

# **Annual Performance Plan 2024/25– 2026/27**

**Revised as of October 2024**

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## Abbreviations and Acronyms

| Abbreviation           | Description                                    |
|------------------------|--|
| <b>AfCFTA</b>          | African Continental Free-Trade Agreement       |
| <b>AfriIPI</b>         | Africa Intellectual Rights and Innovation      |
| <b>AFS</b>             | Annual Financial Statements                    |
| <b>API</b>             | Application Programming Interface              |
| <b>AR</b>              | Annual Returns                                 |
| <b>BBBEE</b>           | Broad-Based Black Economic Empowerment         |
| <b>BISG</b>            | Business Information Systems Group             |
| <b>BR</b>              | Business Rescue                                |
| <b>BRR</b>             | Business Regulation and Reputation             |
| <b>CA</b>              | Chartered Accountants                          |
| <b>CC</b>              | Close Corporation                              |
| <b>CEO</b>             | Chief Executive Officer                        |
| <b>CFO</b>             | Chief Financial Officer                        |
| <b>CIPC</b>            | Companies and Intellectual Property Commission |
| <b>CLC</b>             | Client Liaison Committee                       |
| <b>CO</b>              | Company  |
| <b>COVID-19</b>        | Corona Virus Disease 2019                      |
| <b>CS</b>              | Corporate Services                             |
| <b>DB</b>              | Doing Business                                 |
| <b>DBSA</b>            | Development Bank of South Africa               |
| <b>DDM</b>             | District Development Model                     |
| <b>DM</b>              | Divisional Manager                             |
| <b>DST</b>             | Department of Science and Technology           |
| <b><i>the dtic</i></b> | Department of Trade, Industry and Competition  |
| <b>EM</b>              | Executive Manager                              |
| <b>EU</b>              | European Union                                 |
| <b>FATF</b>            | Financial Action Task Force                    |
| <b>FSCA</b>            | Financial Sector Conduct Authority             |
| <b>GCI</b>             | Global Competitiveness Index                   |
| <b>I&amp;C</b>         | Innovation and Creativity                      |
| <b>ICT</b>             | Information, Communication and Technology      |
| <b>IDC</b>             | Industrial Development Corporation             |
| <b>IFRS</b>            | International Financial Reporting Standard     |
| <b>IP</b>              | Intellectual Property                          |
| <b>IPAP</b>            | Industrial Policy Action Plan                  |
| <b>IT</b>              | Information Technology                         |
| <b>JSE</b>             | Johannesburg Stock Exchange                    |
| <b>K2</b>              | Code for a digital platform                    |
| <b>MOI</b>             | Memorandum of Incorporation                    |
| <b>MP</b>              | Member of Parliament                           |
| <b>NEF</b>             | National Empowerment Fund                      |
| <b>NIS</b>             | National Innovation System                     |
| <b>NLC</b>             | National Lotteries Commission                  |
| <b>PPE</b>             | Personal Protective Equipment                  |
| <b>QRS</b>             | Query Resolution System                        |
| <b>RIs</b>             | Reportable Irregularities                      |

| Abbreviation | Description                                   |
|--------------|---|
| <b>SACCL</b> | Standing Advisory Committee in Company Law    |
| <b>SARS</b>  | South African Revenue Services                |
| <b>SCM</b>   | Supply Chain Management                       |
| <b>SEDA</b>  | Small Enterprise Development Agency           |
| <b>SEZ</b>   | Special Economic Zones                        |
| <b>SM</b>    | Senior Manager                                |
| <b>SOE</b>   | State-Owned Enterprises                       |
| <b>SSC</b>   | Self-service centres                          |
| <b>SST</b>   | Self-service terminals                        |
| <b>UIF</b>   | Unemployment Insurance Fund                   |
| <b>USSD</b>  | Unstructured Supplementary Service Data       |
| <b>WIPO</b>  | World Intellectual Property Organisation      |
| <b>iXBRL</b> | Inline eXtensible Business Reporting Language |

## Executive Authority Statement

The 2024/25 Annual Performance Plan of the Companies and Intellectual Property Commission (CIPC) reflects our ongoing commitment to align with the strategic priorities of the Government of National Unity (GNU) and the implementation of the Medium-Term Development Plan (MTDP) 2024-2029. As we transition into a new phase of governance, our primary focus is on inclusive growth, job creation, and building a capable, ethical, and developmental state, in line with the national development agenda.

In the year ahead, the CIPC will play a critical role in supporting the GNU's strategic priority of fostering rapid, inclusive, and sustainable economic growth. This involves not only driving the registration and governance of companies but also ensuring that South Africa's corporate environment is positioned for long-term prosperity. The CIPC's work will focus on creating an enabling environment for businesses through streamlined processes, efficient administration, and the advancement of structural reforms as outlined in the MTDP.

Key contributions to economic growth and job creation will be achieved by supporting small, medium, and micro enterprises (SMMEs), enhancing the regulatory framework, and advancing innovation through intellectual property protections. The CIPC will continue to support the GNU's focus on reducing poverty and tackling the high cost of living, through improved transparency and governance, including the rollout of the Beneficial Ownership register. This vital initiative will ensure accountability and contribute to creating a business environment that is conducive to investment and growth, even in challenging global economic conditions.

The DTIC's 10-point plan and the associated 10 key outputs guide our activities in supporting 1 million jobs, mobilizing R200 billion in investment, and ensuring R700 billion in manufacturing exports. Furthermore, the CIPC will be instrumental in advancing black industrialists in the economy, helping to create 20,000 jobs and driving the output of R36.8 billion. This plan reinforces our commitment to transforming the economy and enabling more South Africans to participate in wealth creation and economic development.

In alignment with the MTDP 2024-2029, we are committed to the following three strategic priorities:

1. **Inclusive growth and job creation:** The CIPC will focus on fostering entrepreneurship, supporting SMMEs, and reducing regulatory red tape to enable businesses to thrive and create jobs.
2. **Reducing poverty and tackling the high cost of living:** Through initiatives like the Beneficial Ownership register and efforts to improve corporate transparency, we aim to support an equitable and just society.
3. **Building a capable, ethical, and developmental state:** The CIPC's modernisation efforts, including enhanced digital services, automation, and AI-driven solutions, will contribute to a more efficient and accountable public service.

The MTDP's emphasis on economic reforms and structural adjustments aligns closely with the work of the CIPC. Through continued modernisation and the effective execution of its mandate, the CIPC will contribute significantly to the economic transformation goals of the National Development Plan (NDP): Vision 2030.

This Annual Performance Plan 2024/25 is hereby submitted, reflecting the CIPC's critical role in advancing the economic and governance objectives of the GNU, in accordance with the Revised Framework on Strategic and Annual Performance Plans.



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**Mr Parks Tau, MP**

**Minister of Trade, Industry and Competition**

Date: 30 October 2024

## Accounting Authority Statement

I present the 2024/25 CIPC Annual Performance Plan (APP) that continues to give effect to the CIPC's mandate as derived from the Companies Act, 2008 (as amended) and its strategic alignment with the Department of Trade, Industry, and Competition (dtic). This APP highlights our sustained focus on driving inclusive economic growth, improving ease of doing business, and protecting intellectual property, all while contributing to South Africa's broader development goals as outlined in the Government of National Unity (GNU) and the Medium-Term Development Plan (MTDP) 2024-2029.

The CIPC has achieved considerable progress toward positioning itself as a reputable, world-class regulator through the strategic use of digital technologies, innovation, and collaboration. Our modernisation programme, which focuses on automating business registration processes and enhancing intellectual property protections, continues to drive efficiency. Over the past year, we have achieved significant milestones, including reducing company registration times to less than two days and automating the filing of annual financial statements via Inline Extensible Business Reporting Language (iXBRL). These innovations contribute directly to the dtic's 10-point plan by creating a regulatory environment that fosters investment and business growth.

We have further aligned our efforts with national priorities by addressing the regulatory burdens faced by businesses, reducing red tape, and supporting SMMEs and emerging enterprises through collaboration with entities such as the Small Enterprise Development Agency (SEDA). These initiatives are critical for enabling businesses to thrive, particularly in underserved areas, and contribute to achieving the dtic's targets of mobilizing R200 billion in investment and creating 1 million jobs.

The Beneficial Ownership register, a major initiative for the coming year, will enhance transparency and corporate governance in South Africa, aligning with global best practices and ensuring accountability. This, along with our efforts to strengthen enforcement of IP laws, will contribute to a safer business environment, fostering investor confidence and boosting exports, particularly in line with the dtic's target of R700 billion in manufacturing exports.

Our vision for CIPC 2030 is guided by four strategic pillars:

1. Simplifying regulatory compliance to make it easier for businesses to register, maintain, and operate within a supportive legal framework, thereby contributing to enterprise growth and sustainability.
2. Strengthening governance and enforcement of company and intellectual property laws, creating a reliable environment conducive to long-term investment and innovation.




3. Enhancing service delivery by expanding access to CIPC services through multiple channels such as e-services, mobile platforms, and self-service terminals, ensuring that businesses across the country can access critical services efficiently.
4. Leveraging data and technology to support decision-making and add value to businesses, ensuring that the CIPC remains at the forefront of digital transformation.

Our ongoing partnerships with key public and private sector stakeholders, both domestically and internationally, including those in the Africa Continental Free Trade Area (AfCFTA), ensure that the CIPC remains a vital contributor to South Africa's competitiveness on the global stage.


I commend the CIPC executives, senior management, and staff for their dedication and commitment, which have been critical to our successes thus far. I trust that their continued efforts will enable the CIPC to deliver on its ambitious targets and strategic objectives.

We will continue to depend on the guidance and oversight provided by the Minister of Trade, Industry, and Competition, Mr. Parks Tau, as well as the support from Deputy Ministers Mr. Zuko Godlimpi and Mr. Andrew Whitfield, and Ms. Malebo Mabitje-Thompson, the Acting Director-General of the dtic. Their leadership will be instrumental in guiding the CIPC toward achieving its vision and contributing to the GNU's priorities of inclusive growth and poverty reduction.

