



COMPANIES TRIBUNAL

ANNUAL PERFORMANCE PLAN

2021/2022 – 2023/2024

March 2021

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MINISTER'S FOREWORD

This Annual Performance Plan (APP) of the **Companies Tribunal** has been prepared by the management for consideration by the Executive Authority and tabling in Parliament. The Annual Performance Plans (APP) of public entities identify the outputs, output indicators and targets that an entity aims to achieve in the new financial year. The Executive Authority is responsible to ensure the APP is aligned with the Strategic Plan, the institution's mandate and government's priorities and to provide direction on the development and implementation of strategic priorities and policies.

The Covid-19 pandemic changed the landscape within which DTIC-entities operate and they are therefore expected to adjust their operations to address the new environment and new priorities. There is an urgent need to boost levels of economic growth and economic recovery, support transformation and build a capable state.

In particular, the APP for the 2021/22 financial year will need to reflect the policy priorities set out in Budget Vote statements tabled in Parliament during this Administration and those that arise from:

- The Economic Recovery and Reconstruction Plan tabled in Parliament in October 2020 by President Ramaphosa;
- The priorities set out in the 2021 State of the Nation Address;
- The new performance compacts between members of the Executive and the Presidency signed in November 2020; and
- The New District Development Model as an integration of development efforts at local level.

This APP is tabled and updates to the Plan – when these are effected – will be tabled in Parliament in due course, taking account of the above. As the practical means to ensure alignment between APPs and policy priorities, the Annual Performance Plan for the DTIC itself has sets out the requirement to ensure integration between the work of the department and all public entities that report to it. Seven new Joint-Indicators (J-KPIs) have been developed for the DTIC that contain the major policy priorities and these are expected to be included in the work of the Tribunal, with progress against these to be reported to the Ministry on a quarterly basis.

The entity will be expected to show how, within its legal mandate, it has contributed to the achievement of the outcomes for the following seven Joint Indicators (details of which are contained in more detail in the APP of the department itself):

- Joint Indicator 1: Integrated Support to Drive Industrialisation
- Joint Indicator 2: Contribution to the development of an AfCFTA Export Plan
- Joint Indicator 3: Investment Facilitation and Growth
- Joint Indicator 4: Development Model and Spatial Equity
- Joint Indicator 5: Actions to Promote Transformation
- Joint Indicator 6: The Green Economy and Greening the Economy
- Joint Indicator 7: Strengthening and Building a Capable State.

In this way, the combined efforts of all public entities will begin to be aligned to the national priorities in a more explicit manner. The Joint-Indicators cover, among others, the work of sector masterplans, initiatives to boost levels of investment and localisation in the economy, expanding trade within the continent, enabling better local economic development, supporting the growth of new industries (in the green economy and through beneficiation) and building a capable state. In respect of Joint-Indicator 7 for example, all public entities will be required to review their procedures, timeframes for delivery, forms to be filled in and public communication of services to simplify these, make processes expeditious where possible, remove unnecessary red-tape where these exist and make it easier for users to access services.

We recognise however that the precise manner in which the Companies Tribunal can contribute to the Joint-Indicators will be defined by its role as a regulator with adjudication functions.

This APP is therefore not about many new objectives but rather on a new way of implementation, with the focus on integration, to enhance the development impact of the work. I therefore endorse the work to align the APP of the Tribunal with the national priorities and accordingly table the APP for the Tribunal in accordance with the request by the Speaker.

A handwritten signature in black ink, appearing to read 'Ebrahim Patel', with a long horizontal stroke extending to the right.

EBRAHIM PATEL
MINISTER OF TRADE, INDUSTRY AND COMPETITION

31 March 2021



Accounting Authority's Statement

It is a pleasure to present the 2021/22-2023/24 Annual Performance Plan (APP) for the Companies Tribunal (the Tribunal). The APP sets out a three-year plan for the Tribunal to deliver on its mandate and realize its new vision of being “the preferred adjudicatory and alternative dispute resolution forum” that contributes to the promotion of fair and ethical corporate practices.

The Tribunal's APP is informed by the values and founding provisions of the Constitution, and the Companies Act, No. 71 of 2008 (the Act). It is further informed by the Department of Trade, Industry and Competition's (the dtic's) strategic objective of creating a fair regulatory environment that enables investment, trade and enterprise development in an equitable and socially responsible manner. The APP is further informed by the six priorities of the new Sixth Administration particularly the six focus areas in the trade, industry and competition portfolio, within which the Tribunal resides.

The mandate of the Tribunal remains two-fold: adjudication and resolution of disputes through Alternative Dispute Resolution (ADR). The Tribunal may also perform any other functions assigned to it in terms of the Act or any laws mentioned in Schedule 4 of the Act. In an environment characterised by a difficult economic climate, and the devastating impact of COVID-19, the use of ADR as a preferred mode of resolving company disputes is expected to rise over the next 5 years. ADR saves costs usually associated with litigation. Both Adjudication and ADR are interventions which align within the “Reconstruct and Transform Phase” of the Presidential Economic Reconstruction Plan (2020). These interventions help in building a sustainable, resilient and inclusive economy.

The major challenges that may impact negatively on the Tribunal's ability to deliver on its plans include limited funding and as a direct consequence of this, the inability to fully market the institution, to grow the caseload and fully capacitate the institution as per the approved structure. These are long standing but urgent challenges that need urgent solutions failing which, the Tribunal's ability to execute its mandate will be limited.

As it is the case the world over, compounding the challenges above, is COVID-19 whose devastating impact has sent rippling effects through the whole of the Tribunal. As the Minister puts it, the Tribunal has not been spared. Prior to the lock down the business of the Tribunal which consists of adjudication and dispute resolution relied to a significant extent on personal contact, this has slightly changed and the Tribunal now utilizes both personal contact and online platforms to effectively render its services.

Despite the continuing threat of COVID-19 and the difficult times of reduced public spending, I believe that with these APP presented here, the Tribunal will satisfactorily deliver.

A handwritten signature in black ink, appearing to read 'Ali Chicktay'.

Dr Mohamed Ali Chicktay
Chairperson: Companies Tribunal



Accounting Officer's Statement

The Companies Tribunal (the Tribunal) was established to increase access by companies, to the justice system, through efficient adjudication and resolution of disputes through appropriate dispute resolution mechanisms (ADR). The targeted beneficiaries of the Tribunal include the start-up companies, small to medium companies and companies in financial distress who cannot afford the fees associated with protracted litigation. The Tribunal offers an expeditious and cost-free mechanism of resolving companies' disputes. This impacts positively on the economy of the country as it saves costs associated with lost productivity and legal fees. The decisions of the Tribunal are part of South Africa's jurisprudence. Information on the Tribunal's decisions are easily available on the Tribunal's website.

