to a capable state by providing access to company information to various governmental and research organisations via:

- disclosure functionalities namely paper-based disclosures,
- answering of subpoenas and providing access to information for prosecuting authorities,
- free enterprise search via [www.BizPortal.gov.za](http://www.BizPortal.gov.za), and
- electronic data sales for research (e.g., liquidation information to Stats SA).

The KPIs to be measured and monitored here are reflected in the Annual Operational Plan.

### **iii BO Register Establishment:**

This is in line with the objectives of restoring / recovering South Africa from being grey listed by way of improving transparency in relation to which entities own which entities (FATF, G20 Requirements), as well as the need to prevent abuse of corporate vehicles for money laundering and terror financing. This is intended to foster a reputable business regulation environment, through strengthened financial systems and ownership transparency, in South Africa.

The KPIs to be measured include:

- i Progress Report on the Establishment of the Beneficial Business ownership register

### **iv Collaborations with LEAs, NPA, SIU, Hawks and other Regulators:**

In line with the need to collaborate successfully in the regulatory and law enforcement area, skills and expertise, information and data on AFS and other basic information from CIPC contributing to building strong cases for successful prosecutions. Mitigating prevailing disparate efforts in dealing with non-compliance with the Companies Act. Taking advantage of the preparedness by NPA and JSE to collaborate concerning matters of non-compliance.

The KPIs to be measured and monitored here are reflected in the Annual Operational Plan.

### **v CIPC Learning Academy:**

The Academy aims to empower the HDI in line with corporate governance and IP opportunities.

Broader Impact: Continuous Learning Culture by the filing / professional community, as the learning process will be linked to CPD eventually.

**Localisation:** empower local communities with IP knowledge to use their creative minds to produce local products that can be exported and create job opportunities. For example, using plants for Covid-19 medication.

The KPIs to be measured include:

- i Implementation of the CIPC Learning Academy

**vi Contribution to local industrial output:**

Our contribution will be to use our regulatory arm effectively to ensure that companies are ring-fenced, and that constant monitoring takes place in order to avoid companies incurring unnecessary financial distress.

However, as we are currently unable to quantify targets, yet seek to continually do more for the benefit of South African citizens, this will reflect in the AOP whilst we continue to develop this capability within our organisation.

**vii Interventions to facilitate permanent job creation:**

By intentionally requiring professional bodies to develop and maintain programmes for capacitating their members, particularly those who are classified as previously disadvantaged individuals, we will contribute to more people of colour, women and persons with disabilities having permanent employment, particularly within the Business Rescue field.

However, as we are currently unable to quantify targets, yet seek to continually do more for the benefit of South African citizens, this will reflect in the AOP whilst we continue to develop this capability within our organisation.

**viii Interventions to facilitate non-permanent job creation:**

We will contribute to job creation (non-permanent) through the appointment of qualified interns to conduct research in the Business Regulation and Reputation space. This we believe to be in line with the government priorities of job creation, transformation and building a capable state.

However, as we are currently unable to quantify targets, yet seek to continually do more for the benefit of South African citizens, this will reflect in the AOP whilst we continue to develop this capability within our organisation.

**ix Incorporation of an ESG Taxonomy:**

The CIPC aims to begin preparations for incorporation of an ESG Taxonomy into its existing Base Taxonomy. ESG, is a global topical issue as jurisdictions and companies are increasingly expected to report on their Environment, Social and Governance related contributions (both positive and negative) within the communities in which they exist.

It is also an important national issue as the government aims to hold companies to account for their reporting, as well as encourage a new culture of pro-active reporting.

The CIPC plays a role in monitoring compliance with IFRS standards. As ESG elements are going to be integrated with IFRS standards, this demands that the CIPC update its IFRS Taxonomy to include ESG Taxonomy elements for utilisation by various reporting entities.

The KPIs to be measured include:

**x Participation at key conferences promoting investment and industrialisation:**

As the CIPC strives to create a reputable business regulatory environment, the Corporate Governance, Surveillance and Enforcement Unit will endeavour to provide regulatory support to entities that facilitate investment through the South African Investment Conference and the Black Industrialist Conference. The focal point will be to promote good corporate governance, which will consequently encourage voluntary compliance in relation to Companies Act of 2008 requirements, as well as in relation to any other applicable legislation.

The CIPC will work to enhance education and awareness by developing targeted messaging and presentations focused on director responsibilities, liability and delinquency. Further, there will be continuous monitoring of proper compliance in relation to the Companies Act of 2008, while provisions will be made for enhancing enforcement measures that discourage poor corporate governance.

The KPIs to be measured and monitored here are reflected in the Annual Operational Plan.

Table C. 7: Programme 3: Business Regulation and Reputation: Outcomes, Outputs, Performance Indicators, and Targets

Table 3: PPA Program's Contribution to Regulatory and Reputation: Outcomes, Outputs, Performance Indicators, and Targets									
Outcome	Output	Performance Indicator / Measure	Audited Actual Performance			Estimate Performance/Baseline	Medium Term Targets		
			2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Impact statement #2: Ease of doing business									
Reduced administrative compliance burden for companies and Co-operatives for ease of doing business contribution to the transformation of the economy	Reduction in the average number of days to register a company (external company, private company with customized MOI, Incorporated Company, State Owned Company, Public Company and Not For Profit companies with customized MOI (CoR15.1D and E) from the date of receipt of a complete application	The average number of business days (network days) to approve applications for registering an external company, private company with customized MOI, Incorporated Company, State Owned Company, Public Company and Not For Profit companies with customized MOI (CoR15.1D and E) by automating and assuring directors of foreign nationality.	New Indicator	New Indicator	New Indicator	5	4	2	1

Outcome	Output	Performance Indicator / Measure	Audited Actual Performance			Estimate Performance/Baseline	Medium Term Targets		
			2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
	Capacity building through institutional capabilities	Progress Report on the implementation of the CIPC Learning Academy	New Indicator	New Indicator	New Indicator	Steering Committee in place; Conceptual Framework in place; Nominated WIPO Project Manager (IP)	Approved RFP for the development of the CIPC Learning Academy Business Case	Phase 1 Implementation	Phase 2 Implementation
	Increased awareness of company laws, regulations, as well as CIPC services, processes, and channels	Number of corporate education and awareness events conducted by the CIPC, also in collaboration with partners	New Indicator	New Indicator	11	40	30	40	40
	Reputable business regulation environment (Strengthened Financial system and ownership transparency for SA)	Progress Report on the Establishment of the Beneficial Business ownership register	New Indicator	New Indicator	Approved Beneficial Ownership Concept Paper	Approved Business Case	Beneficial Ownership register establishment (Phase 1)	Integrated Business Ownership Register (Phase 2)	Monitoring and Advancements

Outcome	Output	Performance Indicator / Measure	Audited Actual Performance			Estimate Performance/Baseline	Medium Term Targets		
			2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
<b>Impact Statement #3: Investor confidence in SA businesses and innovations</b>									
Reputable business regulation and investment environment	Pro-active Investigations in response to contraventions of Companies Act No 71 of 2008 on Companies identified on State Capture Commission Report	Number of Pro-Active Investigations in response to contraventions of the Companies Act No 71 of 2008 by Companies identified in the State Capture Report	New Indicator	New Indicator	New Indicator	3	6	6	6
	Targeted proactive pre-investigations	Number of targeted proactive pre-investigations	New Indicator	New Indicator	New Indicator	5	4	4	4
	Quarterly Report on Tracked Capital Raised through IPO's to promote regular tracking of investments	Quarterly Prospectus Report which captures tracking of investments and their impact on society	New Indicator	New Indicator	New Indicator	New Indicator	Quarterly monitoring and Annual Reporting of Capital Raised	Quarterly monitoring and Annual Reporting of Capital Raised	Quarterly monitoring and Annual Reporting of Capital Raised
	Incorporate ESG Taxonomy into our CIPC Base Taxonomy as an initiative	Gab Analysis Report on adoption of ESG Taxonomy	New Indicator	New Indicator	New Indicator	New Indicator	Gap Analysis Report on adoption of ESG	Incorporation of ESG Taxonomy in our Baseline IFRS Taxonomy	Updated 2025/26 CIPC XBRL Taxonomy Q1-Q4



Outcome	Output	Performance Indicator / Measure	Audited Actual Performance			Estimate Performance/Baseline	Medium Term Targets		
			2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
	to address climate change								
	Conclude MoU's on data exchange with foreign jurisdictions	Number of MOU's which facilitate data sharing between jurisdictions on company Directors, Shareholders and BO's	New Indicator	New Indicator	New Indicator	New Indicator	3	3	3
	Automation of Director Amendments Platform to build on capabilities for combating Fraud	Progress report on director amendments platform	New Indicator	New Indicator	New Indicator	New Indicator	1	1	1

