

# COMPANIES TRIBUNAL (CT) ANNUAL PERFORMANCE PLAN: 2023/2024

## PARLIAMENTARY PORTFOLIO COMMITTEE ON TRADE, INDUSTRY AND COMPETITION

31 MAY 2023

Judge Dennis Martin Davis: Chairperson  
'Maletlatsa Monica Ledingwane: COO  
Hleketani Solly Mahlabane: Acting CFO

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# THE MANDATE



**(1) Established** thru' Companies Act, 2008 (Act No. 71 of 2008)

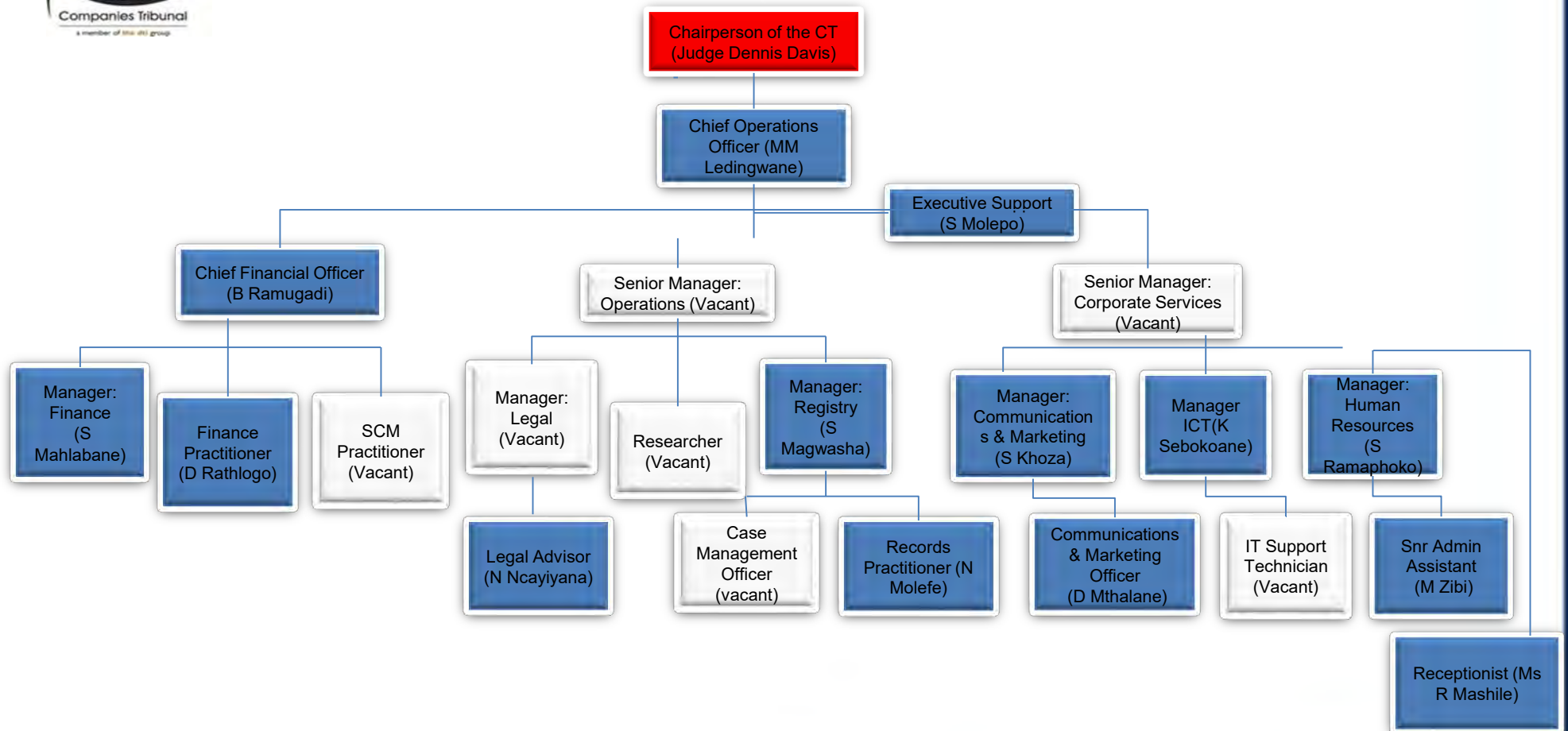
## **(2) Mandate**

- a) Adjudicate applications that may be made to it in terms of the Act and make any necessary orders;
- b) Resolve disputes as contemplated under the Act; and
- c) Perform any other function assigned to it by or in terms of the Act or any law in schedule 4.