Rory Voller



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**Adv. Rory Voller**  
**CIPC Commissioner**  
**Date:**



## 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 2024/25 – 2026/27.

### Programme 1: Service Delivery Access

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
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### Programme 2: Innovation and Creativity


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### Programme 3: Business Regulation and Reputation

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Mr Muhammed Jasat, Chief Financial  
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Adv. Rory Voller, Commissioner: CIPC  
(Accounting Authority)  
Date:

Approved by:

Signature:   
Mr Parks Tau, Minister of Trade, Industry and  
Competition  
Date:

## Part A: Our Mandate

### 1. Updates to legislative and policy mandates

#### 1.1 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. 1: 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. 2: 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> |

| Legislation  | Summary  |
|--|--|
| <b>Companies Amendment , Act No. 16 of 2024</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 |
| <b>Companies Second Amendment , Act No. 17 of 2024</b>   | Facilitate the formation and management of close corporations, which are a type of business entity   |
| <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 |
| <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>Trademarks Act, No 194 of 1993</b>  | Register trademarks, 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  |

## 1.2 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. 3: 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> <li>• The CIPC's digital strategy emphasize development and strengthening of virtual</li> </ul> |

| Policies/Strategies                                  | Summary   | CIPC Contribution  |
|--|---|--|
|  |   | <p>channels, and automation of key services to extend access throughout South Africa.</p> <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> |
| <p><b>Medium-Term Development Plan 2024 – 29</b></p> | <p>The Medium-Term Development Plan (MTDP) 2024 – 2029 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>MTDP 2042-2029 has three (3) strategic priorities for which specific interventions and targets have been set:</p> <ul style="list-style-type: none"> <li><b>Priority 1:</b> Drive Inclusive growth and job creation</li> <li><b>Priority 2:</b> Reduce poverty and tackle the high cost of living</li> </ul> <p><b>Priority 3</b> Building a capable, ethical and developmental state</p> |  |

| Policies/Strategies                      | Summary   | CIPC Contribution   |
|--|---|---|
| <p><b>District Development Model</b></p> | <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 and Short-term operational plans all expressing the commonly agreed diagnostics, strategies, and actions.</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 this way, access to the CIPC services extends to local communities.</p>  |
| <p><b>the dtic Strategic Plan</b></p>    | <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. 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>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 |
|---------------------|--|-------------------|
|                     | <p>improve alignment between economic policies, plans of the state, its agencies, and government's political and economic objectives and mandate</p> |                   |

| Policies/Strategies   | Summary  | CIPC Contribution   |
|---|--|---|
| <p><b>The dtic Minister's commitments and 10-point, 5.4% growth programme</b></p> | <p>The Minister of Trade, Industry and Competition 10-point, 5.4% growth programme:</p> <ol style="list-style-type: none"> <li>1. Support infrastructure investment that lowers cost of doing business (Rail, Water and Energy)</li> <li>2. Support for government procurement of locally manufactured goods and services</li> <li>3. Investment in Innovation and Commercialization of Technologies: Funding of commercialisation of technologies to create new industries and jobs</li> <li>4. Increase Investment in Underserved Areas through the designation and roll out of special economic zones (SEZs) and the support of industrial parks</li> <li>5. Strengthen Masterplans: Development of a Draft National Industrial Policy Framework to promote industrialisation</li> <li>6. Job Training Programs: Empowering Futures: Expanding Job Training Opportunities for Youth and SMMEs</li> <li>7. Export Focus:             <ul style="list-style-type: none"> <li>o Increase the value of South African exports to the world by R1 trillion by 2030</li> <li>o Increase the value of South African exports to the rest of Africa (10% per annum growth)</li> </ul> </li> <li>8. Decarbonising South Africa Towards a Low-Carbon Economy: A Strategic Path to Sustainable Industrial Growth</li> <li>9. Streamline Regulations: Improve turnaround times across all services provided by the DTIC family</li> <li>10. Beneficiation of Critical Materials: Development of Battery Minerals Beneficiation Programme - (with targeted Battery Precursor Metals developed to support the energy transition)</li> </ol> | <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 always.</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> | <p>The CIPC collaborate with other entities such as SEDA to support small businesses and participate in the Africa Continental Free Trade Area project.</p>   |
| <b>Strategy on the Promotion of Entrepreneurship and Small Enterprise</b>     | <p>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.</p>   | <p>Through its education and awareness programme, the CIPC works with entities such as SEDA to provide non-financial support to SMMEs.</p>  |
| <b>Corporate Law Reform Policy</b>  | <p>To promote growth, employment, innovation, stability, good governance, and confidence in the South African business environment, as well as increase international competitiveness.</p>  | <p>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.</p> |
| <b>Co-operatives Development Policy for South Africa</b>                      | <p>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</p>   | <p>Through the Co-operatives Unit and the education and awareness programmes, the CIPC supports the co-operatives sector.</p>   |
| <b>Integrated Strategy for the Development and Promotion of Co-operatives</b> | <p>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.</p>   | <p>As explained above.</p>  |

| 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  |
|---|--|--|
| <p><b>National Youth Policy, 2030</b></p>                                 | <p>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.</p>  | <p>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.</p> |
| <p><b>White Paper on the Rights of People with Disabilities, 2016</b></p> | <p>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 regarding 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.</p> | <p>The CIPC complies with the requirements to meet the needs of people with disabilities.</p>  |

## 1.4 International Engagement

South Africa's national government is a member of international community such as the UN, G20, BRICS, African Union, and SADC, and 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>  | <p>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.</p>   |
| <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> | <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. 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.</p>   |
| <b>Paris Convention for the Protection of Industrial Property</b>                                 | <p>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.</p>  |

| Policies, Strategies, Treaties, and Agreements  | Summary   |
|---|---|
| Patent Co-operation Treaty  | 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 October 2016. |

## 2. Updates on Institutional Policies and Strategies over the five-year planning period

### 2.1 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.

## **2.2 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.

## **2.3 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/<br>Channels  | E-<br>service<br>Website | SSCs and<br>Partner<br>Sites<br>(SSTs)  | BIZ-<br>PORTAL | Mobile<br>App | Call<br>Cent<br>e | QRS | Social<br>Media<br>(Face-<br>book<br>Twitter) | Email<br>(Man-<br>ual) | Drop<br>at<br>CIPC<br>Boxes<br>(Man-<br>ual) |
|--|--------------------------|---|----------------|---------------|-------------------|-----|---|------------------------|--|
| <b>Integrated services (SARS, UIF, Compensation Fund, Bank Accounts, BEE Cert) - One-Stop Shop</b> | No                       | Yes – BBBEE certificate<br>Not Compensation Fund, UIF or Bank Account Opening | Yes            | No            | No                | No  | No  | N/A                    | N/A  |
| <b>Patents applications</b>  | Yes                      | No  | No             | No            | No                | No  | No  | No                     | Yes  |
| <b>Patents registration</b>  | Yes                      | No  | No             | No            | No                | No  | No  | No                     | Yes  |
| <b>Designs applications</b>  | Yes                      | No  | No             | No            | No                | No  | No  | No                     | Yes  |
| <b>Designs registration</b>  | Yes                      | No  | No             | No            | No                | No  | No  | No                     | Yes  |
| <b>Copyright in film applications</b>  | Yes                      | No  | No             | No            | No                | No  | No  | No                     | Yes  |
| <b>Copyright in film registration</b>  | Yes                      | No  | No             | No            | No                | No  | Yes   | Yes                    | Yes  |
| <b>Trademark applications</b>  | Yes                      | No  | No             | No            | No                | No  | No  | No                     | Yes  |
| <b>Trademark registration</b>  | Yes                      | No  | No             | No            | No                | No  | Yes   | Yes                    | Yes  |
| <b>Name reservations</b>   | Yes                      | Yes   | Yes            | Yes           | No                | No  | No  | No                     | Yes  |
| <b>Companies registration</b>  | Yes                      | Yes   | Yes            | Yes           | No                | No  | No  | Yes                    | Yes  |
| <b>Co-operatives Registrations</b>   | No                       | No  | No             | No            | No                | No  | No  | Yes                    | Yes  |
| <b>Domain Name Registrations</b>   | Yes                      | No  | No             | No            | No                | No  | No  | Yes                    | No   |
| <b>Director Amendments</b>   | Yes                      | Yes   | No             | No            | No                | No  | No  | Yes                    | Yes  |
| <b>Member Amendments</b>   | Yes                      | Yes   | No             | No            | No                | No  | No  | Yes                    | Yes  |
| <b>Auditor Changes</b>   | Yes                      | Yes   | No             | No            | No                | No  | No  | Yes                    | Yes  |
| <b>Company Name changes</b>  | Yes                      | Yes   | Yes            | No            | No                | No  | No  | No                     | No   |
| <b>Company and Close Corporation Address changes</b>   | Yes                      | Yes   | Yes            | No            | No                | No  | No  | No                     | No   |
| <b>Company and Close Corporation</b>   | Yes                      | Yes   | Yes            | No            | No                | No  | No  | No                     | No   |

| Services/<br>Channels                     | E-<br>service<br>Website | SSCs and<br>Partner<br>Sites<br>(SSTs) | BIZ-<br>PORTAL | Mobile<br>App | Call<br>Cent<br>e | QRS | Social<br>Media<br>(Face-<br>book<br>Twitter) | Email<br>(Man-<br>ual) | Drop<br>at<br>CIPC<br>Boxes<br>(Man-<br>ual) |
|---|--------------------------|--|----------------|---------------|-------------------|-----|---|------------------------|--|
| <b>Financial<br/>Year-End<br/>Changes</b> |                          |  |                |               |                   |     |   |                        |  |
| <b>Enterprise<br/>enquiry</b>             | No                       | Yes                                    | No             | No            | Yes               | Yes | Yes   | No                     | No   |
| <b>Disclosures</b>                        | Yes                      | Yes                                    | No             | No            | No                | No  | No  | Yes                    | No   |
| <b>BBBEE<br/>Certificates</b>             | Yes                      | Yes                                    | Yes            | No            | No                | No  | No  | Yes                    | No   |
| <b>Disclosures-<br/>MOI<br/>Documents</b> | Yes                      | Yes                                    | No             | No            | No                | No  | No  | Yes                    | Yes  |
| <b>Disclosures<br/>Approved<br/>names</b> | Yes                      | Yes                                    | No             | No            | No                | No  | No  | No                     | NO   |
| <b>Queries</b>                            | No                       | No                                     | No             | No            | Yes               | Yes | Yes   | Yes                    | Yes  |
| <b>Information<br/>access</b>             | Yes                      | Yes                                    | Yes            | No            | Yes               | Yes | Yes   | Yes                    | Yes  |
| <b>Annual<br/>Returns filing</b>          | Yes                      | Yes                                    | Yes            | No            | No                | No  | No  | No                     | No   |
| <b>AFS filing</b>                         | Yes –<br>XBRL<br>portal  | No                                     | No             | No            | No                | No  | No  | No                     | No   |
| <b>Name<br/>transfer</b>                  | 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 24/7 per channel  |
|-------------------------|--|
| <b>1. CIPC Website</b>  | Company registration<br>Company name reservation<br>Company and close corporation address changes<br>Company and close corporation financial year-end changes<br>Company name change<br>Company shareholder change<br>Co-operative registration<br>Annual Returns<br>Domain name registrations<br>BB-BEE certificate<br>XBRL Filing<br>Director amendment<br>Member amendment<br>Name transfer<br>Disclosure certificate<br>Auditor changes<br>Enterprise enquiry<br>MOI documents |

| Channels available 24/7                | Services available 24/7per channel   |
|--|--|
| <p><b>2. CIPC Mobile App</b></p>       | <p>Company registration<br/> Company name reservation<br/> Annual Returns<br/> BB-BEE certificate<br/> Disclosure Certificates<br/> Shopping Cart</p>  |
| <p><b>3. BizPortal &amp; Banks</b></p> | <p>Company Registration<br/> Company name reservation<br/> Domain Name Registrations<br/> BB-BEE certificate<br/> Annual Return<br/> Company/CC Address Changes<br/> Company Name Change<br/> Additional Links on BizPortal<br/> SARS Services<br/> Compensation Fund<br/> UIF Registration<br/> Business Bank Accounts<br/> Google Business Services</p>  |
| <p><b>4. SSTs</b></p>                  | <p>Company Registration<br/> Company name Reservation<br/> Company and close corporation address changes<br/> BB-BEE<br/> Domain names<br/> Annual Returns<br/> Amend Company Director Details<br/> Amend CC Member Details<br/> Certificates and Disclosures<br/> Enterprise Enquiry<br/> Name Changes Customer<br/> Transactions<br/> Auditor and ACC Officers</p>   |
| <p><b>5. Emails</b></p>                | <p>Electronic Filing (Prospectus, Independent Review, and Reportable Irregularity)<br/> Company registration<br/> Company associated name reservation<br/> MOI Changes<br/> Close corporation to company conversions<br/> External company registrations<br/> Merger and amalgamations<br/> MOI Amendments<br/> Company location record changes<br/> Voluntary deregistration<br/> Voluntary and court order liquidations<br/> Business Rescue Proceedings, Status reports, Substantial Implementations, Terminations and court orders relating to business rescue<br/> Company and close corporation reinstatements<br/> Co-operatives director amendment; Constitution amendment; Changes to addresses and auditors; Conversions; Deregistration; disclosure and financial statements.</p> |

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.