Table C. 8: Programme 3 – Business Regulation and Reputation - Indicators, Annual and Quarterly Targets

				Quarterly Milestones			
Output	Performance Indicator/Measure	Baseline	Annual Target 2023/2024	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Reduction in the average number of days to register a company (an external company, private company with customized MOI, Incorporated Company, State Owned Company, Public Company and Not for Profit companies with customized MOI (CoR15.1D and E) from the date of receipt of a complete application	The average number of business days (network days) to approve applications for registering an external company, private company with customized MOI, Incorporated Company, State Owned Company, Public Company and Not for Profit companies with customized MOI (CoR15.1D and E) by automating and assuring directors of foreign nationality.	5	4	4	4	4	4
Capacity building through institutional capabilities	Progress Report on the Implementation of the CIPC Learning Academy	Steering Committee in place; Conceptual Framework in place; Nominated WIPO Project Manager (IP)	Approved RFP for the development of the CIPC Learning Academy Business Case	Advertise the Tender	Evaluation of Tender	Adjudication of the Tender	Appoint Service Provider and Sign off of the SLA
Increased awareness of company laws, regulations, as well as CIPC services, processes, and channels	Number of Corporate education and awareness events (virtual or physical) conducted by the CIPC, also in collaboration with partners	40	30	10	10	5	5

				Quarterly Milestones			
Output	Performance Indicator/Measure	Baseline	Annual Target 2023/2024	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Reputable business regulation environment (Strengthened Financial system and ownership transparency for SA)	Progress Report on the Establishment of the Beneficial Business ownership register	Approved Business Case	Beneficial Ownership register establishment (Phase 1)	Conclude Gap analysis Report on processes and systems to enable integration	Finalise the business and system requirements for integration	Design and develop systems for integration	Piloting and change management of the integrated system
Pro-active Investigations in response to contraventions of Companies Act No 71 of 2008 on Companies identified on State Capture Commission Report	Number of Pro-Active Investigations in response to contraventions of the Companies Act No 71 of 2008 by Companies identified in the State Capture Report	3	6	1	1	2	2
Targeted proactive pre-investigations	Number of targeted proactive pre-investigations	5	4	1	1	1	1
Quarterly Report on Tracked Capital Raised through IPOs to promote regular tracking of investments	Quarterly Prospectus Report which captures tracking of investments and their impact on society	New Indicator	Quarterly monitoring and Annual Reporting of Capital Raised	1	1	1	1

				Quarterly Milestones			
Output	Performance Indicator/Measure	Baseline	Annual Target 2023/2024	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Incorporate ESG Taxonomy into our CIPC Base Taxonomy as an initiative to address climate change	Report of CIPC XBRL Taxonomy aligned with government initiatives to address climate change	New Indicator	Gap Analysis Report on adoption of ESG	-	-	-	1
Conclude MoU's on data exchange with foreign jurisdictions	Number of MOU's which facilitate data sharing between jurisdictions on company Directors, Shareholders and BO's	New Indicator	3	-	-	-	3
Automation of Director Amendments Platform to build on capabilities for combating Fraud	Progress report on automation of the Director Amendments Platform	New Indicator	1	-	-	-	1

*Notes on BO System:*

*In line with the objectives to prevent RSA from being grey listed/even blacklisted in terms of transparency of who owns which entity (FATF, G20 Requirements) and the need to prevent abuse of corporate vehicles for Money Laundering and Terror Financing*

Table C. 9: Recourse Considerations for Programme 3: Business Regulation and Reputation

Programme3: Business Regulations and Reputation					
Economic classification	Expenditure Outcome	Approved Budget	Medium-Term Expenditure Estimate		
	2020/21	2021/22	2022/23	2023/24	2024/25
	R '000	R '000	R '000	R '000	R '000
<b>Current payment</b> Compensation of employees and Goods & services, etc.	39 228	42 315	47 555	49 660	51 869
<b>Payments of capital assets</b> Building and other fixed structure Machinery & equipment					
<b>Other classifications</b>					

## 8. Key risks

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTING FACTORS	CONTROL IMPROVEMENT PLAN Agreed action plan
CIPC 1	Reduce regulatory administrative burden.	Operational Risk	Dissatisfaction with services offered from various functions organisation-wide	- Manual processes in some areas and no adaptability to changing customer preferences for service offerings '- Lack of awareness of CIPC services, channels and know-how by the customer '- Ineffective supply chain management policies '- Inadequate business continuity planning and execution '- Ineffective quality management	- Systems change processes for prioritised and identified areas with manual processes (Projects) '- E-services system (K2) development programme implementation '- Review of the delegation of authority framework (Finance to provide input to GRC on financial delegations) '- Mobility Applications and ChatBot programmes implementation '- Continuous monitoring and reporting on the status of identified priority automation Projects '- Self-service terminals/centres to be accessible for IP customers '- SST and SSC training '- Roll-out IP training to call centre '- Review media strategy (digital, broadcast, print) '- Optimise information presentation on website (simple, accessible and easy to use) '- Utilisation of technology to build awareness where possible '- Review SCM structure, policy and procedures to ensure operational effectiveness and role clarity '- Review of the delegation of authority framework (Finance to provide input to GRC on financial delegations) '- Validate continuity plans and emergency response readiness through integrated exercises and system recovery tests '- Review and enhance CIPC's Information Continuity and Recovery Plan and emergency response arrangements '- Implement a new Enterprise Robotics Tape Library and migrate to a Premium backup management solution to significantly enhance CIPC's recovery capabilities '- Resourcing of quality management function
				<b>CONSEQUENCE/S OF THE RISK</b>	<b>Agreed action plan</b>
				- Customer / stakeholder complaints	- Continuous SMME training and reporting on IP services '- Enhance research capability to gather customer intelligence

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTING FACTORS	CONTROL IMPROVEMENT PLAN Agreed action plan
				<ul style="list-style-type: none"> <li>'- Impaired organisational performance and service delivery</li> <li>'- Reputational harm</li> <li>'- Fraud, waste and abuse of financial resources</li> <li>'- Revenue loss</li> </ul>	
		Technology Risk	Non-availability and no accessibility of ICT services	<ul style="list-style-type: none"> <li>- Lack of alignment between business expectation and technology support capacity from inadequate infrastructure</li> <li>'- Lack of clear identification of business requirements</li> <li>'- Unauthorised access to systems</li> <li>'- Inability to prevent, detect and respond to cyber-security threats</li> <li>'- Lack of agile ICT services</li> <li>'- Service provider dependency</li> <li>'- Legacy systems</li> <li>'- Lack of system maintenance monitoring and continuous improvement</li> <li>'- Poor connectivity and load shedding</li> <li>'- Inadequate data integrity</li> </ul>	<ul style="list-style-type: none"> <li>- Modernisation of key systems (to reduce dependence on 3rd parties)</li> <li>'- Develop and implement identified and prioritised technology platform components according to plan</li> <li>'- Business process driven application development model using the K2 development framework</li> <li>'- Complete legacy migration to oracle</li> <li>'- Staff retention model and succession plan</li> <li>'- Business process driven application development model using the K2 development framework</li> <li>'- Procurement process in progress</li> <li>'- Continuous improvement of automated integrity checks</li> <li>'- Complete cyber-security solution: ID management</li> <li>'- Transformation of and migration to new Data</li> <li>'- Procurement development and implementation of Data warehouse and BI environment</li> <li>'- Finalise technology migration and configure new testing production and pre-production environments</li> </ul>
				<b>CONSEQUENCE/S OF THE RISK</b>	<b>Agreed action plan</b>
				<ul style="list-style-type: none"> <li>- Impaired organisational performance and service delivery</li> <li>'- Customer / stakeholder complaints</li> <li>'- Litigation</li> <li>'- Revenue loss</li> <li>'- Unreliable and/or unavailable data systems</li> <li>'- Data breach and data loss</li> </ul>	<ul style="list-style-type: none"> <li>- Continuously increase channels that offer products and services (Per APP targets)</li> <li>'- Continuous improvement of automated integrity checks</li> <li>'- Prioritised application systems rollout strategy and plan implementation</li> </ul>