The types of applications that the Tribunal handles include name and directorship disputes, review of compliance notices issued by CIPC, application to hold annual general meetings (AGMs), an extension of time to hold an AGM as well as applications for exemption from establishing social and ethics committees. The Tribunal's case load is expected to increase over the MTEF because the envisaged amendments to the Companies Act are expected to increase the powers of the Tribunal.

The Tribunal plans to have increased campaign using mainly social media to raise awareness about the Tribunal's services. Stakeholders such as business chambers and the Legal Practice Council will be engaged with a view of forming strategic partnerships to disseminate information about the Tribunal throughout the country. The Tribunal's recently reviewed organisational structure is only partly filled as the Tribunal is under-funded. The new automated case management system launched on 1st August 2019 is expected to improve efficiency in the management of cases. It answers the President's call for modernisation and reform within state-owned enterprises¹. The system will further make South Africa an attractive investment destination and contribute to a better Africa and better World. The systems' introduction despite the challenges was a bold move and perfect timing barely six (6) months before the crippling impact of COVID-19 reached South Africa. Owing to the system's recent introduction, the stakeholder uptake is still low.

Given the challenges as alluded by the Chairperson of the Tribunal, I am confident that the Tribunal will deliver on its mandate and thus contribute to the realisation of a fair and ethical corporate environment.

A handwritten signature in black ink, appearing to read 'Mingwane', enclosed in a thin black rectangular border.

'Maletlatsa Monica Ledingwane
Chief Operations Officer

¹ The South African Economic Reconstruction and Recovery Plan, 2020, page 4.

It is hereby certified that this Annual Performance Plan:

- Was developed by the management of the Companies Tribunal under the guidance of Dr Mohamed Alli Chicktay
- Considered all the relevant policies, legislation and other mandates for which the Companies Tribunal is responsible
- Accurately reflects the Impact, Outcomes and Outputs which the Companies Tribunal will endeavour to achieve over the period 2021/22 to 2023/24



Solly Mahlabane
Acting Chief Financial Officer



'Maletlatsa Monica Ledingwane
Chief Operations Officer

Approved by:



Accounting Authority
Dr Alli Chicktay

Part A: Our Mandate

1. Relevant legislative and policy mandates

The Companies Tribunal is established in terms of the Companies Act, Act No. 71 of 2008, as a juristic person. In terms of the Act, the Tribunal has jurisdiction throughout the Republic. It is independent and subject only to the Constitution and law.

In terms of the Companies Act, the Companies Tribunal's mandate is to:

- a) Adjudicate in relation to any application that may be made to it in terms of the Act and make any order provided for in the Act in respect of any such application.
- b) Assist in the resolution of disputes as contemplated in part C of Chapter 7 of the Act.
- c) Perform any other function assigned to it by or in terms of the Act or any law in Schedule 4.

In delivering on this mandate the Companies Tribunal is expected to exercise and perform its functions in line with the spirit, purpose and objects of the Constitution, International Law and Companies Act, and in a manner which is simple, ethical, efficient, equitable, transparent, accountable, impartial and without fear, favour or prejudice.

2. Institutional Policies and Strategies

To ensure proper Governance, the Tribunal has policies in various units (functional areas). The policies referred to above are listed on a Policy Schedule that the Tribunal maintains for control and review purposes. In addition to the policies mentioned above, the Tribunal has various other plans and registers.

3. Relevant Court Rulings

The Tribunal will on a regular basis analyse recent key decisions of the High Court and Constitutional Court and evaluate the potential impact on its mandate and functions.

Part B: Our Strategic Focus

4. Situational Analysis

4.1.1 External Environment Analysis

Political Economic Social Technology Legal Environment (PESTLE)

POLITICAL	ECONOMIC
<ul style="list-style-type: none"> • Perception of political alignment on decision-making or being non-partisan • Change of administration 	<ul style="list-style-type: none"> • Business fronting
SOCIAL	TECHNOLOGICAL
<ul style="list-style-type: none"> • Limited access to the Tribunal (by the public) • Low literacy rate • Language diversity • Limited public awareness of the Tribunal • Misconception about Tribunal jurisdiction 	<ul style="list-style-type: none"> • Limited access to technology by the public
LEGAL	ENVIRONMENTAL
<ul style="list-style-type: none"> • Limited jurisdiction to meet public expectations 	<ul style="list-style-type: none"> • Geographical location

4.1.2 Internal Environment Analysis

Strengths Weaknesses, Opportunities and Threats (SWOT)

STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> • Strong institutional values and ethics • Founding legislation (mandate) • Skills, knowledge and expertise of staff and Tribunal Members • Systems, procedures and policies in place • Independence and impartiality • Good corporate governance • Good financial management • IT infrastructure in place 	<ul style="list-style-type: none"> • No professional, equipped hearing rooms • Limited parking space • External dependencies (e.g. Internal Audit function and IT infrastructure outsourced) • Limited budget to carry out mandate, marketing and fill vacancies • Limited jurisdiction of Companies Tribunal • Limited foot-print (No provincial offices) • Inconsistencies in the Tribunal members' decisions

OPPORTUNITIES	THREATS
<ul style="list-style-type: none"> Increasing access through technology usage of the online case management system, video conferencing for hearings) Benchmarking on best practice models from similar entities Contribution to research, jurisprudence and the development of company law Technology – systems and processes to improve efficiency Increasing referrals from the CIPC, TRP, B-BBEE Commission and other Tribunals and the judiciary 	<ul style="list-style-type: none"> Staff turnover Decline in case load Competition from other alternative dispute resolution bodies The voluntary nature of ADR COVID-19 pandemic

4.1.3 External Environment Analysis

Political Economic Social Technology Legal Environment (PESTLE) – interventions

POLITICAL	POSSIBLE SOLUTIONS
Perception of political alignment and non-partisan on decision-making	Training and open discussions Compliance to institutional values Public engagements
Change of administration	Change Management
ECONOMIC	
Business fronting	Referral to B-BBEE Commission
SOCIAL	
Limited access to the Tribunal (by the public)	Holding hearings in areas convenient to parties
Low literacy rate	Help line and help desk
Language diversity	Embracing of various languages in line with CT Language Policy
Limited public awareness of the Tribunal	Education and stakeholder management
Misconception about Tribunal jurisdiction	Education and stakeholder management
TECHNOLOGY	
Limited access to technology by the public	Use of various devices to access the Tribunal's services
LEGAL	
Limited jurisdiction to meet public expectations	Legislative amendment of Companies Act Increase mandate through other legislation
ENVIRONMENTAL	
Geographical location	CT marketing initiatives to public in various areas Hearings held where convenient to parties