## **2.4 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.

## **2.5 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 ensures that processes are simple, value adding, and optimal.

## **2.6 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.

### 3. Relevant Court Rulings

Not applicable.

## Part B: Our Strategic Focus

### 4. Situational Analysis

#### 4.1 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, the risks presented by this context, and the implications for the CIPC's strategies and policies. The 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.

##### 4.1.1 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 consider 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. 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.

## **4. 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.

## **5. 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.

## **6. 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.

### **4.1.2 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 influenced 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 way 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 could be said to be dependent on regular and unimpeded trade. As such, the companies referred to above and the country, 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              | 2022/23 |
|--|-----------|-----------|-----------|----------------------|----------------------|---------|
| Patents applications                                 | 8 546     | 8 585     | 8533      | 8 393                | 12 479               | 14 330  |
| Patent registrations                                 | 6 551     | 6 569     | 5 756     | 3 525                | 7 834                | 7 397   |
| Patent renewals                                      | 48 001    | 48 100    | 48 151    | 44 948               | 47 803               | 45 387  |
| Designs applications                                 | 2 019     | 1891      | 1 873     | 1 651                | 1 555                | 1 782   |
| Designs Registrations                                | 2 028     | 1 790     | 1 741     | 1 391                | 1 825                | 1 544   |
| Designs Renewals                                     | 8 831     | 9 005     | 8 916     | 8 522                | 8 712                | 7 322   |
| Copyright in film applications                       | 61        | 99        | 55        | 26                   | 56                   | 17      |
| Copyright in film registrations                      | 4         | 136       | 18        | 19                   | 46                   | 9       |
| Trademarks applications                              | 38 283    | 39 136    | 38 148    | 39 317               | 42 138               | 38 224  |
| Trademarks registrations                             | 19 256    | 32 174    | 32 029    | 30 102               | 14 941               | 35 208  |
| Trademarks renewals                                  | No data   | 23 653    | 22 410    | 24 255               | 26 651               | 26 550  |
| Name reservations                                    | 250 352   | 387 422   | 539 100   | 528208               | 570 907              | 467 823 |
| Companies Registrations                              | 386 373   | 395 320   | 385 181   | 510 024 <sup>1</sup> | 469 983 <sup>1</sup> | 404 095 |
| Co-operatives Registrations                          | 12 748    | 12 270    | 12 478    | 6 142                | 4 483                | 6 253   |
| Director Amendments                                  | 72 312    | 71 711    | 5 588     | 167 415              | 167 627              | 149 816 |
| Member Amendments                                    | 40 412    | 36 087    | 31 803    | 25 273               | 27 010               | 22 937  |
| Auditor changes                                      | 54 242    | 56 384    | 53 434    | 93 204               | 33 316               | 22 393  |
| Company Name changes                                 | 12 748    | 12 270    | 12 478    | 6 142                | 57 666               | 53 983  |
| Company Financial Year End Changes                   | 5 585     | 5 762     | 6 011     | 5 843                | 5 387                | 5 286   |
| Business Rescue Proceedings Commenced (Active cases) | 362       | 349       | 369       | 335                  | 373                  | 249     |
| BBBEE Certificates                                   | 100 008   | 127 136   | 167 482   | 299 393              | 339 931              | 357 583 |

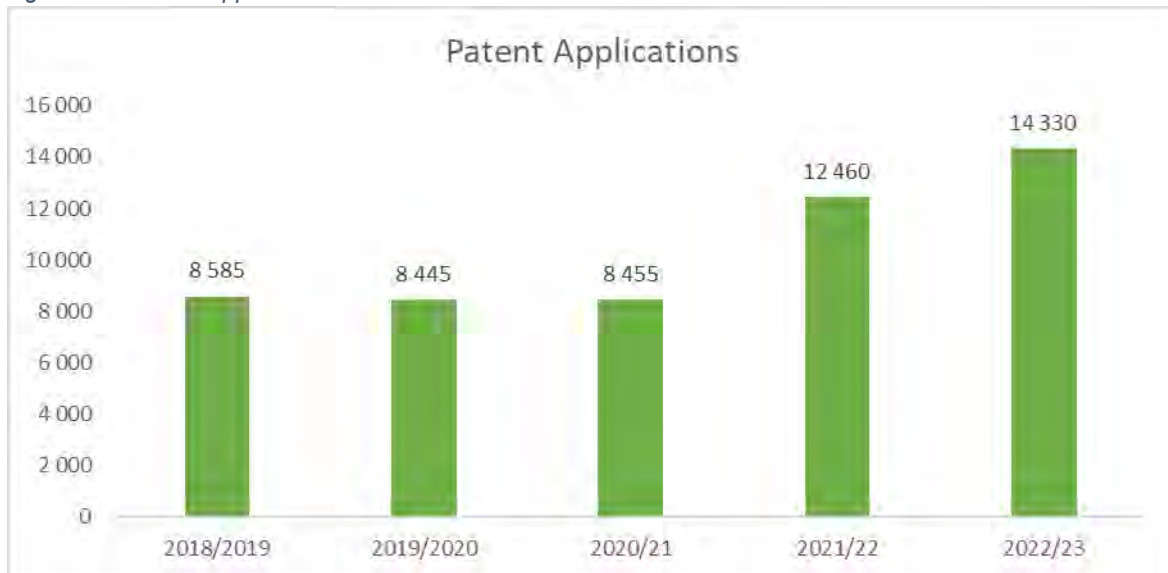
Trends in relation to some of the CIPC's key services are discussed in detail in subsequent sections of this report.

### 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 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.

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

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.

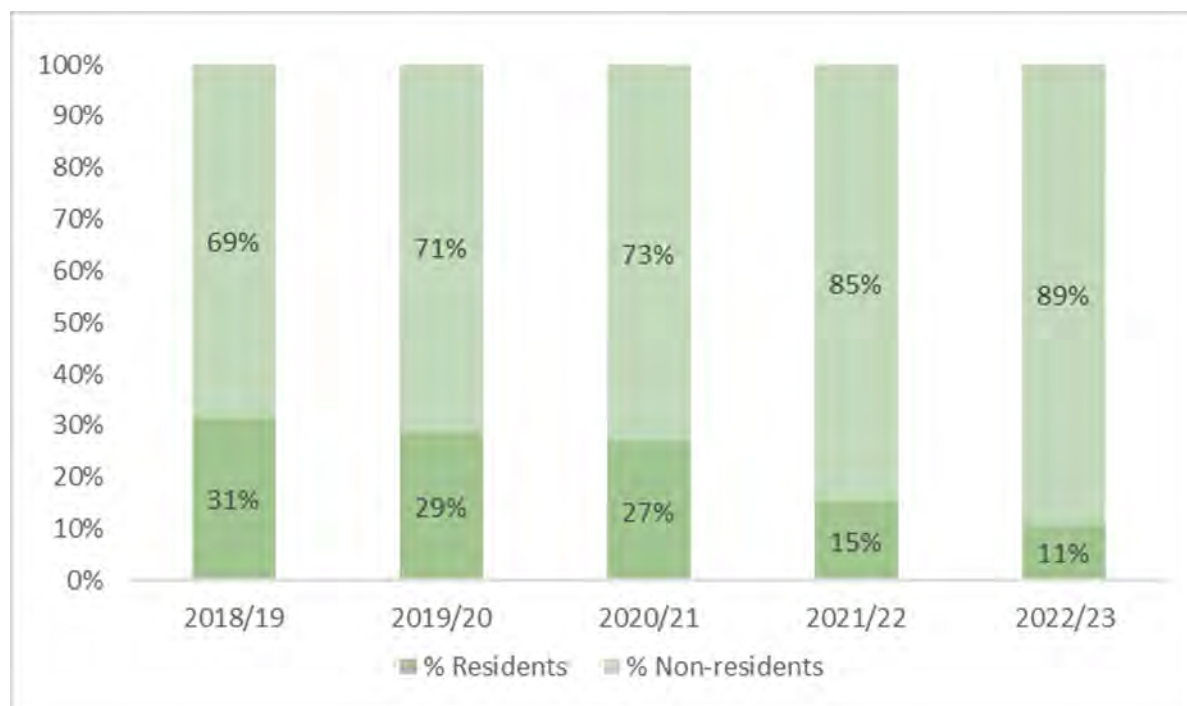
The CIPC received 12 479 patent applications during the 2021/22 reporting period. The average turnaround time for patent applications was two (2) working days. An average of ninety-seven percent (97%) of transactions were processed within the published service delivery turnaround times of two (2) days. 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.

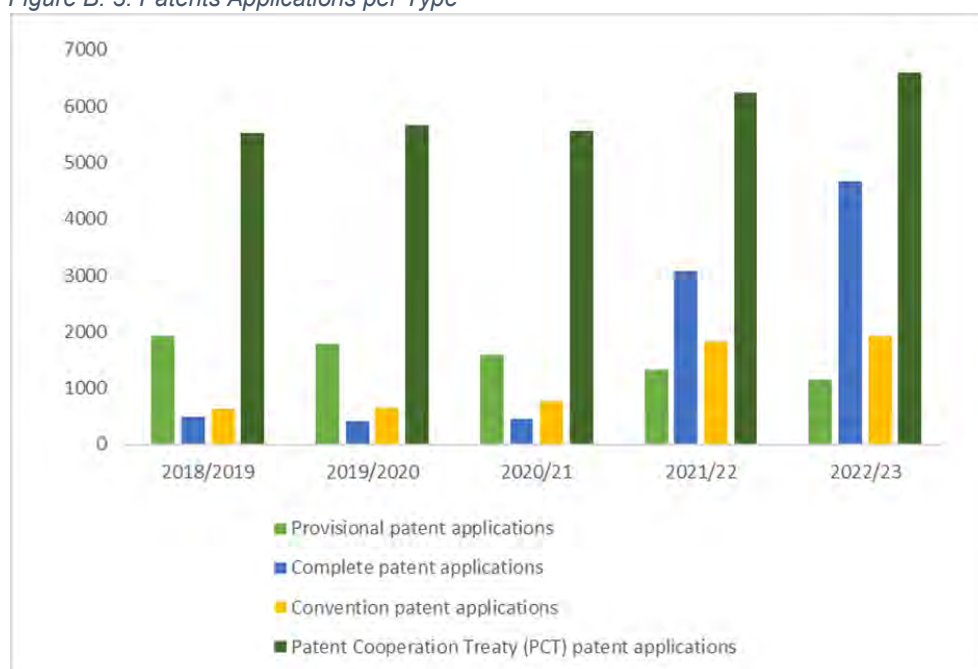
Table B. 2: Patent Applications per Type

| Patent Applications Lodged      | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 |
|---------------------------------|---------|---------|---------|---------|---------|---------|
| Provisional patent applications | 1 803   | 1 927   | 1 795   | 1 591   | 1 325   | 1 150   |
| Complete patent applications    | 566     | 490     | 423     | 462     | 3 086   | 4 674   |
| Convention patent applications  | 553     | 640     | 648     | 772     | 1 836   | 1 917   |

| Patent Applications Lodged                          | 2017/18      | 2018/19      | 2019/20      | 2020/21      | 2021/22       | 2022/23       |
|---|--------------|--------------|--------------|--------------|---------------|---------------|
| Patent Cooperation Treaty (PCT) patent applications | 5 624        | 5 528        | 5 667        | 5 568        | 6 232         | 6 589         |
| <b>Total</b>  | <b>8 546</b> | <b>8 585</b> | <b>8 533</b> | <b>8 393</b> | <b>12 479</b> | <b>14 330</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>