REF	STRATEGIC GOAL	CATEGORY	RISK DEFINITION	CONTRIBUTING FACTORS	Agreed action plan
CIPC 3	Build competencies and capabilities to become a world class and modern regulator	Leadership Risk	Non-professional organisational culture	<ul style="list-style-type: none"> <li>- Ineffective and inconsistent implementation of performance management</li> <li>'- Ineffective leadership and output-based management</li> <li>'- Ineffective knowledge management and sharing of information</li> <li>'- Inadequate communication and clarity of strategy, role-functions and expectations of leadership</li> <li>'- Not living the values and working in silos</li> <li>'- Lack of change management strategy</li> </ul>	<ul style="list-style-type: none"> <li>- Review alignment between performance management system and related SOPs</li> <li>- Review of job descriptions to ensure alignment with performance management system</li> <li>- Implementation of consequence management for performance management exceptions</li> <li>'- Talent management strategy implementation</li> <li>'- Staff survey</li> <li>'- Output based management (aligned with organisational targets)</li> <li>'- Implement change management strategy</li> <li>'- Develop a knowledge management system</li> <li>'- Develop and regularly update the intranet information sharing platform</li> <li>'- Policy and procedure awareness</li> <li>'- Embark on organisational design process (will define the structural enhancements and skill needs)</li> <li>'- Review of internal governance framework (GRC) to clarify roles and responsibilities</li> <li>'- Values survey</li> <li>'- Education and awareness (on values)</li> <li>'- Simplification and rationalisation of values</li> </ul>
				<b>CONSEQUENCE/S OF THE RISK</b>	<b>Agreed action plan</b>
				<ul style="list-style-type: none"> <li>- Customer / stakeholder complaints</li> <li>'- Low staff morale</li> </ul>	<ul style="list-style-type: none"> <li>- Finalisation and approval of stakeholder management strategy</li> <li>'- Continuous implementation and review of policies</li> </ul>
				<ul style="list-style-type: none"> <li>'- Fraud and corruption</li> <li>'- Impaired organisational performance and service delivery</li> </ul>	



REF	STRATEGIC GOAL	CATEGORY	RISK DEFINITION	CONTRIBUTING FACTORS	Agreed action plan
CIPC 4	Create a reputable business regulation and IP environment	Strategic Risk	Non-optimal organisational performance	<ul style="list-style-type: none"> <li>- Pro-longed organisational design</li> <li>'- Lack of dedicated unit / lead for stakeholder management</li> <li>'- Lack of integrated stakeholder management planning</li> <li>'- Under-utilisation of financial resources from ineffective planning and budgeting</li> <li>'- High legal related costs limit accessibility of IP services</li> <li>'- Lack of integration of end to end enforcement process with key stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>- Appointment of a senior manager: strategic communications (dependent on OD project)</li> <li>'- Finalisation and approval of stakeholder management strategy</li> <li>'- Ongoing reporting (budget vs actual)</li> <li>'- Optimisation of inventor assistance programme in terms of education and awareness and application system</li> <li>'- Inputs to influence policies and law (consultations with the dtic to ensure that the IP policy is being developed)</li> <li>'- Enter into MoU with SAPS Commercial Crime and NPA for information on Legal entities and Directors</li> <li>'- Appointment of 2 x ICT Officers to support SSEP</li> <li>'- Testing of the SSEP system (ICT support required)</li> <li>'- Procurement of an adequate tool for the purpose of patent searching</li> <li>'- Optimisation of inventor assistance programme in terms of education and awareness and application system</li> <li>'- Review media strategy (digital, broadcast, print)</li> <li>'- Optimise information presentation on website (simple, accessible and easy to use)</li> <li>'- Utilisation of technology to build awareness where accessible</li> </ul>
				<ul style="list-style-type: none"> <li>'- Ineffective implementation of the substantive search and examination programme</li> </ul>	
				<ul style="list-style-type: none"> <li>'- Current programmes support only sophisticated business (no focus on programmes to integrate small business participation in IP)</li> <li>'- Lack of awareness of CIPC service offerings including relevant segmentation</li> <li>'- Reliance on Ministerial approval (pricing, key planning documents e.g. Strategic Plan, APP)</li> </ul>	
				<b>CONSEQUENCE/S OF THE RISK</b>	<b>Agreed action plan</b>
				<ul style="list-style-type: none"> <li>- Customer/stakeholder complaints</li> <li>'- Reputational harm</li> <li>'- Adverse audit outcome</li> </ul>	<ul style="list-style-type: none"> <li>- Continuous SMME training and reporting on IP services</li> <li>'- Enhance research capability to gather customer intelligence</li> </ul>

REF	STRATEGIC GOAL	CATEGORY	RISK DEFINITION	CONTRIBUTING FACTORS	Agreed action plan
CIPC 5	Create a reputable business regulation and IP environment to boost investor confidence	Regulatory Risk	Non-compliance and prolonged approval of legislation	<ul style="list-style-type: none"> <li>- Current legislation does not provide for proactive enforcement by CIPC (IP space)</li> <li>'- Dependence on other law enforcement agencies</li> <li>'- Lack of understanding of IP related matter by other law enforcement agencies</li> <li>'- Incorrect utilisation of enforcement capacity</li> <li>'- Different interpretation of the Act between CIPC and the Tribunal for cases referred to the Tribunal</li> <li>'- Ineffective adaptability to legislative changes i.e. POPI Act</li> </ul>	<ul style="list-style-type: none"> <li>- To provide formal inputs for legislative review to the dtic</li> <li>'- MoU to be developed, entered into with relevant Law Enf. Agencies</li> <li>'- Implement additional training of law enforcement agencies on IP enforcement (affected by COVID-19 pandemic) IP to develop a training tool to be shared with the LE officials</li> <li>'- IP to develop a training tool/material to share with LE officials</li> <li>'- Proactive monitoring of compliance and investigation approach to be formally adopted.</li> <li>'- Guidelines to the marketplace to be developed</li> <li>'- Engage formally with the Head of the Co-Tribunal for general technical discussions on Companies Act</li> <li>'- Process for full implementation in progress</li> </ul>
				<b>CONSEQUENCE/S OF THE RISK</b>	<b>Agreed action plan</b>
				<ul style="list-style-type: none"> <li>- Reputational harm</li> <li>'- Customer/stakeholder complaints</li> <li>'- Litigation</li> </ul>	Continuous SMME training and reporting on IP services

REF	STRATEGIC GOAL	CATEGORY	RISK DEFINITION	CONTRIBUTING FACTORS	Agreed action plan
CIPC 6	Create a reputable Business Regulation and IP environment to boost investor confidence	Governance Risk	Organisational structure deficiencies	<ul style="list-style-type: none"> <li>- Power vested on one person for conflicting roles i.e., entrusting one person as accounting authority and accounting officer means overseeing own self</li> <li>'- Oversight function by the Minister is minimal</li> <li>'- Gaps within the organisational structure on critical functions i.e., the accounting authority who is the same as the accounting officer is also acting as the Executive in the BRR Division which has vacancies for an Executive and 3 Divisional Managers. BRR appears to be the biggest division within the CIPC</li> <li>'- Limitation of organisational growth</li> <li>'- Outdated organisational structure</li> <li>'- Outdated delegation of authority (DoA)</li> <li>'- Lack of succession planning</li> </ul>	<ul style="list-style-type: none"> <li>- Continuous implementation of the Governance Framework</li> <li>'- OD in progress</li> <li>'- Approved delegation of authority</li> <li>'- Development of a succession plan</li> </ul>
				<b>CONSEQUENCE/S OF THE RISK</b>	<b>Agreed action plan</b>
				<ul style="list-style-type: none"> <li>- Compromised oversight function</li> <li>'- Undetected fraud and corruption activities</li> <li>'- Impaired organisational continuity</li> <li>'- Reputational harm</li> </ul>	<ul style="list-style-type: none"> <li>- Implementation of governance framework</li> <li>'- Development of a Corporate Business Continuity Plan (BCP)</li> <li>'- Implementation of media monitoring</li> </ul>

REF	STRATEGIC GOAL	CATEGORY	RISK DEFINITION	CONTRIBUTING FACTORS	Agreed action plan
CIPC 7	Support 3rd party decision making including our own by leveraging on knowledge assets and networks	Third Party Risk	Technology shortfalls in enabling effective third-party collaboration	<ul style="list-style-type: none"> <li>- Data alteration/malicious system</li> <li>'- Dis-integrated systems (different database)</li> <li>'- Inefficient information retrieval (per request)</li> <li>'- Potential data and security vulnerabilities</li> <li>'- Interception of electronic communication</li> <li>'- Mismatch in technology maturity between CIPC and partners</li> </ul>	<ul style="list-style-type: none"> <li>- Continuous improvement of automated integrity checks</li> <li>'- Transformation of and migration to new data structures</li> <li>'- Procurement, development and implementation of data warehouse and BI environment</li> <li>'- Finalise technology migration and configure new testing, production and pre-production environments</li> <li>'- Encryption and data leakage prevention module</li> <li>'- Enable hybrid work model and manage security implications</li> <li>'- Strike a good balance between strong ICT security and access to data</li> <li>'- Establish a CIPC wide Governance Committee</li> <li>'- Enhancement of technology to further enable self-service model</li> </ul>
				<b>CONSEQUENCE/S OF THE RISK</b>	<b>Agreed action plan</b>
				<ul style="list-style-type: none"> <li>- Data breach</li> <li>'- Financial resource wastage on corrective and recovery measures</li> </ul>	Implementation and review of policies

## 9. Risk Management and Fraud Prevention Plan

### EXECUTIVE SUMMARY

The Companies and Intellectual Property Commission (CIPC) acknowledges the need to implement a holistic and structured process of corporately managing its exposure to risk, to this end, a risk management policy and framework have been developed and approved.