4.1.4 Internal Environment Analysis

Strengths, Weaknesses, Opportunities and Threats (SWOT) - interventions

WEAKNESSES	POSSIBLE SOLUTIONS
No professional, equipped hearing rooms	Installation of aircon/windows in current 'hearing' room
Limited parking space	Continue current arrangement for staff
External dependencies (e.g. Internal Audit function and IT infrastructure outsourced)	Better management of the SLA/MOU's
Limited budget to carry out mandate, marketing and fill vacancies	Continued engagements with the dtic /Treasury
Limited foot-print (no provincial offices)	Make use of partnerships
Limited jurisdiction of Companies Tribunal	Proposed amendments
The voluntary nature of ADR	Proposal to make ADR mandatory (Companies Act amendments)
Inconsistencies in the Tribunal members' decisions	Training/workshops Quality reviews/
THREATS	
High staff turnover	Retention strategy
Decline in case load	Proposed amendments Education and stakeholder management
Competition from other dispute resolution bodies	Sharing of best practice Increased marketing
The voluntary nature of ADR	Proposal to make ADR mandatory
COVID-19 pandemic	Increased use of digital platforms

Part C: Measuring Our Performance

5. Institutional Programme Performance Information

5.1 Programme: Adjudication

5.1.1 Purpose of the programme

The purpose of the programme is to adjudicate and make orders in relation to applications made in terms of the Companies Act No. 71 of 2008 as well as to facilitate the resolution of company disputes in terms of Alternative Dispute Resolution.

Members of the Tribunal are appointed by the Minister of Trade, Industry and Competition to adjudicate applications based on the papers filled by the companies and members of the public. Where necessary, hearings are held, depending on the nature of the case.

The Companies Tribunal would be contributing to the dtic's Joint Indicator 7A, which outcome is **'Functional, efficient and integrated services within the DTIC to improve economic development and ease of doing business.'**

The Tribunal will link to the above indicator through achievement of the outcome *"Functional, efficient and integrated services within the CT to improve economic development and ease of doing business"*.

The Tribunal launched and implemented its electronic Case Management System which aims to assist internal management of applications as well as provide an electronic platform for users to lodge their applications online. This reduces additional time required to lodge applications manually and will contribute to ease of doing business. Due to the system still being new, the uptake is expected to be slow at first but increase with time. In addition to the system, the Tribunal also assists in resolving company disputes timeously which contributes to economic development and ease of doing business.

5.1.1.1 Outcomes, Outputs, Performance Indicators and Targets

Outcome	Outputs	Output indicators	Annual Targets						
			Audited actual/ performance			Estimated performance	MTEF Period		
			2017/18	2018/19	2019/20	2020/ 21	2021/22	2022/23	2023/24
1. Improved access ² to the justice system	1.1 Adjudicated applications	Percentage of decisions and orders issued ³ within 40 working days after the final date of the hearing ⁴ or final submission by parties, whichever is applicable	100%	100%	100%	93%	93%	95%	95%
	1.2 Adjudicated applications	Percentage of decisions and orders issued within 30 days after the date of allocation ⁵ or final submission by parties whichever is applicable	96%	93%	98%	93%	93%	95%	95%
	1.3 Resolved disputes	Percentage of cases finalised ⁶ in terms of Alternative Dispute Resolution (ADR) within 25 working days after the date of final hearing or final submission by parties whichever is applicable	100%	100%	100%	90%	95%	95%	95%

² **Improved access** means simple, speedy and cost- effective decisions delivered within the stipulated turnaround time

³ **Decisions and orders** issued are as prescribed by the Companies Act, 2008. Issued means formal communication of the decision and order to the client

⁴ **Final date of hearing** refers to the last day of a hearing of a matter of a Tribunal sitting

⁵ **Date of allocation** refers to the date of sending an e-mail allocating a case to a Tribunal Member

⁶ **Finalized** refers to decision making and issuing of failed certificates, withdrawals and cancellations

Outcome	Output	Output Indicators	Annual Targets						
			Audited actual performance			Estimated performance	MTEF Period		
			2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
<p>2.</p> <p>Functional, efficient and integrated services within the CT to improve economic development and ease of doing business⁷</p>	<p>2.1</p> <p>Functional, efficient and user friendly electronic Case Management System to assist in ease of doing business</p>	<p>Percentage of user uptake of the electronic Case Management System</p>	<p>N/A</p> <p>New indicator</p>	<p>N/A</p> <p>New indicator</p>	<p>N/A</p> <p>New indicator</p>	<p>50%</p>	<p>50%</p>	<p>60%</p>	<p>60%</p>

⁷ Joint **dtic** generic indicator (#7A)

5.1.1.2 Indicators, Annual and Quarterly Targets

Output Indicator	2021/22 Annual Target	Quarterly Milestones			
		1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
Percentage of decisions and orders issued within 40 working days after the final date of the hearing or final submission by parties, whichever is applicable	93%	93%	93%	93%	93%
Percentage of decisions and orders issued within 30 working days after the date of allocation or final submission by parties whichever is applicable	93%	93%	93%	93%	93%
Percentage of cases finalized in terms of Alternative Dispute Resolution (ADR) within 25 working days after the date of final hearing or final submission by parties whichever is applicable	95%	95%	95%	95%	95%
Percentage of user uptake of the electronic Case Management System	50%	50%	50%	50%	50%

5.2 Programme 2: Administration

5.2.1 Purpose of the programme

The purpose of the programme is to ensure operational efficiency and effectiveness as well as effective stakeholder engagement.

The Programme further aims to efficiently support and manage the operations by ensuring that there is proper Financial Management, Human Resource Management, Information Technology, Knowledge Management, Stakeholder Management and Legal Services.

The Tribunal will be contributing to **the dtic's** Joint Indicator 5, which outcome is 'Promoting a growing and inclusive economy'.

The Tribunals will link to the above indicator through achievement of the output '*Procurement to promote transformation and empowerment of designated groups*'.

The Tribunal included the target of ensuring that 60% of procurement are awarded to service providers with Level 4 and above B-BBEE accreditation thus contributing to promotion of a growing and inclusive economy.