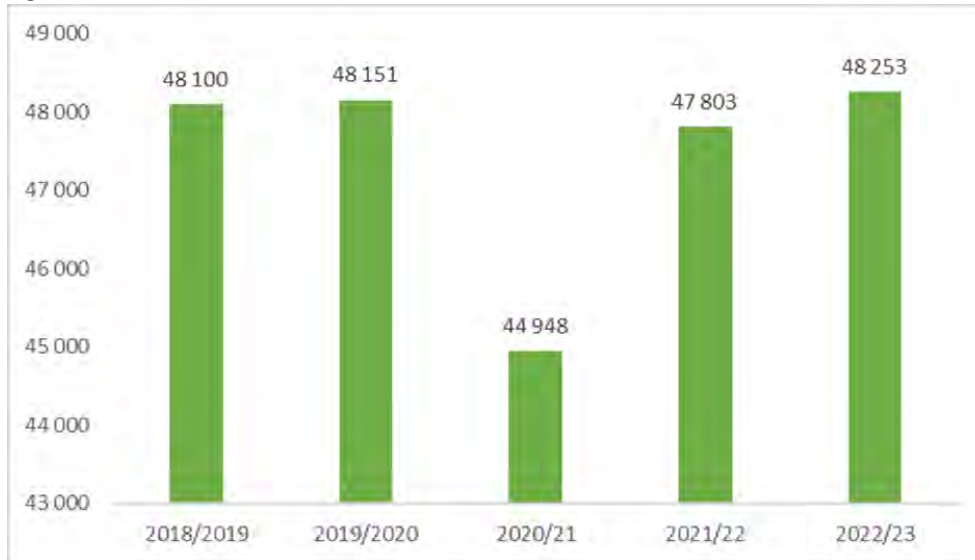


During the 2021/22 period, the CIPC issued 5263 patent registration certificates, of which ninety-eight percent (98%) were processed within the set service delivery turnaround times of forty-four (44) days at an average turnaround time of twenty-four (24) days from the date of publication in the Patents 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



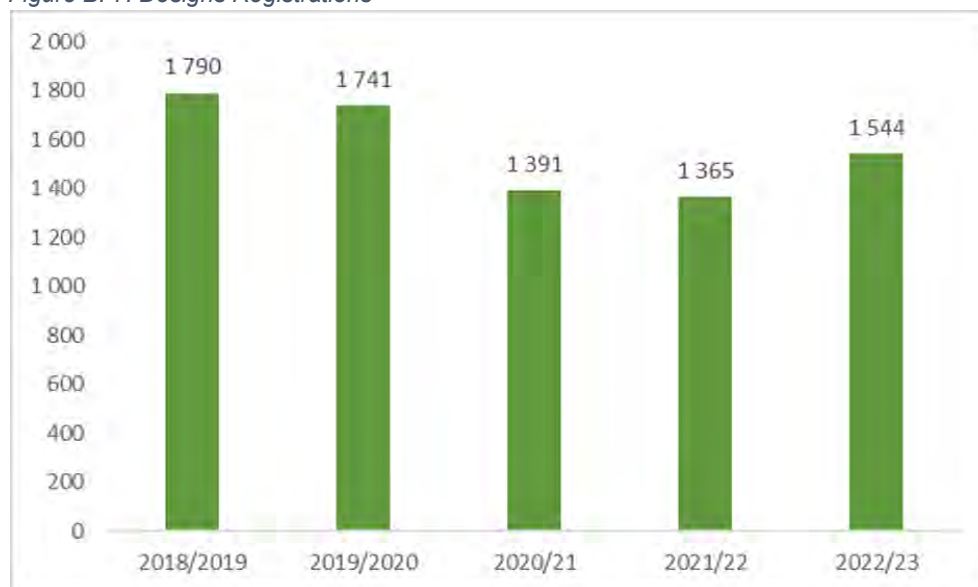
The CIPC satisfactorily complied with the published service delivery turnaround times for processing design applications, despite Covid-19 related restrictions and challenges during the 2021/22 reporting period. This is due to the high number of applications filed through automated processes. Further, 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



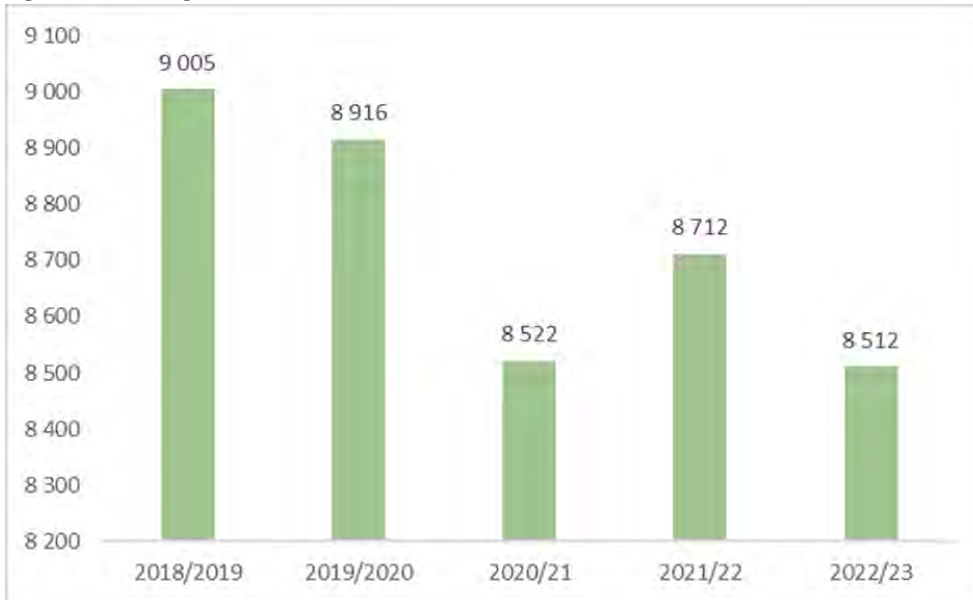
During the 2021/22 period, the CIPC issued 1 825 design registration certificates, of which ninety-eight percent (98%) were processed within the published service delivery turnaround times of forty-four (44) days from the date of publication in the Patents Journal at an average turnaround time of thirty-eight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

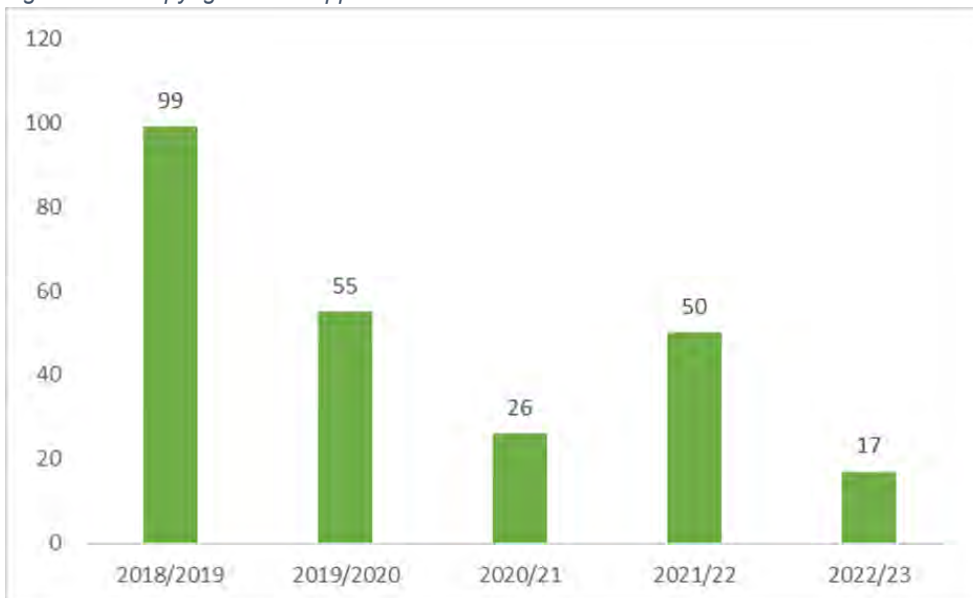


During the 2021/22 period, the CIPC processed 8 712 design renewals which is higher than the design renewals processed in 2020/21 (8 522). Seventy-four percent (74%) of design renewals were processed within the published service delivery turnaround times of two (2) working days at an average turnaround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

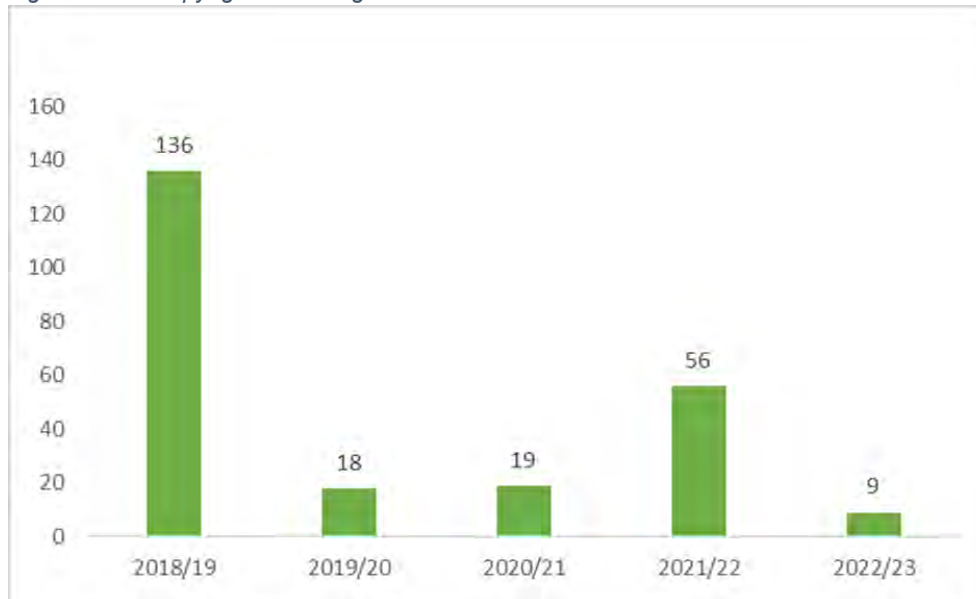


Only fifty-six (56) copyright in film applications were filed in 2021/22, compared to twenty-six (26) in 2020/21. Ninety-two percent (92%) of copyright in film applications were processed within the published service delivery turnaround times of two (2) working days at an average turnaround time of two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