This plan provides a road map on how the risk management and fraud prevention policies and strategies will be translated into practical steps for improving the risk management maturity of the CIPC.

### PURPOSE AND SCOPE OF THE DOCUMENT

This document sets out the risk management and prevention business units' rolling plan for the period 2023/24 – 2027/28 financial year, as well as the annual implementation plan detailing activities to be conducted in the 2023/24 financial year. In developing the plan, the potential outcomes of the ongoing organisational design process and the impact of unforeseen disruptions were taken into consideration.

### OBJECTIVE

The primary objective of the risk management plan is to facilitate the execution of risk management within the CIPC. This plan is developed in compliance with the sections 51(1) (a) of the PFMA and 27.2.1 of the Treasury Regulations and gives effect to the implementation of the risk management policy and framework of the CIPC. Furthermore, it provides a roadmap for the embedding of risk management within the CIPC and sets out activities planned for the identified periods in line with the strategic plan and details the activities and timelines for the 2023/24 financial year.

### APPROACH

In developing the plan, the following factors were taken into account the:

- Approved Risk Management and Fraud Prevention policies;
- approved Risk Management Framework and Fraud Prevention Strategy;
- best practice;
- resource requirements and availability;
- GRC division past performance; and
- The results and recommendations of the risk maturity report.

## DETAILED PLAN

The five-year rolling plan below includes both the Risk Management and Fraud Prevention activities. The plan is aligned to the strategic planning period and is designed to improve the management and maturity within the CIPC. It forms the basis for assessing the performance of the Risk and Fraud prevention sections and Highlights key activities and resources required by the Governance Risk and Compliance Division for the period.

### Five year rolling plan 2023/24-2027/28

Activities	Period				
	23/24	24/25	25/26	26/27	27/28
<b>1.Risk Management</b>					
1.1. Risk management plan development and approval	✓	✓	✓	✓	✓
1.2. Revision of risk management policy.		✓			✓
1.3. Review the risk framework and methodology	✓			✓	
1.4. Develop/review the risk management maturity framework	✓			✓	
1.5. Conduct a risk management maturity assessment		✓		✓	
1.6. Strategic risk register review	✓	✓	✓	✓	✓
1.7. Risk appetite statement and tolerance levels review	✓	✓	✓	✓	✓
1.8. Conduct strategic and operational root causes analysis	✓	✓	✓	✓	✓
1.9. Strategic risk monitoring risks and reporting	✓	✓	✓	✓	✓
1.10. Operational and fraud risk register review	✓	✓	✓	✓	✓
1.11. Quarterly monitoring, review and reporting on management of strategic risks	✓	✓	✓	✓	✓
1.12. Conduct risk management training for employees	✓		✓		✓
1.13. Implement and review the third party risk management framework	✓	✓	✓	✓	✓
1.14. Development/review of key third party risks register	✓	✓	✓	✓	✓

1.15 Review and implementation of development business continuity plan	✓	✓	✓	✓	✓
1.16 Develop risk maturity framework	✓			✓	
<b>2. Fraud Prevention</b>					
2.1 Fraud prevention plan review and approval	✓	✓	✓	✓	✓
2.2 Fraud prevention policy and strategy review		✓		✓	
2.3 Whistleblowing policy and strategy review		✓			✓
2.4 Review of fraud prevention methodology/processes	✓		✓		✓
2.5 Fraud Risk Register review	✓	✓	✓	✓	✓
2.6 Ethics policy and framework review		✓			✓
2.7 Ethics and Fraud awareness and education	✓	✓	✓	✓	✓
2.8 Facilitate the declaration of interest process in line with the approved policies	✓	✓	✓	✓	✓
2.9 Maintain an effective fraud complaints case database	✓	✓	✓	✓	✓
2.10 Conduct investigations	✓	✓	✓	✓	✓
2.11 Investigations report analysis and reporting	✓	✓	✓	✓	✓

*Note: See paragraph 4 for factors considered in determining frequency of activities.*

## Annual Implementation Plan 2023/2024

Activities	2023/24	Q1	Q2	Q3	Q4
<b>1. Risk Management</b>					
1.1 Risk management plan development and approval	✓			✓	
1.3 Strategic risk register annual review	✓			✓	
1.4 Risk appetite statement and tolerance levels review	✓			✓	
1.5 Operational strategic and operational root cause analysis	✓		✓		
1.6 Quarterly monitoring, review and reporting on strategic and operational risks	✓	✓	✓	✓	✓
1.7 Operational risk review for all divisions	✓			✓	✓
1.8 Develop a third party risk management framework	✓		✓		
1.9 Conduct risk management awareness	✓		✓		✓
1.10 Develop Corporate BCP, testing and rollout	✓	✓	✓	✓	✓
1.11 Review of BCM Risk register	✓		✓		
<b>2. Fraud Prevention</b>					
2.1 Fraud prevention plan review and approval for 2023/24	✓			✓	
2.2 Fraud Risk Register review	✓	✓			
2.3 Implementation of the ethics plan in line with the ethics framework	✓	✓	✓	✓	
2.4 Fraud data analysis and reporting	✓	✓	✓	✓	✓
2.5 Fraud awareness and education	✓	✓	✓	✓	✓
2.6 Facilitate the declaration of interest process in line with the approved policies	✓	✓			
2.7 Maintain an effective fraud complaints case database	✓	✓	✓	✓	✓
2.8 Conduct investigations	✓	✓	✓	✓	✓
2.9 Quarterly reporting on fraud prevention to relevant governance structures	✓	✓	✓	✓	✓



## RESOURCES IMPLICATIONS AND ASSUMPTIONS

Over the years, the GRC Division has had capacity challenges arising misaligned job descriptions and lack of expertise and training. The plan assumes that the ongoing OD process would alleviate some of the capacity challenges.

Full implementation of the plan is based on the assumptions that additional permanent and or temporary resources will be made available.

Diagram 6.1 below shows the current risk management and fraud prevention organogram. This structure is aligned to current operational requirements and improvement initiatives. Diagram 6.2 highlights proposed resources requirements.

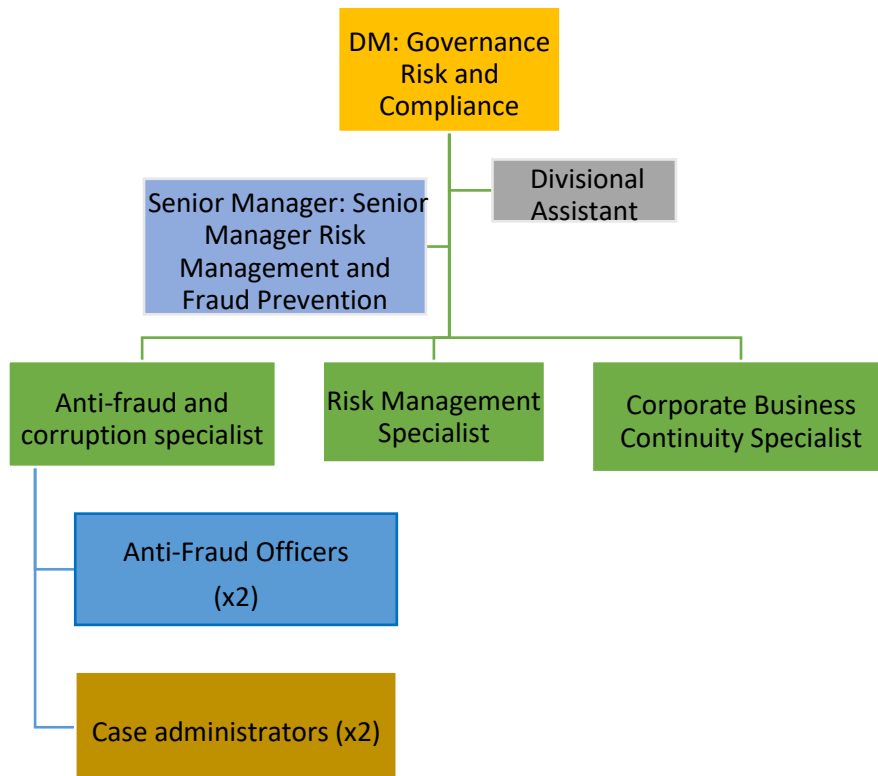
### *Current Risk Management Fraud prevention resources as per approved organogram*