## **(3) Cost and turn around time:**

- a) No cost to the parties.
- b) Turn-around Time: Max 40 days after pleadings close/ set down

# CT ORGANOGRAM AS AT 31 March 2023



Filled Funded  
Positions -14

Vacant & Funded  
Positions - 1

Vacant & Unfunded  
Positions - 7

Not actual positions



# VISION & MISSION

Nature of cases	2015/16	2016/17	2017/18	2018/19	2018/19	2020/21	2021/22
Access to records	1	0	0	0	0	0	0
Change to the financial year end	0	0	0	0	0	0	0
Company restoration	0	0	0	0	0	0	0
Review of compliance notice	5	9	8	2	5	1	13
Directors' dispute	13	27	30	35	54	39	38
Extension of time to prepare annual financial statements	3	3	0	0	0	0	1
Extension of time to convene AGM	14	14	9	4	14	39	16
Holding of an AGM	3	0	1	1	0	0	0
Name disputes	273	180	178	168	123	105	163
Outstanding information	0	0	0	0		0	0
Review of CIPC decision	2	6	2	6	2	1	13
SEC (S 72) (5)	57	29	24	28	24	34	26
S 2(3) exemption	0	1	0	0	0	3	0
S 6(2) exemption	1	2	2	0	0	0	0
Substituted service	5	1	0	0	1	0	1
Variation of an order	0	0	0	0	0	2	1
TOTAL (Adjudication)	377	272	254	244	223	224	311
Total (ADR)	-	-	-	-	-	-	39

# RISK ANALYSIS: PESTEL

## POLITICAL

### Positive

### Negative

Priority on driving out corruption.

- Long decision lead times
- Changing political priorities (change of administration)
- Political instability

## ECONOMIC

### Positive

n/a

### Negative

- Impact of loadshedding
- Impact of water restrictions
- Economic instability (local and international)
- Slow economic growth

## SOCIAL

### Positive

### Negative

- Fraud / corruption
- Low literacy rate
- Language diversity

## TECHNOLOGICAL

### Positive

- Access to data
- Future technologies (4IR, etc)
- Impact of social media
- Access to mobile technology / ICT

### Negative

- Cyber-attacks /ransom ware

## ENVIRONMENTAL

### Positive

### Negative

- n/a

Green economy

## LEGAL

### Positive

Data privacy framework (POPI Act, etc.) King 4 report

### Negative

- Limited jurisdiction to meet public expectations



## 1. Program 1: Adjudication

- 1.1 Issuing of decisions within 40 days
- 1.2 Issuing of decisions within 30 days
- 1.3 Finalization of disputes (ADR) within 25 days

## 2. Program 2: Administration

- 2.1 Percentage of user uptake of the electronic Case Management System
- 2.2 Number of mid-year and end of year seminars held
- 2.3 Number of governmental collaborative engagements
- 2.4 Number of media engagements (media statements/radio activities)
- 2.5 Number of marketing/branding campaigns (exhibitions at shows, at AGMs, etc.)
- 2.6 Number of outreaches with Ministry, municipalities, communities, schools etc.
- 2.7 Number of Black Industrialist (or other suitable dtic's) conferences Co/hosted
- 2.8 Percentage preferential procurement for designated groups
- 2.9 Percentage of budget spent
- 2.10 Audit level
- 2.11 Percentage of approved and funded positions filled
- 2.12 Percentage of staff PDP completed (training, bursary/short courses)
- 2.13 Number of wellness programs implemented (counselling/coaching etc.)
- 2.14 Number of interns skilled/employed
- 2.15 Percentage milestones met on Case Management System-CMS-improvement plan
- 2.16 Percentage of implementation against ICT Strategic Plan
- 2.17 Number of research Reports produced
- 2.18 Number of Governance/Guideline/SOP documents developed (CT/Legal)

# PLANNED QUARTERLY TARGETS: ADJUDICATION

	Annual Target	Q 1 Planned Target	Q 2 Planned Target	Q 3 Planned Target	Q 4 Planned Target
<b>1.1 Opposed cases finalized in 40 days</b>	<b>95%</b>	<b>95%</b>	<b>95%</b>	<b>95%</b>	<b>95%</b>
<b>1.2 unopposed cases finalized in 30 days</b>	<b>95%</b>	<b>95%</b>	<b>95%</b>	<b>95%</b>	<b>95%</b>
<b>1.3 ADR cases finlized in 25 days</b>	<b>95%</b>	<b>95%</b>	<b>95%</b>	<b>95%</b>	<b>95%</b>