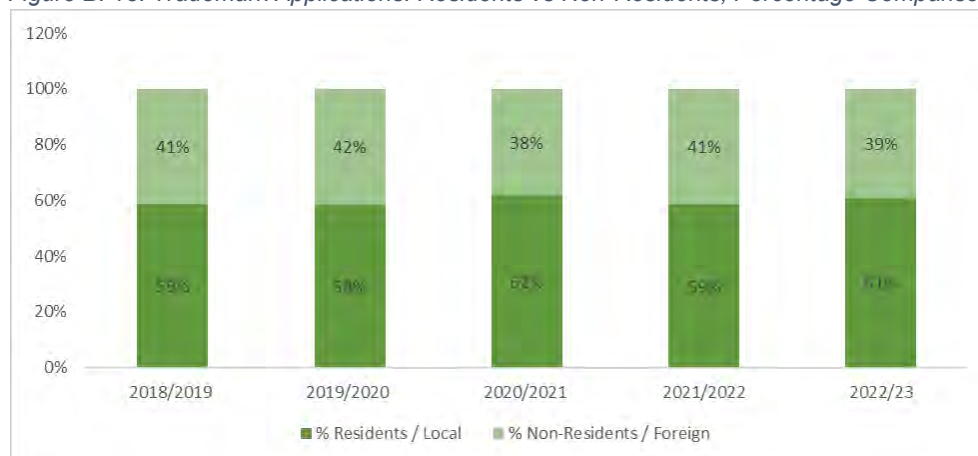
**Figure B. 12: Trademark Applications: Residents vs Non-residents** demonstrates an increasing trend for trademark applications for both South African residents and non-South African residents.

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

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



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.

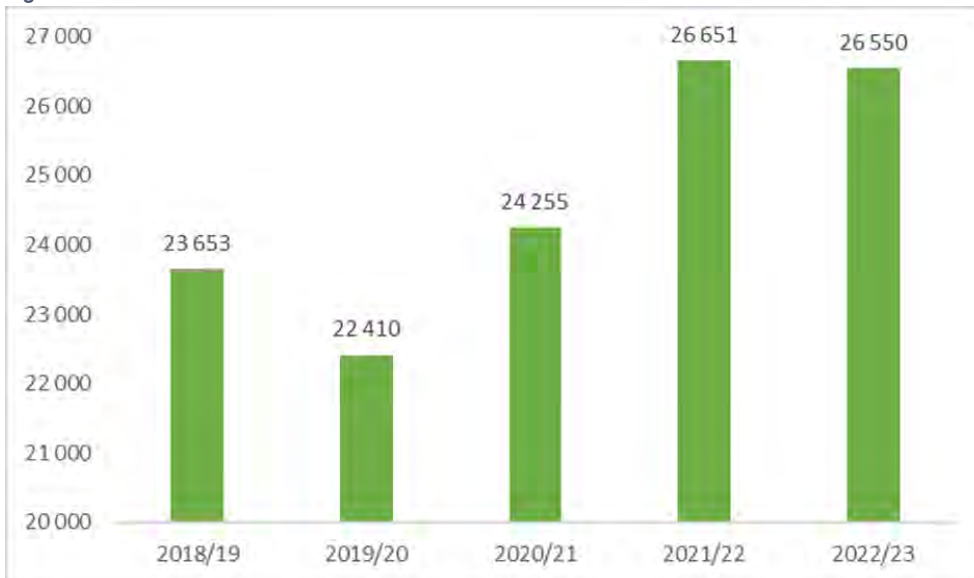
Special searches

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.

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

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

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 | 2017/18    | 2018/19    | 2019/20    | 2020/21    | 2021/22    | 2022/23    |
|--------------------------|------------|------------|------------|------------|------------|------------|
| <b>Active</b>            | 151        | 177        | 237        | 335        | 296        | 249        |
| <b>Liquidation</b>       | 32         | 19         | 17         | 5          | 9          | 8          |
| <b>Nullity</b>           | 22         | 33         | 15         | 3          | 8          | 3          |
| <b>Set aside</b>         | 2          | 5          | 2          | 1          | 0          | 0          |
| <b>Substantial</b>       | 56         | 44         | 46         | 11         | 8          | 14         |
| <b>Termination</b>       | 99         | 71         | 56         | 17         | 26         | 20         |
| <b>Grand Total</b>       | <b>362</b> | <b>349</b> | <b>373</b> | <b>373</b> | <b>347</b> | <b>294</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       | 2022/23              |
|---------------------------|------------------|------------------|------------------|---------------|---------------|----------------------|
| <b>Calls received</b>     | 184 062          | 315 503          | 356 803          | Not available | Not available | 118 049 <sup>5</sup> |
| <b>Calls answered (%)</b> | 130 991<br>(71%) | 187 276<br>(87%) | 199 932<br>(56%) | 134 912       | 118 796       | 145 404 <sup>6</sup> |

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.

<sup>5</sup> Number represents call received only during Quarter 3 and Quarter 4

<sup>6</sup> Number represents all calls received during the financial year.

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*

|                             | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 |
|-----------------------------|---------|---------|---------|---------|---------|---------|
| <b>Queries received</b>     | 85 362  | 86 179  | 95 105  | 122 629 | 170 896 | 177 679 |
| <b>Queries resolved (%)</b> | 100%    | 100%    | 99,8%   | 97%     | 100%    | 170 204 |

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)*

|                 |                      | 2017/18   | 2018/19   | 2019/20    | 2020/21      | 2021/22      | 2022/23      |
|-----------------|----------------------|-----------|-----------|------------|--------------|--------------|--------------|
| <b>Facebook</b> | Queries received     | -         | 670       | 7090       | 81 902       | 80 882       | 35 918       |
|                 | Queries resolved (%) | -         | 658 (98%) | 1932 (27%) | 68 331 (83%) | 56 246 (94%) | 30 809 (84%) |
| <b>Twitter</b>  | Queries received     | 1303      | 1939      | 7300       | 41 587       | 21 730       | 11 885       |
|                 | Queries resolved (%) | 571 (43%) | 982 (48%) | 1249 (17%) | 13 527 (33%) | 17 750 (88%) | 8911 (70%)   |

System downtime was the topical issue for social media customer queries during the 2021/22 financial year. Most 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.

### 4.1.3 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.

#### 4.1.4 Technological Analysis

Key trends in relation to the external technological environment can be described, and are illustrated in **Figure B. 16: 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. 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 2.3**.

## 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.

### 4.1.5 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.

#### 4.1.6 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 several 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 this trajectory.

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

| CIPC Services                   | 2018/2019    | 2019/2020    | 2020/21      | 2021/22  | 2022/23  |
|---------------------------------|--------------|--------------|--------------|----------|----------|
| Patent applications             | 3 days       | 3 days       | 3 days       | 2 days   | 2 days   |
| Patent registrations            | Not reported | Not reported | Not reported | 44 days  | 27 days  |
| Patent renewals                 | Not reported | Not reported | Not reported | 3 days   | 2 days   |
| Designs applications            | 3 days       | 3 days       | 2 days       | 2 days   | 2 days   |
| Designs registrations           | Not reported | Not reported | Not reported | 44 days  | 9 days   |
| Designs renewals                | Not reported | Not reported | Not reported | 2 days   | 2 days   |
| Copyright in film applications  | 3 days       | 3 days       | 10 days      | 1 day    | 2 days   |
| Copyright in film registrations | Not reported | Not reported | Not reported | 32 days  | 2 days   |
| Trademarks applications         | 3 days       | 3 days       | 3 days       | 3 days   | 3 days   |
| Trademarks registrations        | Not reported | Not reported | Not reported | 132 days | 180 days |
| Trademarks renewals             | Not reported | Not reported | Not reported | 2 days   | 3 days   |
| Name Reservations               | Not reported | Not reported | 2 days       | 1 day    | 1 day    |
| Companies Registrations         | 1 day        | 2 days       | 2 days       | 1 day    | 1 day    |

| CIPC Services  | 2018/2019    | 2019/2020    | 2020/21      | 2021/22   | 2022/23 |
|--|--------------|--------------|--------------|---|---------|
|  |              |              |              | (Instant <sup>7</sup> )                                   |         |
| Co-operatives Registrations                                | 2 days       | 2 days       | 2 days       | 1 day   | 1 day   |
| Director Amendments Manual                                 | Not reported | Not reported | 4 days       | 2 days  | 3 days  |
| Director Amendments Electronic                             | Not reported | Not reported | 1 day        | 1 day   | 2 days  |
| Member Amendments Manual                                   | Not reported | Not reported | 3 days       | 1 day   | 1 day   |
| Member Amendments Electronic                               | Not reported | Not reported | 1 day        | 2 days  | 1 day   |
| Auditor Changes Manual                                     | Not reported | Not reported | 2 days       | 1 day   | 3 days  |
| Auditor Changes Electronic                                 | Not reported | Not reported | 1 day        | 1 day   | 1 day   |
| Company Name changes                                       | Not reported | Not reported | 1 day        | Instant   | Instant |
| Company Share Changes                                      | Not reported | Not reported | Not reported | Instant   | Instant |
| Company Financial Year End Changes Electronic              | Not reported | Not reported | 1 day        | Instant   | Instant |
| Companies and CC Address Changes                           | Not reported | Not reported | Not reported | Instant provided the effective date of change is reached. | Instant |
| Memorandum of Incorporation (MOI) Amendments (JSE, e-mail) | Not reported | Not reported | Not reported | Instant   | Instant |
| Location of company records                                | Not reported | Not reported | Not reported | Instant   | Instant |
| Company and voluntary deregistration                       | Not reported | Not reported | Not reported | Instant   | Instant |
| Company Liquidations                                       | Not reported | Not reported | Not reported | Instant   | Instant |
| Company reinstatement                                      | Not reported | Not reported | Not reported | Instant   | Instant |
| Company and CC Commencement of Business Rescue Proceedings | Not reported | Not reported | Not reported | Instant   | Instant |
| Annual Returns Filings                                     | Instant      | Instant      | Instant      | Instant   | Instant |
| AFS Filings  | Instant      | Instant      | Instant      | Instant   | Instant |
| BBBEE certificate  | Not reported | Not reported | Instant      | 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

<sup>7</sup> Only short standard private company and short standard NPC without members) via BizPortal, Banks, Self Service Terminal and Mobile App.