#### Notes:

- (a) Positions highlighted in purple are occupied. With the exception of the administrative assistant who occasionally assists with some of the fraud prevention activities, the Fraud Risk Management Specialist performs both the risk management and fraud prevention functions.
- (b) Senior Fraud and Risk Management specialist position is remains vacant.
- (c) Resources are seconded from other Division from time to time.
- (d) The appointment of additional positions identified as key has been discussed and approved in principle subject to the alignment of related job descriptions.

*Proposed Risk Management and Fraud Prevention Organogram:*



**REVIEW OF THE PLAN**

The plan shall be reviewed annually or as when circumstances dictate. Any amendments to the plan shall be brought to the attention of the Executive and the RiskICT Committees for consideration and approval.

## PART D: Technical Indicator Descriptions (TID)

### 10. Technical Indicator Description

#### 10.1 Programme 1: Service Delivery and Access

##### 10.1.1 Implementation of the skills development programme aligned to the CIPC Strategy

Indicator Title	Progress Report on the Implementation of the Skills Development Programme		
Definition	Development of the skills development plan and implementation of the plan in a phased approach. Phases will be dictated by organisational needs and the approval of the OD.		
Source of data	Skills development Plans, Training Registers		
Method of calculation/ Assessment	Approval and Implementation of the skills development plan		
Means of Verification	Skills Development Plan signed by Executive, Signed training registers		
Assumptions	<ul style="list-style-type: none"><li>• Appropriate resources</li><li>• Allocation of budget and management commitment</li></ul>		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"><li>• Target for Women: N/A</li><li>• Target for Youth: N/A</li><li>• Target for People with Disabilities: N/A</li></ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"><li>• Reflect on contribution to spatial transformation priorities: N/A</li><li>• Reflect on the spatial impact area: N/A</li></ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)	X	
	Non-cumulative		
Reporting cycle	Quarterly and annually		
Desired performance	Development and Implementation of Skills Development Plan sooner than targets		
Indicator responsibility	The Divisional Manager: Human Capital is responsible for managing and reporting on this indicator.		

### 10.1.2 Reviewed job descriptions and evaluations aligned to the New Organisational Structure

Indicator Title	Progress Report on the Reviewed job descriptions and evaluations			
Definition	Job descriptions and evaluations reviewed and aligned with the To-Be Organizational Structure			
Source of data	Management reports Job Description and Job Evaluation Report Reviewed Job Descriptions and Evaluations			
Method of calculation/ Assessment	Approved Job Descriptions and Evaluations			
Means of Verification	Panel Approval and Job Evaluation Reports Approval of Job Descriptions by Line Managers			
Assumptions	<ul style="list-style-type: none"><li>• The approval of the Draft To-be Organisational Structure</li><li>• Appropriate resources and availability of line managers</li></ul>			
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"><li>• Target for Women: N/A</li><li>• Target for Youth: N/A</li><li>• Target for People with Disabilities: N/A</li></ul>			
Spatial Transformation (where applicable)	<ul style="list-style-type: none"><li>• Reflect on contribution to spatial transformation priorities: N/A</li><li>• Reflect on the spatial impact area: N/A</li></ul>			
Calculation type		Cumulative (Year – End)		
		Cumulative (Year to date)		
		Non-cumulative	X	
Reporting cycle	Quarterly and annually			
Desired performance	Job descriptions and evaluations completed sooner than targeted period			
Indicator responsibility	The Divisional Manager: Human Capital is responsible for managing and reporting on this indicator			

### 10.1.3 A governed, accountable, clean and compliant administration enabling improvement in operational efficiency and better service delivery

Indicator Title	AG Audit Outcome		
Definition	To promote a governed, accountable, clean and compliant administration, a clean audit is pursued.		
Source of data	Management reports		
Method of calculation/ Assessment	AGSA audit report		
Means of Verification	Management reports and other supporting documents (including AG audit report)		
Assumptions	<ul style="list-style-type: none"><li>• Appropriate resources</li><li>• Management reports are completed and available for auditing with their respective supporting evidence.</li><li>• All relevant divisions have control measures in place.</li><li>• All previous findings have been resolved</li></ul>		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"><li>• Target for Women: N/A</li><li>• Target for Youth: N/A</li><li>• Target for People with Disabilities: N/A</li></ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"><li>• Reflect on contribution to spatial transformation priorities: N/A</li><li>• Reflect on the spatial impact area: N/A</li></ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	x	
Reporting cycle	Annually		
Desired performance	Clean Audit		
Indicator responsibility	The Chief Audit Executive is responsible for managing and reporting on this indicator.		

#### 10.1.4 Gathering of enhanced insights for improving customer / citizen experiences and satisfaction

Indicator Title	% Overall customer and stakeholder satisfaction										
Definition	Measurement and monitoring of customer / citizen satisfaction										
Source of data	A service provider would be commissioned to conduct computer assisted telephonic Interviews (CATI); computer assisted personal interviews (CAPI) with CIPC stakeholders; and online self-completion questionnaires with both CIPC customers and stakeholders. The primary and secondary data gathering, feeding into the formulation of survey findings.										
Method of calculation/ Assessment	<p>Customer satisfaction is measured against 6 attributes. Customers rate their satisfaction based on each attribute. In determining Customers' and Stakeholders' overall satisfaction with the CIPC, a benchmark is conducted between the actual score and the ideal score, to establish the extent to which the actual performance matched the expectations of the Customers and Stakeholders.</p> <div data-bbox="384 875 1331 1420"> </div> <p>The table below indicates the scale against which each driver of satisfaction is assessed. Areas highlighted in Dark Green have been assessed as 'exemplary', areas highlighted in Light Green is assessed as 'met', areas highlighted in Amber is assessed as 'partially met', and areas highlighted in Red is assessed as 'not met'.</p> <table border="1"> <thead> <tr> <th colspan="2">Rating Scale</th></tr> </thead> <tbody> <tr> <td>80%-100%</td><td>Exemplary</td></tr> <tr> <td>66%-79%</td><td>Met</td></tr> <tr> <td>33%-65%</td><td>Partially Met</td></tr> <tr> <td>0%-32%</td><td>Not Met</td></tr> </tbody> </table>	Rating Scale		80%-100%	Exemplary	66%-79%	Met	33%-65%	Partially Met	0%-32%	Not Met
Rating Scale											
80%-100%	Exemplary										
66%-79%	Met										
33%-65%	Partially Met										
0%-32%	Not Met										

	The 8 attributes are then aggregated to make up the overall customer experience or satisfaction score.		
Means of Verification	Service provider provides the survey comprehensive data collected, including analysis, calculations, findings and recommendations – the final report is verified and approved by the CIPC		
Assumptions	An overall satisfaction rating of 80% means the CIPC customer satisfaction efforts are exemplary. The CIPC would be achieving an actual satisfaction rating higher than the minimum rating that Customers and External Stakeholders would be willing to accept. Data from previous surveys, relays the minimum and ideal ratings overall of 66% and 88%, respectively. This indicates that at 80%, the rating would be exemplary, however, there would still be room for the CIPC to improve in order to reach the ideal satisfaction rating.		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>Target for Women: N/A</li> <li>Target for Youth: N/A</li> <li>Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>Reflect on contribution to spatial transformation priorities: N/A</li> <li>Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)	X	
	Cumulative (Year to date)		
	Non-cumulative		
Reporting cycle	<ul style="list-style-type: none"> <li>Annually</li> </ul>		
Desired performance	Achievement of an Exemplary customer satisfaction rating		
Indicator responsibility	Senior Manager Strategic Communications: Charmaine Motloun		