5.2.1.2 Outcome, Outputs, Performance Indicators and targets

Outcome	Outputs	Output Indicators	Audited Actual Performance			Estimated Performance	Medium Term Targets		
			2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
	1.1 Staff retention	Percentage of staff retained	93%	92%	92%	85%	N/A	N/A	N/A
	1.2 Capacity building	Vacancy rate	N/A	N/A	N/A	N/A	15%	15%	15%
	1.3 Stakeholder engagements	Number of seminars held	Hosted a seminar on name disputes	Hosted a seminar on Alternative Dispute Resolution (ADR)	Host a seminar on the impact of the Tribunal's mandate	Host a seminar on legislative gaps in implementing the Tribunal's mandate: A case for further amendments	Host a seminar on functions that can be assigned to CT under Schedule 4 of the Act	Host a seminar on the impact of the amendments to the Act on the work of CT	Host a seminar on: Increasing the frontiers of Companies Tribunal Role- An evolving case for the implementation of good corporate governance as voluntary regulatory compliance regime for Companies Tribunal: A point for consideration:

		Number of media engagements (media statements and radio activities)	Released two (2) media statements	Released three (3) media statements	Released two (2) media statements	Release two (2) media statements	Release two (2) media statements	Release two (2) media statements	Release two (2) media statements
			Participated in two (2) radio interviews	Live reads were aired on the following stations: Munghana Lonene FM, Ikwewezi FM, East Coast Radio and Radio 702	Live reads were aired on the following stations: Power FM, Metro FM, Radio 702, Lesedi FM.	Participate in two (2) radio activities	Participate in two (2) radio activities	Participate in two (2) radio activities	Participate in two (2) radio activities
		Number of participations in outreaches and/or exhibitions	Participated in 8 outreaches or exhibitions targeting businesses, associations, the public, legal fraternity and academia in the following districts: 1. Jhb Stock Exchange	Participated in 10 outreaches or exhibitions targeting businesses, associations, the public, legal fraternity and academia in following districts:	Participated in 9 outreach programmes and/or exhibitions targeting the following stakeholders: businesses, business associations, the public, legal fraternity, and	Participate in 8 outreaches or exhibitions targeting businesses, associations, the public, legal fraternity and academia in following districts: 1. Tshwane, GP 2. Mopani, LP	Participate in 8 outreaches or exhibitions targeting businesses, associations, the public, legal fraternity & academia in following districts: 1. Nkangala, MP	Participate in 8 outreaches or exhibitions targeting business associations, the public, legal fraternity and academia in the following districts:	Participate in 8 outreaches or exhibitions targeting business associations, the public, legal fraternity and academia in the following districts:

			<p>2. Institute of Directors SA</p> <p>3. Independent Regulatory Board for Auditors</p> <p>4. SA Institute of Chartered Accountants</p> <p>5. SA Judicial Education Institute</p> <p>6. Law Society SA</p> <p>7. Law Society Northern Provinces</p> <p>8. National Small Business Chamber (NSBC)</p>	<p>1. Capricorn District, LP</p> <p>2. Bojanala Platinum District, NW</p> <p>3. Eden District, WC</p> <p>4. Ehlanzeni District in Nkomazi Municipality, MP</p> <p>5. O.R. Tambo District, EC</p> <p>6. uMgungundlovu District, KZN</p> <p>7. uGu District, KZN</p> <p>8. Pixley Ka Seme District, NC</p> <p>Central Karoo, NC</p> <p>10. ZF Mgcawu District in Kakamas and Augrabies</p>	<p>the academia in the following areas:</p> <p>Meetings were held with Norton Rose Fulbright and Bowmans in the City of Johannesburg</p> <p>Participated in the dtic outreach in Waterberg District (Modimolle-Vaalwater)</p> <p>Participated in the Department of Small Business Development (DSBD) Mangaung Metropolitan (Bloemfontein) (FS)</p> <p>A meeting was held</p>	<p>3. Amajuba, KZN</p> <p>4. Gert Sibande, MP</p> <p>5. Namakwa, NC</p> <p>6. Ngaka Modiri Molema, NW</p> <p>7. Cape Winelands, WC</p> <p>8. Chris Hani, EC</p>	<p>2. Sekhukhune LP</p> <p>3. Bojanala Platinum, NW</p> <p>4. Ekurhuleni, GP</p> <p>5. N. Mandela Bay, EC</p> <p>6. Lejweleputswa FS</p> <p>7. King Cetshwayo, KZN</p> <p>8. Cape Town, WC</p>	<p>1. Ehlanzeni, MP</p> <p>2. Vhembe, LP</p> <p>3. Tshwane, GP</p> <p>4. eThekweni, KZN</p> <p>5. Cape Town, WC</p> <p>6. Mangaung, FS</p> <p>7. Capricorn, LP</p> <p>8. Francis Baard, NC</p>	<p>:1. Sarah Baartman District Municipality – EC</p> <p>2. Fezile Dabi District Municipality – FS</p> <p>3. West Rand District Municipality – GP</p> <p>4. iLembe District Municipality – KZN</p> <p>5. Capricorn District Municipality – LP</p> <p>6. Dr Kenneth Kaunda District Municipality – NW</p> <p>7. John Taolo Gaetsewe District Municipality – NC</p> <p>8. West Coast District</p>
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				<p>11.Fort Hare (Guest Lectures</p>	<p>with the Zululand Chamber of Commerce and Industry to engage on the services of the Tribunal Teleconference was held with Thabo Mofutsanyana District's LED Office Meeting was held with SEDA in Buffalo City (EC) Meeting was held with NADEL-Amathole District (EC) Participated in the dtic event in King Cetshwayo (KZN, Eshowe)</p>				<p>Municipality - WC</p>
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					Furthermore, the Tribunal participated in the DSBD events as follows: (Durban, Polokwane, Cape Town, Rosebank) Further engagements held as follows: Cape Chamber of Commerce and Industry University of Cape Town's Commercial Law Department Free State Bar Council Zululand Chamber of Commerce and Industry Witbank Chamber of Commerce and Industry				
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	1.4 Research	Production of research reports or rules	Code of Conduct and Ethics for Mediators was produced earlier than the targeted period	Arbitration guidelines or rules for the Tribunal and developed adjudication rules or guidelines for the Tribunal	Assessing the value of social and ethics committees as stipulated in Section 72(5)	Legislative gaps in implementing the Tribunal's mandate: A case for further amendments	Changes to the Companies Act: How to prepare the Tribunal to address the new environment	Functions that can be assigned to CT under Schedule 4 of the Act	Increasing the frontiers of Companies Tribunal Role - an evolving case for the implementation of good corporate governance as voluntary regulatory compliance regime for Companies Tribunal: A point for consideration
Promoting a growing and inclusive economy⁸	1.5 Procurement to promote transformation and empowerment of designated groups	Procurement report	N/A (New indicator)	N/A (New indicator)	N/A (New indicator)	N/A New indicator (no estimated performance for 2020/21)	60% of procurement awarded to service providers with Level 4 and above B-BBEE accreditation	65% of procurement awarded to service providers with Level 4 and above B-BBEE accreditation	70% of procurement contracts awarded to service providers with Level 4 and above BBEE accreditation

⁸ Joint dtic indicator (#5)