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*

|                        | 2017/18    | 2018/19    | 2019/20    | 2020/21       | 2021/22    | 2022/23    |
|------------------------|------------|------------|------------|---------------|------------|------------|
| <b>Opening Balance</b> | 180        | 123        | 229        | 361           | 313        | 294        |
| <b>Cases Received</b>  | 258        | 394        | 274        | Not available | 98         | 109        |
| <b>Closed Cases</b>    | 315        | 281        | 144        | Not available | 117        | 74         |
| <b>Closing Balance</b> | <b>123</b> | <b>229</b> | <b>409</b> | <b>313</b>    | <b>294</b> | <b>329</b> |

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       | 2022/23       |
|-------------------------------------|---------|---------|---------|---------|---------------|---------------|
| Opening Balance                     | 215     | 499     | 351     | 225     | 159           | 192           |
| Allocated                           | 108     | 171     | 198     | 47      | 214           | 191           |
| Liability Exceeds Assets            | 37      | 87      | 40      | 36      | Not available | Not available |
| Financial Assistance                | 9       | 42      | 36      | 62      | Not available | Not available |
| VAT Tax Return Not Declared to SARS | 4       | 27      | 5       | 4       | Not available | Not available |
| Other                               | 8       | 15      | 20      | 13      | Not available | Not available |
| Total Closed                        | 58      | 171     | 101     | 115     | 256           | 199           |
| Closing Balance                     | 157     | 328     | 250     | 159     | 117           | 184           |

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 | 2022/23 |
|-----------------------------|---------|---------|---------|---------|---------|---------|
| Opening Balance             | 21      | 20      | 16      | 21      | 22      | 22      |
| Order Granted               | 0       | 3       | 0       | 3       | 4       | 4       |
| Settlement Order/Offer      | 0       | 3       | 2       | 3       | 2       | 2       |
| Opposed                     | 0       | 4       | 4       | 4       | 4       | 3       |
| Removed From the List       | 1       | 0       | 0       | 1       | 1       | 4       |
| Currently In Court/Set Down | 0       | 10      | 10      | 4       | 5       | 2       |
| Closing Balance             | 20      | 16      | 16      | 6       | 6       | 9       |

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 | 2022/23 |
|------------------------------|---------|---------|---------|---------|---------|---------|
| <b>Prospectus registered</b> | 33      | 42      | 41      | 66      | 56      | 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<br>(iXBRL<br>only) | 2019/20<br>(iXBRL<br>only) | 2020/21<br>(iXBRL<br>only) | 2021/22 | 2022/23 |
|--------------------------------------|---------|----------------------------|----------------------------|----------------------------|---------|---------|
| Annual Financial statements received | 29 899  | 7 118                      | 13 940                     | 16 884                     | 15 736  | 12 362  |
| Annual financial statements reviewed | 359     | 308                        | 430                        | 773                        | 720     | 461     |
| Proactive investigations             | -       | -                          | 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.

## **4.2 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 2023

| DIVISION                | NO OF POLICIES | DUE FOR REVIEW | UP TO DATE | IN PROGRESS | NEW POLICIES |
|-------------------------|----------------|----------------|------------|-------------|--------------|
| HR                      | 15             | 1              | 11         | 3           | -            |
| BISG                    | 11             | 2              | 8          | -           | 1            |
| Finance                 | 8              | -              | 8          | -           | -            |
| Facilities and Security | 4              | -              | 2          | 2           | -            |
| Client Engagement       | 1              | -              | 1          | -           | -            |
| GRC                     | 7              | -              | 7          | -           | -            |
| Strategy                | 5              | 1              | 2          | -           | 2            |
| TOTAL                   | 51             | 4              | 39         | 5           | 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

| 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 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

| Opening balance 01/04/22 | Adjustment 01/04/22 | Adjusted opening balance | Calls logged | Feedback Requests additional info | Resolved | Balance 30/06/23 |
|--------------------------|---------------------|--------------------------|--------------|-----------------------------------|----------|------------------|
| <b>Quarter 1</b>         |                     |                          |              |                                   |          |                  |
| 136                      | (41)                | 95                       | 73           | (16)                              | (52)     | 171              |
| <b>Quarter 2</b>         |                     |                          |              |                                   |          |                  |
| 171                      | (36)                | 135                      | 40           | (7)                               | (26)     | 142              |
| <b>Quarter 3</b>         |                     |                          |              |                                   |          |                  |
| 142                      | -                   | 142                      | 53           | (0)                               | (29)     | 166              |
| <b>Quarter 4</b>         |                     |                          |              |                                   |          |                  |
| 166                      | -                   | 166                      | 73           | (16)                              | (52)     | 171              |

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 | 200            |
| 2   Emails  | 44             |
| Total       | 244            |

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

| Nature of Cases | 2020/21  |     | 2021/22 |     | 2022/23 |     | 2022/23 (Q1) |    | 2022/23 (Q2) |    | 2022/23 (Q3) |    | 2022/23 (Q4) |    |      |
|-----------------|--|-----|---------|-----|---------|-----|--------------|----|--------------|----|--------------|----|--------------|----|------|
|                 | No   | %   | No      | %   | No      | %   | No           | %  | No           | %  | No           | %  | No           | %  |      |
| 1               | Fraudulent removal or addition of directors              | 111 | 30%     | 118 | 41%     | 65  | 27%          | 8  | 10%          | 11 | 28%          | 16 | 30%          | 30 | 41%  |
| 2               | Misuse of client's accounts                              | 22  | 6%      | 6   | 2%      | 12  | 5%           | 3  | 4%           | 3  | 7%           | 3  | 6%           | 3  | 4%   |
| 3               | Essential services certificates complaints               | 42  | 11%     | 1   | 0%      | 0   | 0%           | 0  | 0%           | 0  | 0%           | 0  | 0%           | 0  | 0%   |
| 4               | Fraudulent use of customer details to register a company | 0   | 0%      | 0   | 0%      | 75  | 31%          | 38 | 49%          | 11 | 28%          | 9  | 17%          | 17 | 23%  |
| 5               | Implicating CIPC employees                               | 7   | 2%      | 4   | 1%      | 1   | 0%           | 1  | 1%           | 0  | 0%           | 0  | 0%           | 0  | 0%   |
| 6               | Other: general category                                  | 76  | 20%     | 77  | 27%     | 61  | 25%          | 21 | 27%          | 8  | 20%          | 25 | 47%          | 7  | 10%  |
| 7               | Other: Feedback request/ additional information          | 114 | 31%     | 84  | 29%     | 30  | 12%          | 7  | 9%           | 7  | 17%          | 0  | 0%           | 16 | 22%  |
| <b>Total</b>    |  | 372 | 100%    | 290 | 100%    | 244 | 100%         | 78 | 100%         | 40 | 100%         | 53 | 100%         | 73 | 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 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 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 |
|---|--------|
| <b>Misconduct cases under investigation</b>             | 4      |
| <b>Misconduct cases at a disciplinary hearing stage</b> | 22     |
| <b>Warnings</b>   | 5      |
| <b>Grievances finalized</b>                             | 3      |
| <b>Labour disputes at CCMA</b>                          | 19     |
| <b>Labour disputes at GPSSSBC</b>                       | 4      |
| <b>Labour disputes at Labour Court stage pending</b>    | 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

### 5. Institutional Programme Performance

#### 5.1 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.

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

### **5.1.1 Focus Areas Organisational Competencies and Capabilities**

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

The OD process reviews and designs an organisational structure (including the design of business areas, business units, business processes, workflows, roles, responsibilities, volumes of work, activities, and resources) to ensure alignment with the organisation's mandate, strategic framework, and business objectives for optimal service delivery. The skills assessment and audit identify skills gaps and provide a basis for employee training and development, thus improving competencies and capabilities.

The OD process and the skills audit lay the foundation for building competencies and capabilities to build a world-class modern regulator.

In the 2024/25 financial year, the following will be measured:

- Development and implementation of the skills and training plan

The KPIs to be measured include:

- Percentage of employee completion of training initiatives
- Number of case studies demonstrating the impact of CIPC activities on business and society

#### **(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. It also provides mechanisms for holding the organisation and its people accountable. Corporate governance sets the structure for attaining objectives and monitoring performance.

Policies provide guidance and instructions for employees, especially in decision-making. They also serve as internal control measures to mitigate organisational risks.

Processes outline how organisational activities are conducted, breaking down tasks into logical steps to achieve business objectives. Effective process management (e.g., improvement, simplification) makes the CIPC agile, efficient, and regulatory compliant while fostering continuous improvement.

Systems, including ICT technologies, are essential for data transmission, storage, and manipulation. Modernised ICT systems contribute to an efficient work environment, greater collaboration, secure data, and improved customer satisfaction. This also includes automated business processes, which enhance speed and efficiency.

In the 2024/25 reporting period:

- The CIPC will maintain a focus on achieving clean audit outcomes, having received clean audits over the past five years.
- The CIPC will review all policies to ensure they align with its strategy.
- The CIPC will continue migrating and integrating processes onto modern platforms and further automating services to ensure 24/7 availability. This includes strengthening virtual channels, enhancing secure ICT systems, and implementing the ICT strategy.

The objectives include supporting efficient departmental operations and aligning with the District Development Model and Transformation Targets. The end goal is reduced turnaround times and capabilities for intelligent reporting.

The KPIs to be measured include:

- Number of AG Audit Outcome Reports
- Percentage of invoices paid within 20 days
- Percentage of B-BBEE compliant suppliers

### **(c) Customer and Stakeholder Satisfaction**

Customer satisfaction is a key measure of organisational effectiveness in meeting stakeholder expectations. The CIPC aims to create a conducive environment for doing business and protecting intellectual property by reducing the regulatory burden on business and IP owners.

The KPIs measured include:

- Percentage average customer and stakeholder satisfaction

CIPC surveys (including call center, e-communication services, and Self-Service Centre surveys) are conducted to ensure responsiveness to customer needs and to improve the overall customer experience. By simplifying processes and improving service offerings, the CIPC contributes to making it easier to do business in South Africa.

### **(d) Data Strategy and Integrity**

Data and system integrity are critical to CIPC's data-sharing strategy, ensuring that shared information is reliable. The data-sharing strategy is built on digitisation and collaboration with third-party organisations such as government entities and learning institutions.

For the 2024/25 reporting period, the focus will be on developing and finalising the data strategy and data-sharing policy. This will establish secure data-sharing frameworks with CIPC's

partners, supporting more informed decision-making. Digital platforms will be utilised for data collection and sharing, with a focus on securing data through advanced encryption, multi-factor authentication, and continuous monitoring.