## 10.2 Programme 2: Innovation and Creativity

### 10.2.1 Implementation of Experiential Learning Project (ELP) with the SSE team

Indicator Title	Number of non- binding work products issued per examiner (work product includes Search Report and a Written Opinion on patentability such a work product will in future be issued to an applicant) in line with SSE Experiential Learning		
Definition	Work product includes Search Report and a Written Opinion on patentability (such a work product will in future be issued to an applicant upon conclusion of the legislative reform process) in line with SSE Experiential Learning		
Source of data	Management Reports		
Method of calculation/ Assessment	A simple count (Examiners in CIPC employment during the entire reporting period. Take into consideration resignations and appointments, if employed during the reporting period – if an average of two are done per month, the target will be taken as achieved)		
Means of Verification	Signed Management Reports		
Assumptions	<ul style="list-style-type: none"><li>• Budget and other resource available</li><li>• All examiners will be available throughout the period of reporting</li></ul>		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"><li>• Target for Women: To be determined.</li><li>• Target for Youth: To be determined.</li><li>• Target for People with Disabilities: To be determined.</li></ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"><li>• Reflect on contribution to spatial transformation priorities: To be determined</li><li>• Reflect on the spatial impact area: To be determined</li></ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and annually		
Desired performance	More examination reports per examiner than currently targeted would be desirable without compromising quality		
Indicator responsibility	The Senior Manager: Patents and Designs Registry is responsible for managing and reporting on this indicator.		



### 10.2.2 Implementation of Experiential Learning Project (ELP) with the SSE team

Indicator Title	Number of SSE Training initiatives undertaken		
Definition	Patent Substantive Search and Examination Training for the examination staff compliment in line with overarching SSE Experiential Learning Programme		
Source of data	Management Reports		
Method of calculation/ Assessment	A simple count of training sessions conducted annually		
Means of Verification	Signed Management Reports (May include a printout of attendees from Ms Teams, physical attendance registers and/or the recording of the session)		
Assumptions	<ul style="list-style-type: none"><li>Budget and other resource available</li></ul>		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"><li>Target for Women: To be determined.</li><li>Target for Youth: To be determined.</li><li>Target for People with Disabilities: To be determined</li></ul>		
Spatial Transformation (Where applicable)	<ul style="list-style-type: none"><li>Reflect on contribution to spatial transformation priorities: To be determined.</li><li>Reflect on the spatial impact area: To be determined</li></ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and annually		
Desired performance	All 4 initiatives held.		
Indicator responsibility	The Senior Manager: Patents and Designs Registry is responsible for managing and reporting on this indicator.		

### 10.2.3 Sustainable job creation through implementation of Experiential Learning Project (ELP) through the SSE programme

Indicator Title	Number of sustainable permanent job posts created through implementation of the Experiential Learning Project (ELP) with the SSE team.		
Definition	Jobs created in preparation for the implementation of Substantive Search and Examination Experiential Learning/Proof of Concept in preparation to implement SSE for patents. This is an endeavour to build CIPC capabilities and competencies towards a world-class, modern regulator, as well as a reputable IP protection environment.		
Source of data	Management reports		
Method of calculation/ Assessment	Management Report on Junior Examiner Job Creation		
Means of Verification	Signed report		
Assumptions	<ul style="list-style-type: none"><li>Necessary approval will be granted.</li></ul>		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"><li>Target for Women: 40%</li><li>Target for Youth: N/A</li><li>Target for People with Disabilities: N/A</li></ul>		
Spatial Transformation (where applicable)	N/A		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and annually		
Desired performance	20 Junior Examiner Jobs created in preparation for the implementation of Substantive Search and Examination Experiential Learning/Proof of Concept in preparation to implement SSE for patents.		
Indicator responsibility	The Senior Manager: Patents and Designs		

#### 10.2.4 SSE Internship Programme

Indicator Title	Number of new interns employed biennially through implementation of the Experiential Learning Project (ELP) through SSE Programme		
Definition	Number of SSE interns recruited biennially for the envisaged implementation of SSE.		
Source of data	Management reports		
Method of calculation/ Assessment	Management Report on Envisaged SSE Internship Program		
Means of Verification	Signed report		
Assumptions	<ul style="list-style-type: none"><li>Necessary approval will be granted.</li></ul>		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"><li>Target for Women: To be determined</li><li>Target for Youth: To be determined</li><li>Target for People with Disabilities: To be determined</li></ul>		
Spatial Transformation (where applicable)	N/A		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and Annually		
Desired performance	20 SSE interns recruited biennially for the envisaged implementation of SSE.		
Indicator responsibility	The Senior Manager: Patents and Designs		

### 10.2.5 Inventor Assistance Programme (IAP) implemented

Indicator Title	Number of IAP Review Committee meetings to screen applications		
Definition	The IAP Programme entails the matching of eligible inventors/innovators with Pro-Bono Patent Attorneys. Regular steering committee meetings are held where applications are screened and shortlisted.		
Source of data	Management Reports		
Method of calculation/ Assessment	A simple count of meetings held annually		
Means of Verification	Signed Management Reports on Inventor Assistance Programme (May include a printout of attendees from Ms Teams and/or the recording of the session, meeting minutes, as well as a spreadsheet of applications received and recommended)		
Assumptions	<ul style="list-style-type: none"><li>Steering Committee appointed.</li><li>Pro-Bono Patent Attorney’s avail their services</li><li>Budget and other resource available</li><li>That there are applications to screen</li></ul>		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"><li>Target for Women: To be determined.</li><li>Target for Youth: To be determined.</li><li>Target for People with Disabilities: To be determined</li></ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"><li>Reflect on contribution to spatial transformation priorities: To be determined.</li><li>Reflect on the spatial impact area: To be determined</li></ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and annually		
Desired performance	All four meetings held		
Indicator responsibility	The Senior Manager: Patents and Designs Registry is responsible for managing and reporting on this indicator.		

#### 10.2.4 Number of education and awareness events to promote compliance to regulations by Collecting Societies conducted by the CIPC including collaboration with its partners.

Indicator Title	Number of education and awareness events to promote compliance to regulations by Collecting Societies conducted by the CIPC including collaboration with its partners.		
Definition	The education and awareness events are aimed at promoting compliance to regulations by Collecting Societies		
Source of data	Management report		
Method of calculation/ Assessment	Simple count		
Means of Verification	Signed management reports, (May include a printout of attendees from Ms Teams and/or the recording of the session).		
Assumptions	<ul style="list-style-type: none"><li>Budget and other resource available</li></ul>		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"><li>Target for Women: N/A</li><li>Target for Youth: N/A</li><li>Target for People with Disabilities: N/A</li></ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"><li>Reflect on contribution to spatial transformation priorities: N/A</li><li>Reflect on the spatial impact area: N/A</li></ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)	X	
	Non-cumulative		
Reporting cycle	Quarterly and annually		
Desired performance	All planned education and awareness events held.		
Indicator responsibility	The Senior Manager: Copyright and IP Education and Awareness is responsible for managing and reporting on this indicator.		

### 10.2.6 Inventor Assistance Programme (IAP) implemented

Indicator Title	Annual Status Tracking Report to track the status of paired applications to ascertain whether granted, enforced or commercialised, and to make recommendations for the program		
Definition	Annual Status Tracking Report to track the status of paired applications to ascertain whether granted, enforced or commercialised, and to make recommendations for the program		
Source of data	Management reports		
Method of calculation/ Assessment	Management Report on Envisaged SSE Internship Program		
Means of Verification	Signed report		
Assumptions	<ul style="list-style-type: none"><li>Necessary approval will be granted.</li></ul>		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"><li>Target for Women: To be determined</li><li>Target for Youth: To be determined</li><li>Target for People with Disabilities: To be determined</li></ul>		
Spatial Transformation (where applicable)	N/A		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and Annually		
Desired performance	Annual Status Tracking Report to track the status of paired applications to ascertain whether granted, enforced or commercialised, and to make recommendations for the program		
Indicator responsibility	Divisional Manager: Innovation Support and Protection		

### 10.2.7 Compliance with Regulations by Accredited Collecting Societies

Indicator Title	Annual audit report promoting compliance with regulations by Collecting Societies conducted by the CIPC		
Definition	Jobs created and poverty alleviation when collected monies are correctly distributed to the performing artists and owners of sound recordings. This will be evidence that copyright system rewards and create jobs and CIPC ensures such by regulating the distribution of the monies collected to ensure that monies reach correct beneficiaries		
Source of data	Collecting Societies		
Method of calculation/ Assessment	Through auditing method by a service provider appointed by Internal Audit of CIPC. Audit report by service provider		
Means of Verification	The appointed service provider physically visits the collecting societies and perform audit		
Assumptions	Approval will be granted to use the services of a service provider		
Disaggregation of Beneficiaries (where applicable)	Local Performing artists Local owners of sound recording		
Spatial Transformation (where applicable)	N/A		
Calculation type	Cumulative	Yearly	
Reporting cycle	Annually		
Desired performance	Collected monies distributed to the correct beneficiaries so that such beneficiaries can sustain their livelihood through the copyright system		
Indicator responsibility	Senior Manager: Copyright (Creative Industries)		