5.2.1.3 Indicators, Annual and Quarterly Targets

Performance Indicator/ Measure	2021/2022 Annual Target	Quarterly Milestones			
		1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
Vacancy Rate	15%	15%	15%	15%	15%
Number of seminars hosted	Host a seminar on functions that can be assigned to CT under Schedule 4 of the Act	Draft a detailed proposal and consult	Incorporate inputs and obtain approval for the proposal, topics and speakers	Send invitation to speakers, stakeholders and confirm venue	Host the seminar
Number of media activities	Release two media statements	Release one media statement	N/A	Release one media statement	N/A
	Participate in two radio activities	N/A	Participate in one radio activity	N/A	Participate in one radio activity
Research report	Changes to the Companies Act: How to prepare the Tribunal to address the new environment	Creating and gathering of the research materials	Meeting relevant stakeholders and producing the first draft	Consolidation of the inputs received and further consultation with the stakeholders and producing final draft	Approval of the final draft and publication
Percentage of service providers appointed with Level 4 and above B-BBEE accreditation	60% of procurement awarded to service providers with Level 4 and above B-BBEE accreditation	60%	60%	60%	60%

5.3 dtic Joint Indicators

Undertaking	Joint indicators	Reporting
<p>The Tribunal will support the 7 new joint indicators of the dtic.</p> <p>The Joint Indicators are listed in the next column:</p>	1. Increased industrialisation and localisation opportunities	<p>Progress on the implementation of the Joint indicators will be done on a quarterly basis.</p>
	2. Increased export readiness by South African firms	
	3. Strategic investment by enterprises to support growth of the South African economy	
	4. Contribution to inter-governmental action in implementation of District Development Model towards district economic development	
	5. Promoting of growth and inclusive economy (refer to CT KPI 1.5)	
	6. Growing the green economy and greening the economy	
	7. Functional, efficient and integrated services within the dtic to improve economic development and ease of doing business (refer to CT KPI 2.1)	

6. Explanation of planned performance over the medium-term period

6.1 Contribution of outputs towards achieving the outcomes and impact in the Strategic Plan aligned to the Mandate

6.1.1 Outcome 1: Access to simple, speedy and cost-effective justice system

a) The number of applications adjudicated within the turn round times

The Tribunal adjudicates on applications at no charge to the parties. The targeted beneficiaries of this output include the start-ups, small to medium companies and companies in financial distress who cannot afford the fees associated with protracted litigation. This means that even the applicants that would normally be excluded from litigation by the high prohibitive costs of a normal court litigation are able to lodge cases at the Tribunal. The affordability of the Tribunal's services has an impact on economic inclusion and transformation. Furthermore, the Tribunal's targeted maximum turnaround time is 40 days. Very few applications exceed this period. In the ordinary courts, cases may take months on the roll and years before coming before the court. Hence the Tribunal services offer an affordable and quicker option from normal litigation that may cripple a business both financially and operationally. With the Tribunal, Companies can initiate litigation and remain sustainable and competitive. This ensures achievement of the impacts stated in the Strategic Plan of economic inclusion, transformation and making South Africa an attractive investment destination.

b) The number of disputes-applications resolved within the turn round times

The same benefits of cost and time efficiency offered by the output of adjudicated applications are applicable to the output of resolved disputes. In addition, the turn-around time for resolution of disputes is 25 days which makes it even shorter than that of adjudicated applications. Further benefits of dispute resolution through alternative dispute resolution (ADR) are that it is informal and confidential, more flexible and responsive to the individual needs of the parties involved. Parties have a chance to tell their story as they see it, and the parties' involvement in the process creates greater commitment to the result so that compliance is more likely. Through ADR, it is more likely to preserve goodwill or at least not escalate the conflict. This is especially important in situations where there is a continuing relationship as with companies in business. Thus, ADR contributes to economic inclusivity and making South Africa an attractive environment for both local and international investment. In offering an expeditious and cost-free mechanism of resolving company disputes, the Tribunal saves costs associated with lost productivity and legal fees and as such increases access to justice and impacts positively on South African economy.

6.1.2. Outcome 2: Operational Efficiency

(a) Capacity Building

During 2020/21 financial year, the Tribunal has recruited all funded and vacant positions. To achieve operational efficiency, in the 2021-2022 financial year, the Tribunal intends to focus on capacity building as one of the outputs. The value of an employee increases the longer they stay with an organization. With time, employees' knowledge and experience continue to grow making them important for networking inside and outside the sector. Employees build relationships with other employees and clients. These relationships are vital to the success of an organization. Their skills and organizational memory make it easy to run effective operations.

(b) Stakeholder Engagements

The mandate of the Tribunal is to offer adjudication and alternative dispute resolution to companies. It follows that unless companies are aware of the Tribunal 's services, are interested and actually use the services, the Tribunal will not achieve its mandate. Creation of public knowledge and interest around the mandate of the institution is therefore critical. From the financial year 2016-2017 to date, the number of applications received by the Tribunal has been on a steady decline. It is believed that the low stakeholder knowledge is a contributor. For this reason, the Tribunal intends to mount a public awareness campaign as part of sustained efforts to educate the public and boost awareness about the Tribunal's mandate. The campaign will be a comprehensive effort that will within the limited budget include multiple components such as seminar discussions, television and radio messaging, social media, grassroots outreach, media relations, government affairs. This output is therefore aimed at enhancing the Tribunals operational efficiency in achieving its mandate.

(c) Research Report or Developed Rules or Guidelines

To achieve operational efficiency, the Research Unit of the Tribunal contributes the body of knowledge, it closes knowledge gaps, and creates new knowledge. Research contributes to jurisprudence and precedent. The contribution to South African's jurisprudence also makes South Africa an attractive investment destination. Reports provide quick reference for decision making purposes which in turn leads to consistency and efficiency in decision making. To further improve efficiencies, rules or guidelines are developed and or reviewed. Rules or guidelines help to make the application process easier and quicker for the applicants especially those not assisted by legal practitioners. This output is therefore another contributor to the Tribunal's operational efficiency.

6.2 Explanation of the planned performance in relation to outputs

(a) Adjudicated Applications:

The Tribunal's performance on this output will be measured by the percentage of decisions and orders issued within 30 or 40 days depending on whether a case is decided on paper only or parties give evidence before the Tribunal. The longest targeted turn-around time for adjudication is 40 days. The planned annual performance in 2021-2022 is 93%. This is intended to increase to 95% in the last year of the MTEF period.

(b) Resolved disputes:

The Tribunal's performance on this output will be measured by the percentage of cases finalised within 25 days in terms of appropriate Dispute resolution (ADR). Thus, the Tribunals' planned turn-around time for resolution of disputes is a shorter period than even that of adjudicated applications. The planned annual performance in 2021-2022 is 95%. This is intended to remain constant over the MTEF Period.