# PLANNED QUARTERLY TARGETS: MARKETING

## 3.1. User uptake of the electronic Case Management System

CMS	Q 1	Q 2	Q 3	Q 4
Planned Target (45%)	45%	45%	45%	45%

## 4.1. Mid-year and end of year seminars held

Seminar	Q 1	Q 2	Q 3	Q 4
Planned Target (1)	-	Host Seminar		Host Seminar

## 4.2. Governmental Collaborative Engagements

Governmental Collaborative Engagements	Q 1	Q 2	Q 3	Q 4
Planned Target (6)	Two (2) Engagements	Two (2) Engagements	Two (2) Engagements	-

# PLANNED QUARTERLY TARGETS: MARKETING

## 4.3. Media Engagements

Media Engagements	Q 1	Q 2	Q 3	Q 4
Planned Target (12)	Three (3) Engagements	Three (3) Engagements	Three (3) Engagements	Three (3) Engagements

## 4.4. Marketing/ branding campaigns

Marketing/ branding campaigns	Q 1	Q 2	Q 3	Q 4
Planned Target (8)	Two (2) Campaigns	Two (2) Campaigns	Two (2) Campaigns	Two (2) Campaigns

# PLANNED TARGETS: MARKETING

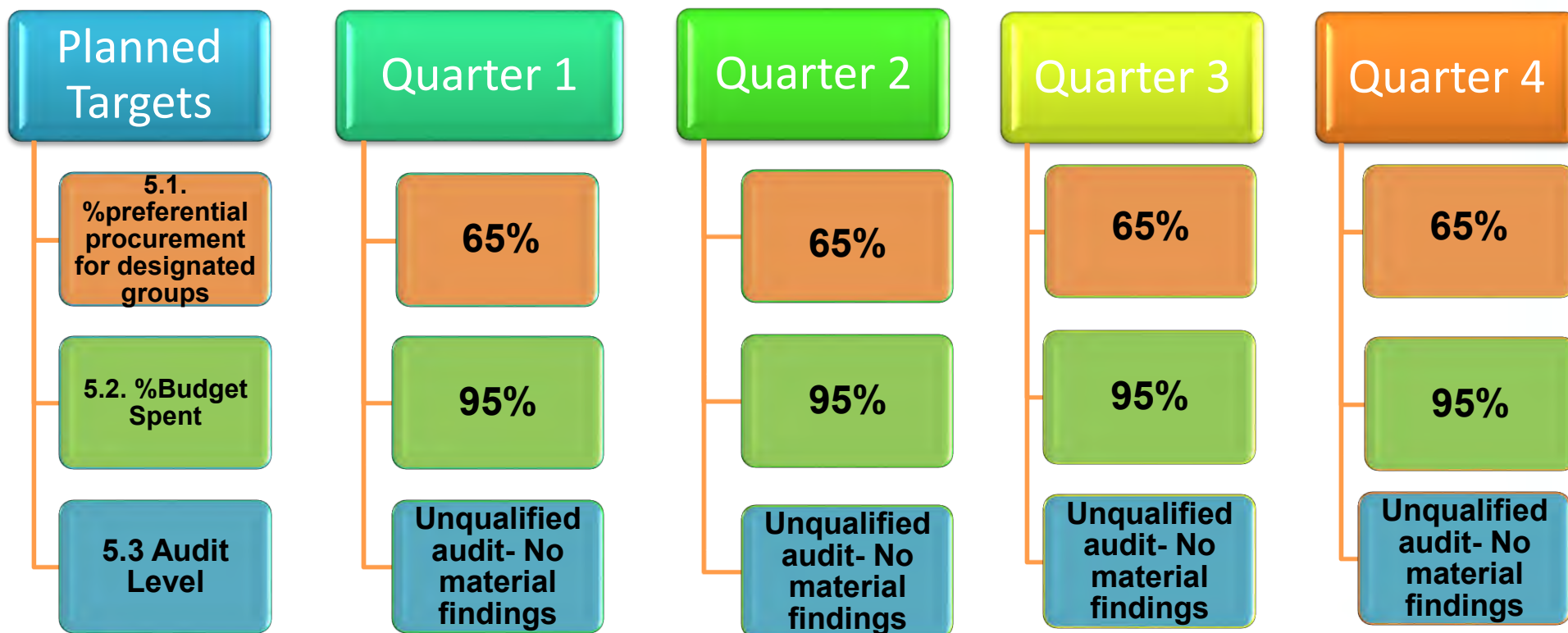
## 4.5. Outreaches with Ministry, municipality , school etc.