### 10.2.8 Efficient and Effective collection and distribution of royalties for the benefit of local musicians

Indicator Title	Rm Royalties distributed by Collecting Societies to local musicians (Poverty alleviation, Job Creation, Social security, promotion of the creative industry)		
Definition	Driving a better licensing, collection and efficient distribution of royalty brings much needed financial benefit to the local beneficiaries so that such beneficiaries can make a living from the copyright system with CIPC championing the system through its regulatory function		
Source of data	Collecting Societies		
Method of calculation/ Assessment	Auditing of collected and distributed monies by collecting societies		
Means of Verification	Audit report		
Assumptions	<ul style="list-style-type: none"><li>That necessary approval will be granted to the distribution plans</li></ul>		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"><li>Local performing artists</li><li>Local owners of sound recordings</li></ul>		
Spatial Transformation (where applicable)	N/A		
Calculation type	Cumulative	Year to year	
Reporting cycle	Annually		
Desired performance	To maximise collection and distribution of monies to benefit the local performing artists and owners of sound recordings in music and further to create jobs and drive away poverty in the sector using copyright system		
Indicator responsibility	Senior Manager Copyright (Creative Industries)		



### 10.2.9 Increase IPR capacity within Law Enforcement Agencies to enhance their capacity to deal with IP Crimes with the goal of creating a conducive environment for investment

Local Multi-Partnership Initiatives within the goal of creating a conducive environment for investment				
Indicator Title	IP Enforcement Operations Report which specifies the impact on jobs and the investment environment			
Definition	Certainty for investors to promote South Africa as an investment destination.			
Source of data	Operational reports form government agencies and industry players. Research data			
Method of calculation/ Assessment	Management Report on operations conducted and goods seized.			
Means of Verification	Signed report			
Assumptions	<ul style="list-style-type: none"><li>• Data will be available and will be shared.</li></ul>			
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"><li>• Provincial statistics</li><li>• Industry hardest hit</li><li>• Public health goods</li></ul>			
Spatial Transformation (where applicable)	N/A			
Calculation type	Cumulative (Year – End)	X		
	Cumulative (Year to date)			
	Non-cumulative			
Reporting cycle	Annually			
Desired performance	First report will serve as a benchmark to implement policy decisions and direct interventions			
Indicator responsibility	The Senior Manager Copyright and IP Enforcement			

## 10.3 Programme 3: Business Regulation and Reputation

### 10.3.1. Reduction in the average number of days to register a company from the date of receipt of a complete application

Indicator Title	Reduction in the average number of days to register a company (external company, private company with customized MOI, Incorporated Company, State Owned Company, Public Company and Not For Profit companies with customized MOI (CoR15.1D and E) )from the date of receipt of a complete application		
Definition	The average number of business days (network days) to approve applications for registering an external company, private company with customized MOI, Incorporated Company, State Owned Company, Public Company and Not For Profit companies with customized MOI (CoR15.1D and E) by automating and assuring directors of foreign nationality.		
Source of data	Data Management Reports Extracted by Data Management Unit of CIPC		
Method of calculation/ Assessment	Network days (date of indexing; date of dispatch; excluding weekends, public holidays and office closures)		
Means of Verification	Internal Audit Process		
Assumptions	<ul style="list-style-type: none"> <li>Stable ICT environment</li> <li>Available funds within customer code</li> </ul>		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>N/A</li> </ul>		
Calculation type	Excel		
Reporting cycle	Quarterly		
Desired performance	<p>Improvement in the average turnaround time for processing a successful application</p> <p>Automation of process of foreigner national detail</p> <p>Automation of process of external company registrations</p> <p>Automation of process of private company registrations with customized MOI (CoR15.1B)</p> <p>Automation of process of incorporated company registrations with customized MOI (CoR15.1B)</p> <p>Automation of process of state-owned companies (CoR15.1B)</p> <p>Automation of process of public companies (CoR15.1B)</p> <p>Automation of process of not for profit of company without members with customized MOI (CoR15.1D)</p> <p>Automation of process of not for profit of company with members with customized MOI (CoR15.1D)</p>		
Indicator responsibility	Senior Manager Companies and Close Corporations		

### 10.3.2 Capacity building through institutional capabilities

Indicator 12: Capacity Building through Institutional Capabilities			
Indicator Title	Progress Report on the implementation of the CIPC Learning Academy		
Definition	The development and implementation of the business case (over phases) for establishment of the CIPC Learning Academy to ensure focused and streamlined capacity building, education and public awareness on Company and IP Law and related legislation, services, and related process.		
Source of data	Management and Project reports and supporting documentation if available		
Method of calculation/ Assessment	Measured against project plan.		
Means of Verification	Signed management report and supporting documentation if available		
Assumptions	<ul style="list-style-type: none"><li>No major delays in approval processes</li><li>No shift in strategic objectives of the organisation</li><li>Resource Availability for committee members</li></ul>		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"><li>Target for Women: N/A</li><li>Target for Youth: N/A</li><li>Target for People with Disabilities: N/A</li><li>Not at the stage of the establishment of the Academy</li></ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"><li>Reflect on contribution to spatial transformation priorities: N/A</li><li>Reflect on the spatial impact area: N/A</li></ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)	X	
	Non-cumulative		
Reporting cycle	Quarterly and annually		
Desired performance	All set milestones achieved.		
Indicator responsibility	The Chairperson of the CIPC Learning Academy Steering Committee is responsible for managing and reporting on this indicator		

### 10.3.3 Increased awareness of company laws, regulations, as well as CIPC services, processes, and channels

Indicator Title	Number of corporate education and awareness events (virtual or physical) conducted by the CIPC, also in collaboration with partners		
Definition	Education and awareness events increase knowledge and public awareness therefore supporting broad economic participation as well as strengthening corporate regulation. The events will be a mix of engagements on virtual platforms and in person engagements depending on the requirements of our stakeholders.		
Source of data	Management reports (after each event) and attendance registers (Physical register or Ms Teams printout <b>or photo of number of views on social media platform</b> ) or recording of session		
Method of calculation/ Assessment	Approved reports with supporting documentation		
Means of Verification	Signed management report (indicating the venue, date, purpose/outcomes of the session) and printout of attendees from Ms Teams <b>or photo of number of views on social media platform</b> or the recording of the session		
Assumptions	<ul style="list-style-type: none"> <li>• That stakeholders will invite us to their events to conduct education and awareness campaigns</li> <li>• The subject matter for the event is relevant for the stakeholders in attendance</li> <li>• That stakeholders will be able to connect to the virtual platform hosting the event</li> <li>• That the resources and budget available are sufficient for the number of events that are planned (particularly for physical events which are more resource intensive)</li> </ul>		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: 1</li> <li>• Target for Youth: 3</li> <li>• Target for People with Disabilities: 1</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and annually		
Desired performance	More events than indicated in the targets would be desirable performance		
Indicator responsibility	The Senior Manager: Corporate Education is responsible for managing and reporting on this indicator.		

### 10.3.4 Reputable business regulation environment (Strengthened Financial system and ownership transparency for SA)

Indicator Title	Progress Report on the Establishment of the Beneficial Business ownership register			
Definition	<p>South Africa is a member of the G20, therefore a member of the Financial Action Task Force (FATF). FATF advocates for economies to be transparent about ultimate beneficial owners of legal entities. As the CIPC, we are expected to develop a registration and filing capability to collect Ultimate Beneficial Owner (UBO) information on incorporation of legal entities; on amendments and during annual returns. We are also expected to verify the information and adopt a risk-based approach in investigations and enforcement by using triangulated data from both local and international authorities.</p> <p>After the concept and business case are done, the UBO system needs to be developed and user tested, and deployment is dependent on the Companies Act Amendment and Regulations being finalized by <i>the dtic</i>.</p>			
Source of data	Management report with signed off supporting documentation			
Method of calculation/ Assessment	Measured against project plan			
Means of Verification	Signed Management report with signed off supporting documentation			
Assumptions	<ul style="list-style-type: none"><li>• Appropriate resourcing and budget</li><li>• A legal regime which empowers us to act</li><li>• Capable ICT infrastructure and environment</li></ul>			
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"><li>• Target for Women: N/A</li><li>• Target for Youth: N/A</li><li>• Target for People with Disabilities: N/A</li></ul>			
Spatial Transformation (where applicable)	<ul style="list-style-type: none"><li>• Reflect on contribution to spatial transformation priorities: N/A</li><li>• Reflect on the spatial impact area: N/A</li></ul>			
Calculation type		Cumulative (Year – End)		
		Cumulative (Year to date)	X	
		Non-cumulative		
Reporting cycle	Quarterly and annually			
Desired performance	That Phase 2 of the Beneficial Ownership Register is implemented earlier than planned			
Indicator responsibility	The Senior Manager: Corporate Compliance Disclosure Regulation is responsible for managing and reporting on this indicator.			