(c) Capacity Building

During the 2020-2021 financial year, the Tribunal has recruited all the funded and vacant positions. In 2021-2022 financial year, the Tribunal intends to focus on capacity building. Thus, capacity building is one of the Tribunal's outputs over the three years. Capacity building strategies evolves around recruitment process to ensure that when a post becomes vacant it is filled up within a short period of time.

The Tribunal's performance on this output will be measured by the vacancy rate as a percentage. The starting base in 2021-2022 financial year is 15%. This target stays the same over the three years due the Tribunal's under-funding. The under-funding limits the number of retention incentives the Tribunal may offer. The limitations on staff incentives and the anxiety created by the knowledge of limited funding, are likely contributors to the Tribunal's high staff turn-over.

(d) Stakeholder engagement

The Tribunal's indicators on this output include hosting one (1) seminar, two (2) media statements, two (2) radio activities and eight (8) participation in outreaches and/or exhibition. This output carries the most amount of activities (indicators) because, as stated above, since 2016/2017, the number of cases received by the Tribunal has been in decline. Unless the public is aware of the Tribunals services, the Tribunal will not achieve its mandate. Creation of public knowledge and interest around the mandate of the institution is therefore critical.

(e) Research Report or developed rules or guidelines.

Production or research reports or rule or guidelines is amongst the Tribunal's planned outputs. The Tribunal's performance will be measured by the number of research reports/rules/guidelines produced /reviewed and approved. The number of reports or rules or guidelines produced or reviewed targeted is planned to stay constant over the three years. This is because the unit Research is not focused purely on research but has other legal functions. It is foreseeable that with more funding and better staffing, the output number may change over the three years

7. Programme Resource Considerations

7.1 Financial Plan

The grant allocation for the year 2020/21 reflect the estimated amounts after the budget cut of R2,060 million as a result of COVID-19 pandemic. From the year 2021/22 to 2023/24, the Tribunal based the budget estimate on the initial allocation letter received from **the dtic**. The interim allocation received reflects the budget cut over the MTEF period. This places even more burden on the Tribunal to continue operating as a going concern. The Tribunal has been relying on surplus funds approved over the years and this surplus has depleted in 2020/21 financial year. The Tribunal 's baseline must be increased if it were to continue operating. With the current budget allocation, the Tribunal would not be in a position to pay any cost of living adjustments to employees, will not be able to pay members their claims upon adjudicating on Tribunal cases, will not be able to undertake advocacy services and will not be able to honor other contractual obligations. This will be tragic to the Tribunal as it might end up not being able to deliver on its mandate due to budgetary constraints.

Over the MTEF period, the Tribunal 's grant allocation is projected to slightly move from R16,1 million in (2020/21) to R16,7 million in (2023/24). The allocated funds for each financial year are insufficient to meet the operational requirements of the Tribunal and to fill all unfunded posts on the approved organisational structure. Human capacity constraints also remain an area of concern.

The Tribunal is exploring options of generating its own revenue through charging filling fees, but this process might take some time to materialise due to extensive consultations and planning required. However, the fees expected to be generated from filling fees would not be enough to fund day to day operational and administrative expenditure of the Tribunal. This process also involves the amendment of the Companies Act.

The Tribunal 's major expenditure is on compensation of employees and Tribunal member's fees, with no surplus to fill additional post as approved on the organisational structure. Due to inadequate funding, the amount estimated for member's fees is inadequate as cases are expected to increase hence the funding for fees needs to be increased proportionally.

(i) Projections of revenue and expenditure

STATEMENT OF FINANCIAL PERFORMANCE	Audited outcome			Revised estimate	Medium-term estimate		
	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
R thousand							
Revenue							
Non-tax revenue	1,259	819	744	550	420	435	450
Transfers received	15,822	16,740	17,352	20,455	17,313	17,529	17,702
Donations received/Revenue in-kind	1,393	1,532	1,685	3,811	3,053	3,570	4,132
Income from surplus funds	-	-	-	-	-	-	-
Total revenue	18,474	19,091	19,781	24,816	20,786	21,534	22,284
Expenses							
Current expenses							
Compensation of employees	12,333	11,692	16,755	15,065	14,916	15,568	16,249
Goods and services	9,102	8,430	9,394	9,458	5,564	5,646	5,703
Depreciation	302	259	267	293	306	320	332
Total expenses	21,737	20,381	26,416	24,816	20,786	21,534	22,284
Surplus/ (Deficit)	(3,263)	(1,290)	(6,635)	-	-	-	-

(ii) Budget Allocation per Programme

Programme Name: Administration							
Economic classification	Audited outcome			Revised Estimates	Medium-Term Expenditure Estimate		
	2017/18 R '000	2018/19 R '000	2019/20 R '000	2020/21 R '000	2021/22 R '000	2022/23 R '000	2023/24 R '000
Current payment							
Compensation of employees	12,333	11,692	16,755	15,065	14,916	15,568	16,249
Goods & services, etc.	5,438	5,683	6,553	6,783	3,250	3,345	3,413
Payments of capital assets							
Building and other fixed structure	-	-	-	-	-	-	-
Machinery & equipment	1,200	521	584	100	30	20	30

Programme Name: Adjudication							
Economic classification	Audited outcome			Revised Estimates	Medium-Term Expenditure Estimate		
	2017/18 R '000	2018/19 R '000	2019/20 R '000	2020/21 R '000	2021/22 R '000	2022/23 R '000	2023/24 R '000
Current payment							
Member's fees	3,117	2,826	2,892	3,838	2,492	2,492	2,492
Goods and services	849	180	216	545	128	129	130
Payments of capital assets	-	-	-	-	-	-	-
Building and other fixed structure Machinery & equipment							

8. Key Risks

Outcome	Output Indicator	The Risk	Root causes	Risk Mitigation
1. Improved access to the justice system	1.1. The number of applications adjudicated or finalized within the stipulated turn-around times.	Decline in applications	• Limited mandate	• Investigative study on the root causes • Amendment of legislation
			• Inconsistency in members decisions	• Training and/or workshops • Quality review
			• Perceptions of bias in decision making	• Public engagements • Declaration of conflict
			• Delays in decision making /resolutions	• Guidelines and consistent consequence management
			• Limited marketing	• Creative use of affordable marketing tools • Partnering with other relevant stakeholders
	1.2. The number of applications resolved or finalised through Alternative Dispute Resolution (ADR)	Voluntary nature of ADR	• The Act states that ADR is not compulsory	• Amendments proposed to the Act (make ADR mandatory) • Public education of benefits of ADR
2. Operational Effectiveness	2.1 Number of stakeholder engagements held	Limited awareness of existence and services of CT	• Limited marketing due to limited resources (funding)	• Improved use of technology to compensate limited funds • Use of partnerships and collaborations • Budget reviews • Consistent best use of social media
	2.2 Insufficient funding for operations	Insufficient funding	• Insufficient grant funding • Restrictions placed on CT through the Act inability to generate funds	• Management of funds available • Monitor monthly budget variance report • Recommend funding through amendment of the Act • Continue engagements with CIPC and the dtic

9. Materiality and Significance of Framework

9.1 Statutory requirements

In terms of the Treasury Regulation 28.3.1, Accounting Authorities must “for purposes of material [section 55(2) of the Act] and significant [section 54(2) of the Act], develop and agree a framework of acceptable levels of materiality and significance with the relevant executive authority.” The Tribunal is required by law to operate within the PFMA and its accompanying Treasury Regulations as a Schedule 3A public entity, the two above-mentioned sections of the Act are therefore very significant for operational and reporting purposes. Materiality and significance levels will be influenced by considerations such as legal and regulatory requirements.