The KPIs measured include:

- Number of quarterly progress reports indicating the stage of development of the data strategy
- Number of quarterly progress reports indicating the stage of development of the data sharing policy
- Percentage of cyber-attacks blocked

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

| Strategic Focus Area                                | Contribution to 5.4% Growth Plan   | Outcome   | Output   | Output Indicators  | Annual Targets      |                 |                       |                                 |                     |                 |                 |
|---|--|---|--|--|---------------------|-----------------|-----------------------|---------------------------------|---------------------|-----------------|-----------------|
|   |  |   |  |  | Audited Performance |                 |                       | Estimate Performance / Baseline | Medium Term Targets |                 |                 |
|   |  |   |  |  | 2020/21             | 2021/22         | 2022/23               | 2023/24                         | 2024/25             | 2025/26         | 2026/27         |
| Impact Statement #1: A world-class modern regulator |  |   |  |  |                     |                 |                       |                                 |                     |                 |                 |
| Job Training Programs                               | Empowering Futures: Expanding Job Training Opportunities for Youth and SMMEs | Improved Organisational Competencies and Capabilities         | Skills and training plan developed and implemented                             | Percentage completion of training initiatives            | New indicator       | New indicator   | New indicator         | New indicator                   | 50%                 | 75%             | 95%             |
|   |  |   | Implementation of the CIPC internship programme                                | Number of interns in the employ of the CIPC              | New indicator       | New indicator   | New Indicator         | New Indicator                   | 50                  | 80              | 100             |
|   |  | Improved Organisational Competencies and Capabilities         | Clean audit achieved   | Number of AGSA Audit outcome reports                     | 1 (Clean audit)     | 1 (Clean audit) | 1 (Clean audit)       | 1 (Clean audit)                 | 1 (Clean audit)     | 1 (Clean audit) | 1 (Clean audit) |
|   |  | Enhanced and seamless customer experiences with CIPC services | Implementation of Stakeholder and customer satisfaction report recommendations | Percentage average customer and stakeholder satisfaction | Not measured        | Not measured    | 8 (equivalent to 80%) | Not measured                    | 80%                 | 90%             | 95%             |

| Strategic Focus Area | Contribution to 5.4% Growth Plan   | Outcome  | Output  | Output Indicators  | Annual Targets      |               |               |                                 |                     |         |         |
|----------------------|--|--|---|--|---------------------|---------------|---------------|---------------------------------|---------------------|---------|---------|
|                      |  |  |   |  | Audited Performance |               |               | Estimate Performance / Baseline | Medium Term Targets |         |         |
|                      |  |  |   |  | 2020/21             | 2021/22       | 2022/23       | 2023/24                         | 2024/25             | 2025/26 | 2026/27 |
|                      |  | A recognised value proposition and impact                            | Case studies of firms, workers, entrepreneurs, professionals or communities impacted by CIPC activities | Number of Case Studies demonstrating the impact of CIPC activities on business and society | New indicator       | New indicator | New indicator | New indicator                   | 30                  | 30      | 30      |
| Red Tape Reduction   | Address challenges in business rescue, integration of issues in e-commerce in the department | Reduced administrative compliance burden for companies and IP owners | Automation of CIPC processes  | Number of CIPC Processes Automated   | New indicator       | New indicator | New indicator | New indicator                   | 10                  | 10      | 10      |

| Strategic Focus Area                                       | Contribution to 5.4% Growth Plan  | Outcome   | Output  | Output Indicators   | Annual Targets      |               |               |                                 |                         |         |         |
|--|---|---|---|---|---------------------|---------------|---------------|---------------------------------|-------------------------|---------|---------|
|  |   |   |   |   | Audited Performance |               |               | Estimate Performance / Baseline | Medium Term Targets     |         |         |
|  |   |   |   |   | 2020/21             | 2021/22       | 2022/23       | 2023/24                         | 2024/25                 | 2025/26 | 2026/27 |
| Payment of suppliers on time                               | Support Government Procurement of Locally Manufactured Goods and Services | Businesses (and potential business owners) and innovators supported | Timely payment of suppliers                           | Percentage of invoices paid within 20 days  | New indicator       | New indicator | New indicator | New indicator                   | *80% (Q4 Jan, Feb, Mar) | 80%     | 90%     |
| Transformation   | Procurement from B-BBEE compliant suppliers                               |   | Procurement from SA-based, B-BBEE compliant suppliers | Percentage of total procurement spend allocated to SA-based, B-BBEE compliant suppliers | New indicator       | New indicator | New indicator | New indicator                   | 100%                    | 100%    | 100%    |
| Impact Statement #4: Supported third party decision making |   |   |   |   |                     |               |               |                                 |                         |         |         |

| Strategic Focus Area    | Contribution to 5.4% Growth Plan   | Outcome   | Output                       | Output Indicators   | Annual Targets      |               |               |                                 |                     |         |         |
|-------------------------|--|---|------------------------------|---|---------------------|---------------|---------------|---------------------------------|---------------------|---------|---------|
|                         |  |   |                              |   | Audited Performance |               |               | Estimate Performance / Baseline | Medium Term Targets |         |         |
|                         |  |   |                              |   | 2020/21             | 2021/22       | 2022/23       | 2023/24                         | 2024/25             | 2025/26 | 2026/27 |
| Streamlining Regulation | Address challenges in business rescue, integration of issues in e-commerce in the department | A secure and controlled environment for data information exchange | CIPC Data Strategy developed | Number of drafts of the CIPC Data Strategy developed                                      | New Indicator       | New indicator | New indicator | New indicator                   | 1                   | -       | -       |
|                         |  |   | CIPC Data Policy developed   | Number of quarterly progress reports indicating the stage of development of data policies | New Indicator       | New indicator | New indicator | New indicator                   | 4                   | -       | -       |

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

|  |  |                 |                         | Quarterly Milestones                            |   |   |             |
|--|--|-----------------|-------------------------|---|---|---|-------------|
| Output   | Performance Indicator/Measure                            | Baseline        | Annual Target 2024/2025 | 1st Quarter                                     | 2nd Quarter                                     | 3rd Quarter                                   | 4th Quarter |
| Impact Statement #1: A world-class modern regulator                            |  |                 |                         |   |   |   |             |
| Skills and training plan developed and implemented                             | Percentage employee completion of training initiatives   | New indicator   | 50%                     | Finalised and approved skills and training plan | Secure resources including WSP facilitator, etc | 25%   | 50%         |
| Clean audit achieved   | Number of AGSA Audit outcome reports                     | 1 (Clean Audit) | 1 (Clean audit)         | -   | -   | 1 (AGSA audit report issued with no findings) | -           |
| Implementation of the CIPC internship programme                                | Number of interns in the employ of the CIPC              | New Indicator   | 50                      | 50  | 50  | 50  | 50          |
| Implementation of Stakeholder and customer satisfaction report recommendations | Percentage average customer and stakeholder satisfaction | Not measured    | 8 (equivalent to 80%)   | -   | -   | -   | 80%         |



|   |   |               |                               | Quarterly Milestones |             |             |             |
|---|---|---------------|-------------------------------|----------------------|-------------|-------------|-------------|
| Output  | Performance Indicator/Measure   | Baseline      | Annual Target 2024/2025       | 1st Quarter          | 2nd Quarter | 3rd Quarter | 4th Quarter |
| Case studies of firms, workers, entrepreneurs, professionals or communities impacted by CIPC activities | Number of Case Studies demonstrating the impact of CIPC activities on business and society  | New indicator | 30                            | -                    | 3           | 7           | 20          |
| Timely payment of suppliers   | Percentage of invoices paid within 20 days  | New Indicator | 80%(only for Jan, Feb, March) | -                    | -           | -           | 80%         |
| Procurement from SA-based, B-BBEE compliant suppliers   | Percentage of B-BBEE compliant suppliers (procurement above R 30000 and SA based companies) | New Indicator | 100%                          | -                    | -           | 100%        | 100%        |
| CIPC Data Strategy developed  | Number of drafts of the CIPC Data Strategy developed  | New Indicator | 1                             | 1                    | -           | -           | -           |
| CIPC Data Policy developed  | Number of quarterly progress reports indicating the stage of development of data policies   | New Indicator | 4                             | 1                    | 1           | 1           | 1           |

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

| <b>Programme Name: Administration (Service Delivery and Access)</b>                              |                            |                        |   |                |                |
|--|----------------------------|------------------------|---|----------------|----------------|
| <b>Economic classification</b>   | <b>Expenditure Outcome</b> | <b>Approved Budget</b> | <b>Medium-Term Expenditure Estimate</b> |                |                |
|  | <b>2022/23</b>             | <b>2023/24</b>         | <b>2024/25</b>                          | <b>2025/26</b> | <b>2026/27</b> |
|  | <b>R '000</b>              | <b>R '000</b>          | <b>R '000</b>                           | <b>R '000</b>  | <b>R '000</b>  |
| <b>Current payment</b><br>Compensation of employees and<br>Goods & services, etc.                | 408 663                    | 586 237                | 535 628                                 | 560 802        | 586 599        |
| <b>Payments of capital assets</b><br>Building and other fixed structure<br>Machinery & equipment | 16 288                     | 69 735                 | 69 866                                  | 73 150         | 76 515         |
| <b>Other classifications</b>   | -                          | -                      | -                                       | -              | -              |

## 5.2 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 October 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. Number of annual audits 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.

## 5.2.1 Focus Areas

### i. Substantive Search and Examination

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

The Experiential Learning Project will mimic the actual patent examination process and interactions with patent attorneys under the guidance of an experienced international patent office (EPO). Non-Binding Examination Reports (NBEPRs) refer to work products issued per examiner (including Written Opinions and Search Reports on patentability). Such work products will eventually be issued to applicants in line with SSE Experiential Learning.

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

For the 2024/25 period, the following KPIs are measured:

- i* Number of non-binding work products issued per examiner in line with SSE Experiential Learning
- ii* Number of SSE Training Programmes developed (New Indicator)
- iii* Number of new permanent posts created through the implementation of the ELP of the SSE Programme
- iv* Number of interns employed biennially through implementation of the ELP of the SSE Programme

### ii. IP Education and Awareness

Small, Medium, and Micro Enterprises (SMMEs), entrepreneurs, and the public will be encouraged to protect their intellectual property (IP) and commercialize it, realizing economic benefits. This promotes local IP ownership and transforms the structure of the economy, including township economies, to enable local SMEs and entrepreneurs to participate through the commercialization of registered IP.

CIPC has been championing IP education through WIPO SA IP Summer School and Technology Transfer initiatives in collaboration with NIPMO, WIPO, and JPO, delivering a capacity-building IP programme for South African citizens, the African region, and globally.

The World IP Day celebrations are another key initiative, with CIPC collaborating with partners like SEDA, NIPMO, DSI, and TIA to educate SMEs, entrepreneurs, youth, and the public about the importance of IP.

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 SMMEs, fostering sustainable businesses that rely on IP for growth. IP rights enforcement supports higher levels of investment, especially in the creative content industry, including films, music, and software programmes. Events are hosted for stakeholders in these sectors, and there is also investment in assembly plants in the clothing industry.

Collaborations with SAPS, SARS, NPA, and other government law enforcement agencies help develop an integrated government approach to IP rights enforcement. Compliance with IP laws drives economic growth, investment, and job creation.

Further partnerships with the private sector on education and awareness are maintained and improved, particularly in fast-moving consumer goods industries, pharmaceuticals, and creative industries.

KPIs measured include:

- i* Number of IP Enforcement Operations Reports specifying the impact on jobs and the investment environment

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

Monthly training sessions are held for CIPC staff and government partners. Public awareness campaigns aim to reduce the demand for counterfeit goods, keeping consumers safe from fake products.

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

Training sessions for law enforcement agencies recently took place in South Africa and Senegal. These events focused on investigating and prosecuting all aspects of IP crime. Additional training events are planned for local health inspectors and provincial prosecutors, with a focus on IP-related crime.

KPIs measured include:

- Number of training sessions for law enforcement agencies conducted
- Number of IP Enforcement Operations Reports specifying the impact on jobs and the investment environment

#### **vi. Promoting Industrialization by Providing Assistance to IP Owners**

The CIPC aims to assist in transforming the economy through increased localization of patents (i.e., increasing the number of local patents filed). This is achieved through initiatives like the Inventor Assistance Programme (IAP).

- i* KPIs measured include:
- ii* Number of IAP Review Committee meetings to screen applications
- iii* Number of Annual Status Reports tracking the status of paired applications (whether applications resulted in granted, enforced, licensed, or commercialized inventions).