### 10.3.5 Pro-Active Investigations in response to contraventions of the Companies Act No 71 of 2008 by Companies identified in the State Capture Report

Indicator Title	Number of Pro-Active Investigations in response to contraventions of the Companies Act No 71 of 2008 by Companies identified in the State Capture Report		
Definition	Reviewing the state-capture report to assess information in order to identify the noncompliance or contraventions of the Companies Act. This will include analysis of documents, making inquiries, interviewing, and profiling companies and individual directors, as well as liaising with other law enforcement agencies		
Source of data	Analysis report including correspondence with companies and individuals		
Method of calculation/ Assessment	Number of analysis reports		
Means of Verification	Signed analysis report by senior manager		
Assumptions	Assumptions are risk and enabling factors—external conditions that are outside the direct control of the project. Therefore, the outcome is dependent on the following: <ul style="list-style-type: none"><li>• Positive coordination between concerned parties;</li><li>• Availability of budget for required resources;</li><li>• Stakeholder collaboration.</li></ul>		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"><li>• Target for Women: N/A</li><li>• Target for Youth: N/A</li><li>• Target for People with Disabilities: N/A</li></ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"><li>• Reflect on contribution to spatial transformation priorities: N/A</li><li>• Reflect on the spatial impact area: N/A</li></ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and annually		
Desired performance	Increased number of pre-investigations than indicated		
Indicator responsibility	The Senior Manager: Corporate Governance Surveillance and Enforcement		

### 10.3.6 Targeted proactive pre-investigations

Indicator Title	Number of targeted proactive pre-investigations		
Definition	Number of targeted proactive pre-investigations based on the following thematic requirements:  1. Companies Tribunal (Social and Ethics committee decisions)- Investigations following the 12 month compliance period as prescribed in the Companies Act 2. Rotation Auditor compliance- Auditors need to rotate as per the companies act (5-year rotation) 3. Proactive interventions identified from the media 4. FSCA identified and fined directors- Proactively investigate to drive disqualification of directors		
Source of data	Analysis report including correspondence with companies and individuals		
Method of calculation/ Assessment	Number of analysis reports		
Means of Verification	Signed analysis report by senior manager		
Assumptions	Assumptions are risk and enabling factors—external conditions that are outside the direct control of the project. Therefore, the outcome is dependent on the following: <ul style="list-style-type: none"><li>• Positive coordination between concerned parties;</li><li>• Availability of budget for required resources;</li><li>• Stakeholder collaboration.</li></ul>		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"><li>• Target for Women: N/A</li><li>• Target for Youth: N/A</li><li>• Target for People with Disabilities: N/A</li></ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"><li>• Reflect on contribution to spatial transformation priorities: N/A</li><li>• Reflect on the spatial impact area: N/A</li></ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and annually		
Desired performance	Increased number of proactive pre-investigations than indicated.		
Indicator responsibility	The Senior Manager: Corporate Governance Surveillance and Enforcement		

### 10.3.7 Quarterly Report on Tracked Capital Raised through IPO's to promote regular tracking of investments

Indicator Title	Quarterly Prospectus Report which captures tracking of investments and their impact on society		
Definition	Public companies administered in terms of Chapter 4 of the Companies Act , raise capital and are required to confirm periodically and provide evidence of capital raised and confirm that capital is used for the purposes for which it was raised		
Source of data	Management Reports and supporting documents where available		
Method of calculation/ Assessment	Reading of reports and supporting documentation where available		
Means of Verification	Reading of reports and supporting documentation where available		
Assumptions	Filings of public offerings will be made every quarter		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"><li>Target for Women: N/A</li><li>Target for Youth: N/A</li><li>Target for People with Disabilities: N/A</li></ul> (Data on demographics not available initially)		
Spatial Transformation (where applicable)	Reflect on contribution to spatial transformation priorities: N/A Reflect on the spatial impact area: N/A		
Calculation type	Cumulative (Year End)		
	Cumulative (Year to date)	X	
	Non-Cumulative		
Reporting cycle	Quarterly and annually		
Desired performance	All set milestones achieved.		
Indicator responsibility	Senior Manager Corporate Disclosure Regulation and Compliance		



### 10.3.8 Incorporate ESG Taxonomy into our CIPC Base Taxonomy as an initiative to address climate change

Climate Change

Indicator Title	Updated CIPC XBRL Taxonomy aligned with government initiatives to address climate change		
Definition	Environmental Social Governance reporting requirements are a topical issue internationally for entities to report on their interventions with regards to climate issues, CIPC with its role in financial reporting is expected to hold companies to account for ESG reporting		
Source of data	Management Reports and supporting documents where available		
Method of calculation/ Assessment	Reading of reports and supporting documentation where available		
Means of Verification	Reading of reports and supporting documentation where available		
Assumptions	IFRS Taxonomy includes ESG Taxonomy elements when published on 31 March 2024		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"><li>Target for Women: N/A</li><li>Target for Youth: N/A</li><li>Target for People with Disabilities: N/A</li></ul> (Data on demographics not possible initially)		
Spatial Transformation (where applicable)	Reflect on contribution to spatial transformation priorities: N/A Reflect on the spatial impact area: N/A		
Calculation type			
	Cumulative (Year to date)	X	
Reporting cycle	Quarterly and annually		
Desired performance	All set milestones achieved.		
Indicator responsibility	Senior Manager Corporate Disclosure Regulation and Compliance		

### 10.3.9 Conclude MoUs on data exchange with foreign jurisdictions

Indicator Title	Number of MOU's which facilitate data sharing between jurisdictions on company Directors, Shareholders and BO's		
Definition	FATF requires jurisdictions to verify details of all foreign natural persons that are on the registers of legal entities kept by CIPC, through MOUs, our counterparts will be able to volunteer information that pertains to foreign persons who are on our register		
Source of data	Management Reports and supporting documents where available		
Method of calculation/ Assessment	Reading of reports and supporting documentation where available		
Means of Verification	Reading of reports and supporting documentation where available		
Assumptions	Foreign jurisdictions (CIPC Equivalents) are willing to conclude such MoUs for us to collaborate		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>Target for Women: N/A</li> <li>Target for Youth: N/A</li> <li>Target for People with Disabilities: N/A</li> </ul> (Demographics not possible initially)		
Spatial Transformation (where applicable)	Reflect on contribution to spatial transformation priorities: N/A Reflect on the spatial impact area: N/A		
Calculation type			
	Cumulative (Year to date)	X	
Reporting cycle	Quarterly and annually		
Desired performance	All set milestones achieved.		
Indicator responsibility	Senior Manager Corporate Disclosure Regulation and Compliance		

### 10.3.10 Automation of Director Amendments Platform to build on capabilities for combating Fraud

Indicator Title	Progress report on automation of the Director Amendments Platform		
Definition	Built in control measures against unauthorised director changes whilst reducing administrative burden.		
Source of data	<ul style="list-style-type: none"><li>• Reports from the Fraud and Risk Business Unit</li><li>• Research data</li></ul>		
Method of calculation/ Assessment	Management Report on alleged fraudulent cases reported.		
Means of Verification	Reports submitted to strategy		
Assumptions	<ul style="list-style-type: none"><li>• Cases will be reported, and data will be available and shared</li></ul>		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"><li>• Enterprises</li><li>• SARS and Banks</li></ul>		
Spatial Transformation (where applicable)	N/A		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)	X	
	Non-cumulative		
Reporting cycle	Annually		
Desired performance	To provide confidence to potential investors that their interests are protected and reduce the number of cases on unauthorised changes through the verification of information with other stakeholders will enhance the process		
Indicator responsibility	The Senior Manager of Directors, Members and Practitioners		