9.2 Assessment and determination of materiality for the Tribunal

The Companies Tribunal has strengthened its control environment. This is evidenced by the fact that the Tribunal has been obtaining the clean audit opinion for the past four financial years. However, there are inherent risks associated with implementation of new unproven process, change in leadership as a result of appointment and resignation and/or retirement of staff and may result in lack of teamwork. The risks must be however discounted by the unqualified audit report obtained by the Tribunal over the past six years and the significance of the related audit findings. This therefore requires the entity to set the threshold at a reasonably conservative level of the Treasury guideline matrix.

The following guideline will be applied to the basis selected:

The best indicator with regard to the Tribunal’s non-capital-intensive business activity is the higher of revenue or expenditure. For this reason, 0.60% of budgeted expenditure is chosen with regard to this framework, and this basis is consistent with prior years.

9.3 Annual review of materiality

The materiality framework and significance levels will be reviewed each financial year in line with the preparation of the annual performance plan by management based on the levels of risks and the adequacy of the internal controls and accounting systems.

Part D: Technical Indicator Descriptions (TID)

Output 1: Applications Adjudicated within the turn-around time	
1. Indicator title	Percentage of decisions and orders issued within 40 working days after the final date of the hearing.
2. Short definition	Percentage of cases resolved within 40 days after the final hearing date or final submission by parties, whichever is applicable. <i>Final hearing date refers to the last date of hearing of a matter of a Tribunal sitting or the last date of submission of documentation requested by the Tribunal Member at the final hearing.</i> <i>Days refer to working days excluding weekends, public holidays and days on which CT is officially closed.</i>
3. Purpose/importance	The entity shows its efficiency and effectiveness in managing cases and the turnaround times to revert to the applicants after the date of hearing.
4. Source/collection of data	Electronic case management system report or Excel spread sheet and reports which reflect date received, date of final hearing, date finalized and date of issuing order/decision
5. Method of calculation	The number of decisions and orders issued within 40 working days after the last hearing date divided by the total number of hearings concluded and multiply by hundred. The number of hearings concluded where the 40 working days of issuing a decision or order fall outside the reporting period will not be calculated. The number of decisions or orders issued after the 40 working days after the last day of the hearing will not be counted as percentage achieved but will be counted as total number of hearings concluded.
6. Data limitations	Incorrect capturing of data
7. Type of indicator	Quantity – output
8. Calculation type	Cumulative – it is calculated on a quarterly basis to obtain the annual target
9. Reporting cycle	Monthly
10. New indicator	No – continuous from the previous financial year
11. Desired performance	Target - performance 90% - 95%
12. Indicator responsibility	Manager: Registry

Output 2: Applications Adjudicated within the turn-around time	
1. Indicator title	Percentage of decisions and orders issued within 30 days after the date of allocation
2. Short definition	Percentage of cases resolved within 30 days after the allocation date. <i>Date of allocation refers to the date of sending an e-mail allocating a case to a Tribunal member or the last date of submission of documentation requested by the Tribunal Member</i> <i>Days refer to working days and exclude weekends, public holidays and days on which CT is officially closed.</i>
3. Purpose/importance	The entity shows its efficiency and effectiveness in managing cases and the turnaround times to revert to the applicants after the date the case was allocated.
4. Source/collection of data	Electronic case management system report or Excel spread sheet and reports which reflect date received, date allocated, date finalised and date of issuing decision/ order
5. Method of calculation	The number of decisions and orders issued within 30 working days after the date of allocation divided by the total number of allocated cases and multiply by hundred. The number of allocated cases, where the 30 working days of issuing a decision or order fall outside the reporting period will not be calculated. The number of decisions or orders issued after the 30 working days after the last day of the allocation will not be counted as percentage achieved but will be counted as total number of cases allocated.
6. Data limitations	Incorrect capturing of data
7. Type of indicator	Quantity – Output
8. Calculation type	Cumulative – it is calculated on a quarterly basis to obtain the annual target
9. Reporting cycle	Monthly
10. New indicator	No – continuous from the previous financial year
11. Desired performance	Target 98% - 100%
12. Indicator responsibility	Manager: Registry

Output 3: Disputes Applications resolved (Alternative Dispute Resolution) within the turn-around time	
1. Indicator title	Percentage of cases finalised ⁹ in terms of Alternative Dispute Resolution (ADR) within 25 working days after the date of final hearing or final submission by parties, whichever is applicable
2. Short definition	Percentage of cases finalized in terms of ADR within 25 working days after the date of final hearing or final submission by parties whichever is applicable <i>Hearing refers to a sitting of mediation, conciliation or arbitration as agreed by the parties.</i> <i>Finalized refers to instances where a certificate of failed ADR has been issued, arbitration award issued, order issued settlement agreement reached by parties or mediation report issued by the facilitator(s)¹⁰ within 25 working days after the date of final hearing.</i> <i>Date of final hearing refers to the last day set for mediation, conciliation or arbitration of a matter or the last date of submission of documentation requested by the facilitator at the final hearing from the party/ies</i> <i>Days refer to working days excluding the holidays, weekends and days on which the CT is officially closed.</i>
3. Purpose/ importance	The entity shows its effectiveness in terms of handling the ADR cases and the finalization of cases to revert to the applicants after the hearing of the case.
4. Source/collection of data	Electronic case management system report or excel spreadsheet and report will reflect the date received, the date of hearing and the date of finalizing of the case.
5. Method of calculation	The number of cases finalized in terms of ADR within 25 working days after the date of final hearing divided by the total number of cases set down for hearing multiplied by hundred. The total number of cases set down for hearing outside of the reporting period will not be counted including cases that were set down for hearing during the reporting period but were postponed allowing the parties to deal with the matter outside of the Tribunal mediation, conciliation and arbitration processes. The number of cases set down for hearing where the 25 working days for finalizing the case fall outside the reporting period will not be calculated. The number of cases finalized after the 25 working days after the date of final hearing will not be counted as percentage achieved but will be counted as total number of hearings set down for hearing.
6. Data limitations	Incorrect capturing of data
7. Type of indicator	Quantity – Output
8. Calculation type	Cumulative- it is calculated on quarterly bases to obtain an annual target.
9. Reporting cycle	Quarterly
10. New indicator	No
11. Desired performance	To retain the 100% baseline
12. Indicator responsibility	Manager: Registry