Outreaches	Q 1	Q 2	Q 3	Q 4
Planned Target (4)	One (1) Outreach	One (1) Outreach	One (1) Outreach	One (1) Outreach

## 4.6. Black Industrialist (or other suitable dtic's) conferences hosted/co-hosted

Black Industrialist Conferences	Q 1	Q 2	Q 3	Q 4
Planned Target (1)	-	-	One (1) Conference	-

# PLANNED TARGETS: FINANCE



# PLANNED TARGETS: HUMAN RESOURCES

Planned Targets	Quarter 1	Quarter 2	Quarter 3	Quarter 4
6.1. % Approved & Funded positions Filled	85%	85%	85%	85%
6.2. %Staff of PDPs completed	-	-	-	50%
6.3. Number of wellness programs implemented	1	1	1	1
6.4. Number of interns employed/skilled	2	-	-	-

# PLANNED TARGETS: INFORMATION TECHNOLOGY

## 7.1. Milestones met on Case Management System (CMS) improvement plan

CMS	Q 1	Q 2	Q 3	Q 4
Planned Target (20%)	20%	20%	20%	20%

## 7.2. Implementation against ICT Strategic Plan

ICT Strategic Plan	Q 1	Q 2	Q 3	Q 4
Planned Target (80%)	80%	80%	80%	80%

# PLANNED TARGETS: LEGAL SERVICES

## 8.1. Research Reports produced

Research	Q 1	Q 2	Q 3	Q 4
Planned Target (1)	-	-	-	(one) 1 legal research

## 8.2. Governance/Guideline/SOP documents developed

Documents developed	Q 1	Q 2	Q 3	Q 4
Planned Target (2)	-	(one) 1 Document developed	-	(one) 1 Document developed



# BUDGET APPLICATION PER PROGRAMME

Programme Name: Administration							
Economic classification	Audited outcome			Revised Estimates	Medium-Term Expenditure Estimate		
	2019/20 R '000	2020/21 R '000	2021/22 R '000	2022/23 R '000	2023/24 R '000	2024/25 R '000	2025/26 R '000
Current payment							
Compensation of employees	16,755	12,979	13 819	17,111	18,558	19,298	20,068
Goods & services, etc.	6,553	6,783	4,754	5,849	7,761	8,211	8,873
Payments of capital assets							
Building and other fixed structure	-	-	-	-	150	-	-
Machinery & equipment	584	100	83	150	150	480	300

Programme Name: Adjudication							
Economic classification	Audited outcome			Revised Estimates	Medium-Term Expenditure Estimate		
	2019/20 R '000	2020/21 R '000	2021/22 R '000	2022/23 R '000	2023/24 R '000	2024/25 R '000	2025/26 R '000
Current payment							
Member's fees	2,892	3,838	3,374	3,517	4,063	4,238	4,462
Goods and services	216	545	569	595	622	649	680
Payments of capital assets	-	-	-	-	-	-	-
Building and other fixed structure	-	-	-	-	-	-	-
Machinery & equipment	-	-	-	-	-	-	16

# PROJECTIONS OF REVENUE AND EXPENDITURE

STATEMENT OF FINANCIAL PERFORMANCE	Audited outcome			Revised estimate	Medium-term estimate		
	2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
<b>R thousand</b>							
<b>Revenue</b>							
Non-tax revenue	743	377	151	300	635	664	691
Transfers received	17,352	20,752	20,313	24,529	28,202	29,497	30,706
Donations received/Revenue in-kind	1,685	1,853	2,039	2,243	2,467	2,714	2,985
Income from surplus funds	-	-	-	-	-	-	-
<b>Total revenue</b>	<b>19,780</b>	<b>22,982</b>	<b>22,503</b>	<b>27,072</b>	<b>31,304</b>	<b>32,875</b>	<b>34,382</b>
<b>Expenses</b>							
<b>Current expenses</b>							
Compensation of employees	16,755	12,979	13,819	17,111	18,558	19,298	20,068
Goods and services	9,394	7,906	8,505	9,672	12,444	13,262	13,985
Depreciation	267	193	192	289	302	315	329
<b>Total expenses</b>	<b>26,416</b>	<b>21,078</b>	<b>22,516</b>	<b>27,072</b>	<b>31,304</b>	<b>32,875</b>	<b>34,382</b>
<b>Surplus/(Deficit)</b>	<b>(6,636)</b>	<b>1,904</b>	<b>(13)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

# CHALLENGES

a) Funding/Budgetary Constraints

b) Declining number of cases

c) Limited Mandate challenges

a) Case management system

b) Facilities

c) External dependencies

**Companies Tribunal's Reception:**  
**012 394 1000**



## **Website**

**[www.companiestribunal.org.za](http://www.companiestribunal.org.za)**

## **E-mail : The Registrar**

**[registry@companiestribunal.org.za](mailto:registry@companiestribunal.org.za)**