⁹ Finalised refers to instances where certificate of failed ADR has been issued, consent order issued of withdrawal of the matter by either party, settlement agreement reached by both parties or mediation report issued by the Tribunal Member(s)

¹⁰ Facilitator and Tribunal Member means the same thing or person

Output 4: Functional, efficient and user friendly electronic Case Management System to assist in ease of doing business	
1. Indicator title	Percentage of user-uptake of the electronic Case Management System
2. Short definition	The percentage of increase of user uptake
3. Purpose/ importance	To assist in ease of doing business by providing an electronic platform for the public to submit their applications and upload related documentation
4. Source/collection of data	Electronic Case Management System Report
5. Method of calculation	The number of applications captured by the public on the electronic Case Management System divided by the total number of applications received 100
6. Data limitations	Incorrect capturing of data or not understanding the system requirements
7. Type of indicator	Quantity – Output
8. Calculation type	Cumulative- it is calculated on quarterly bases to obtain an annual target
9. Reporting cycle	Quarterly
10. New indicator	Yes (joint dtic indicator #7A)
11. Desired performance	To increase user uptake of the electronic Case Management System
12. Indicator responsibility	Manager: Registry

Output 5: Capacity Building	
1. Indicator title	Percentage of vacancy rate
2. Short definition	The percentage of vacancy rate <i>Vacancy refers to post not filled but funded</i>
3. Purpose/importance	To ensure that post that are funded are filled timeously to ensure that there are no capacity constraints within the organisation
4. Source/collection of data	Resignation letters, salary reports and budget
5. Method of calculation	Total number of vacant funded positions for the organization divide by the total number of total funded posts multiplied by 100
6. Data limitations	Human error
7. Type of indicator	Quantitative – Output
8. Calculation type	Cumulative
9. Reporting cycle	Quarterly
10. New indicator	Yes
11. Desired performance	Continuous employment within the Companies Tribunal ensuring a low staff turnover rate
12. Indicator responsibility	Human Resources

Output 5: Stakeholder Engagements	
1. Indicator title	Number of seminars held hosted
2. Short definition	Host a seminar on a research topic <i>Host means organize and present/ collaborate/ partner</i>
3. Purpose/importance	To create awareness and educate the public about services of CT and promote a positive corporate image
4. Source/collection of data	Transcript of the seminar and/or attendance register
5. Method of calculation	Seminar report and/or attendance register
6. Data limitations	Lack of resources (Human and Capital)
7. Type of indicator	Quantitative – Output
8. Calculation type	Cumulative
9. Reporting cycle	Quarterly
10. New indicator	No
11. Desired performance	Public awareness, accessibility and stakeholder management
12. Indicator responsibility	Manager: Communication and Marketing

Output 6: Stakeholder Engagements	
1. Indicator title	Number of media engagements (media statements and radio activities)
2. Short definition	Release 2 media statements in newspapers to create awareness of the services provided by the CT to the public and stakeholders by end of the year Participate in 2 radio activities to create awareness and educate the public about services of the Companies Tribunal <i>Release means to publish in newspaper(s) or online media</i> <i>Activities means interviews/advertisement or live reads</i>
3. Purpose/importance	To create awareness and educate the public about services of CT and promote a positive corporate image
4. Source/collection of data	Media statements or advertorial Shared drive Radio clip or advertorial or letter from radio station confirming that the interview or advert took place.
5. Method of calculation	Manual counting of media statements or advertorials and radio clip or letters from radio stations.
6. Data limitations	Lack of resources (Human and Capital)
7. Type of indicator	Quantitative – Output
8. Calculation type	Cumulative
9. Reporting cycle	Quarterly
10. New indicator	No, continuous from previous year
11. Desired performance	Public awareness, accessibility and stakeholder management
12. Indicator responsibility	Manager Communication and Marketing

Output 7: Research Report (Build a body of knowledge around company law and alternative dispute resolution)	
1. Indicator title	Producing one research report per annum with quarterly milestones and develop or reviewing the code of rules or protocol on adjudication processes per quarter.
2. Short definition	CT should conduct research on various sections, regulations and application of Companies Act, 2008 for the development and progressive sustenance of companies' law jurisprudence (body of knowledge). And to develop or review codes of rules or protocols on adjudication and alternative dispute resolutions. <i>Rules or Protocol means a set of regulation or principles governing the conduct or procedure relating to arbitration, adjudication and alternative dispute resolutions.</i> <i>Produced means approved by the Chief Operations Officer for internal use and circulated internally on the shared folder</i>
3. Purpose/importance	To enhance CT approach on delivering on its mandate as a preferred adjudicator and provider of alternative dispute resolutions (ADR).
4. Source/collection of data	Filed research reports and rules of protocol on the institutional shared drive.
5. Method of calculation	Manual counting of the research report output and developed or reviewed codes of rules or protocol on adjudication and alternative dispute resolutions.
6. Data limitations	Human error
7. Type of indicator	Quantitative – Output
8. Calculation type	Cumulative
9. Reporting cycle	Quarterly
10. New indicator	No
11. Desired performance	To enhance CT's capacity to deliver on its mandate in terms of section 195 of the Companies Act, 2008 in respect of adjudications and alternative dispute resolutions.
12. Indicator responsibility	Legal Advisor

Output 8: Procurement to promote transformation and empowerment of designated groups	
1. Indicator title	Percentage of service providers appointed with Level 4 and above B-BBEE accreditation
2. Short definition	Percentage of service providers appointed (B-BBEE accreditation Level 4+)
3. Purpose/importance	To assist in the promotion of transformation and empowerment of designated groups
4. Source/collection of data	Monthly Procurement Report
5. Method of calculation	Manual/electronic adding of the number of service providers appointed with level 4 and above B-BBEE accreditation
6. Data limitations	Calculation or input error
7. Type of indicator	Quantitative – Output
8. Calculation type	Cumulative
9. Reporting cycle	Quarterly
10. New indicator	Yes (joint dtic indicator #5)
11. Desired performance	To assist in promoting a growing an inclusive economy through appointment of service providers with Level 4 and above B-BBEE accreditation
12. Indicator responsibility	Finance and SCM