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

| Dtic Focus Area  | Contribution to 5.4% Growth Plan   | Outcome   | Output  | Output Indicator  | Annual Targets             |   |         |                      |                     |         |         |
|--|--|---|---|---|----------------------------|---|---------|----------------------|---------------------|---------|---------|
|  |  |   |   |   | Audited Actual Performance |   |         | Estimate Performance | Medium Term Targets |         |         |
|  |  |   |   |   | 2020/21                    | 2021/22   | 2022/23 | 2023/24              | 2024/25             | 2025/26 | 2026/27 |
| Impact Statement #1: A world-class modern regulator            |  |   |   |   |                            |   |         |                      |                     |         |         |
| Investment in Innovation and Commercialisation of Technologies | Addresses investment in innovation without clear alignment to any dtic output by creating a dynamic and competitive innovation ecosystem     | Improved State capacity for patent regulation and integrity             | Implementation of Experiential Learning Project (ELP) with the SSE team | Number of non-binding work products issued per examiner <sup>8</sup> in line with SSE Experiential Learning | New Indicator              | 16 SSE examiners and trained. Twenty-eight interns training patent. | 24      | 24                   | 24                  | 24      | 24      |
|  |  |   |   | Number of SSE training initiatives  | New Indicator              | Twenty-eight interns training patent                                | 4       | 4                    | 4                   | 4       | 4       |
|  | Improved State capacity for patent regulation and integrity  | Implementation of Experiential Learning Project (ELP) with the SSE team | Number of SSE Training Programmes developed                             | New Indicator   | New Indicator              | New indicator   | 1       | 1                    | 1                   | 1       |         |
|  | Funding projects that develop innovative solutions in the form of new technologies and services to solve local, regional and global problems | Economic transformation through localisation                            | Inventor Assistance Programme (IAP) implemented                         | Number of IAP Review Committee meetings to screen applications  | New Indicator              | New Indicator   | 4       | 4                    | 4                   | 4       | 4       |

<sup>8</sup> Work product includes Search Report and a Written Opinion on patentability such a work product will in future be issued to an applicant

| Dtic Focus Area   | Contribution to 5.4% Growth Plan  | Outcome  | Output   | Output Indicator  | Annual Targets             |               |               |                      |                     |         |         |
|---|---|--|--|---|----------------------------|---------------|---------------|----------------------|---------------------|---------|---------|
|   |   |  |  |   | Audited Actual Performance |               |               | Estimate Performance | Medium Term Targets |         |         |
|   |   |  |  |   | 2020/21                    | 2021/22       | 2022/23       | 2023/24              | 2024/25             | 2025/26 | 2026/27 |
|   |   |  |  | Number of Annual Status Reports <sup>9</sup> tracking the status of paired applications                               | New Indicator              | New Indicator | New Indicator | 1                    | 1                   | 1       | 1       |
|   |   |  | Sustainable Job creating through implementation of experiential learning project (ELP) via SSE program | Number of new permanent jobs created through implementation of ELP the SSE Programme                                  | New Indicator              | New Indicator | -             | -                    | -                   | 20      | -       |
|   |   |  |  | Number of new permanent positions created through implementation of ELP the SSE Programme advertised                  | New Indicator              | New Indicator | New Indicator | New Indicator        | 20                  | -       | -       |
| Impact Statement #3: Investor confidence in SA businesses and innovations |   |  |  |   |                            |               |               |                      |                     |         |         |
| Investment in Innovation and Commercialisation of Technologies            | Addresses investment in innovation without clear alignment to any dtic output | Improved IP regulation compliance and royalty distribution | Compliance with Regulations by Accredited Collecting Societies   | Number of Annual audit reports on promoting compliance with regulations by Collecting Societies conducted by the CIPC | New Indicator              | New Indicator | New Indicator | 1                    | 1                   | 1       | 1       |

<sup>9</sup>The purpose of the report is to track 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



| Dtic Focus Area | Contribution to 5.4% Growth Plan | Outcome   | Output   | Output Indicator  | Annual Targets             |               |         |                      |                     |         |         |
|-----------------|----------------------------------|---|--|---|----------------------------|---------------|---------|----------------------|---------------------|---------|---------|
|                 |                                  |   |  |   | Audited Actual Performance |               |         | Estimate Performance | Medium Term Targets |         |         |
|                 |                                  |   |  |   | 2020/21                    | 2021/22       | 2022/23 | 2023/24              | 2024/25             | 2025/26 | 2026/27 |
|                 |                                  |   | Efficient and Effective collection and distribution of royalties             | Rm Royalties distributed by Collecting Societies to local musicians   | New Indicator              | New Indicator | R178,6m | R 100m               | R 100m              | R 100m  | R 100m  |
|                 |                                  | Enhanced State capability to combatting IP crimes | Increase IP regulatory compliance monitoring capacity within Law Enforcement | Number of IP Enforcement Operations Reports which specify the impact on jobs and the investment environment | New Indicator              | New Indicator | 1       | 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 2024/2025 | 1st Quarter          | 2nd Quarter | 3rd Quarter | 4th Quarter |
| Impact Statement #1: A world-class modern regulator  |  |               |                         |                      |             |             |             |
| Implementation of Experiential Learning Project (ELP) with the SSE team                                | Number of non-binding work products <sup>10</sup> issued per examiner in line with SSE Experiential Learning | 24            | 24                      | 6                    | 6           | 6           | 6           |
|  | Number of SSE training programmes developed  | New Indicator | 1                       | -                    | -           | -           | 1           |
| Sustainable Job creating through implementation of experiential learning project (ELP) via SSE program | Number of new permanent jobs created through implementation of ELP the SSE Programme                         | -             | 20                      | -                    | -           | -           | -           |
|  | Number of new permanent positions created through implementation of ELP the SSE Programme advertised         | -             | 20                      | -                    | -           | -           | -           |
| Inventor Assistance Programme (IAP) implemented  | Number of IAP Review Committee meetings to screen applications   | 4             | 4                       | 1                    | 1           | 1           | 1           |
|  | Number of Annual Status Reports <sup>11</sup> tracking the status of paired applications                     | 1             | 1                       | -                    | -           | -           | 1           |

<sup>10</sup> Work product includes Search Report and a Written Opinion on patentability such a work product will in future be issued to an applicant

|  |   |               |                         | Quarterly Milestones |             |             |             |
|--|---|---------------|-------------------------|----------------------|-------------|-------------|-------------|
| Output   | Performance Indicator/Measure   | Baseline      | Annual Target 2024/2025 | 1st Quarter          | 2nd Quarter | 3rd Quarter | 4th Quarter |
| Impact Statement #3: Investor confidence in SA businesses and innovations    |   |               |                         |                      |             |             |             |
| Compliance with Regulations by Accredited Collecting Societies               | Number of Annual audit reports on promoting compliance with regulations by Collecting Societies conducted by the CIPC | 1             | 1                       | -                    | -           | -           | 1           |
| Efficient and Effective collection and distribution of royalties             | Rm Royalties distributed by Collecting Societies to local musicians   | New Indicator | R100m                   | -                    | -           | -           | R100m       |
| Increase IP regulatory compliance monitoring capacity within Law Enforcement | Number of IP Enforcement Operations Reports which specify the impact on jobs and the investment environment           | 1             | 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 |         |         |
|  | 2022/23             | 2023/24         | 2024/25                          | 2025/26 | 2026/27 |
|  | R '000              | R '000          | R '000                           | R '000  | R '000  |
| <b>Current payment</b><br>Compensation of employees and<br>Goods & services, etc.                | 81 733              | 79 477          | 107 126                          | 112 160 | 78 213  |
| <b>Payments of capital assets</b><br>Building and other fixed structure<br>Machinery & equipment | -                   | -               | -                                | -       | -       |
| <b>Other classifications</b>   | -                   | -               | -                                | -       | -       |

### **5.3 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

### 5.3.1 Focus Areas

#### 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. Additionally, the CIPC seeks to instigate investigations pertaining to 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 a broader understanding of the triggers of financial distress (per industry and company/close corporation category and size) that lead to business rescue. This research will also assess whether business rescue proceedings are delivering on the policy directive to provide an effective recovery mechanism for companies and close corporations. Findings will be shared with relevant stakeholders, including other government departments.

CIPC aims to reduce red tape and increase the ease of doing business (particularly regarding registering a new company) by reducing the timeline for registration, improving data quality, and providing value-added services such as:

- i* 24/7 electronic access channels and broader access to services for all citizens (including women and youth).
- ii* Identity verification with the Department of Home Affairs for director information.
- iii* Sharing company registration data with SARS (for tax registration) and CSD (for government tendering).
- iv* Additional value-added services such as B-BBEE certificates, domain name registrations (via ZADNA), and facilitating bank account openings.

The KPIs to be measured are outlined in the Annual Operational Plan and include:

- i* Number of corporate education and awareness initiatives conducted

*ii* Number of prospectus reports on tracked capital raised through IPOs

### **iii. BO Register Establishment**

This initiative aims to improve transparency in corporate ownership (aligned with FATF and G20 requirements) and prevent the abuse of corporate vehicles for money laundering and terror financing. The initiative seeks to restore South Africa's standing after being grey-listed.

The KPIs to be measured are outlined in the Annual Operational Plan.

### **iv. Collaborations with Law Enforcement Agencies (LEAs), NPA, SIU, Hawks, and Other Regulators**

The CIPC aims to collaborate successfully in the regulatory and law enforcement space by sharing skills, expertise, and information, such as AFS and other company data. This contributes to building strong cases for prosecution and mitigates disparate efforts in dealing with non-compliance with the Companies Act. The CIPC also seeks collaboration with the NPA and JSE on non-compliance matters.

The KPIs to be measured are outlined in the Annual Operational Plan.

### **v. CIPC Learning Academy**

The Academy seeks to empower historically disadvantaged individuals (HDIs) in the areas of corporate governance and IP opportunities. Broader impact initiatives include fostering a continuous learning culture and empowering local communities with IP knowledge, enabling them to create products for export, such as using plants for Covid-19 medication.

The KPIs to be measured are outlined in the Annual Operational Plan.

### **vi. Contribution to Local Industrial Output**

CIPC aims to use its regulatory arm to effectively ensure that companies are ring-fenced and monitored to avoid unnecessary financial distress. While targets cannot yet be quantified, this initiative is ongoing and will be reflected in the Annual Operational Plan as capacity develops.

### **vii. Interventions to Facilitate Permanent Job Creation**

CIPC is focused on requiring professional bodies to develop and maintain programmes that capacitate members, particularly previously disadvantaged individuals. These interventions aim to increase permanent employment opportunities, particularly in the business rescue field. Targets will be reflected in the Annual Operational Plan as capacity develops.

### **viii. Interventions to Facilitate Non-permanent Job Creation**

CIPC plans to contribute to job creation by appointing qualified interns to conduct research in the business regulation and reputation space. This aligns with government priorities of job creation, transformation, and building a capable state. Targets will be reflected in the Annual Operational Plan as capacity develops.

### **ix. Incorporation of an ESG Taxonomy**

The CIPC is preparing to incorporate an ESG Taxonomy into its existing Base Taxonomy. ESG reporting is becoming increasingly important as jurisdictions and companies are expected to report on their environmental, social, and governance-related contributions. The CIPC aims to align its reporting standards with government initiatives addressing climate change.

The KPIs to be measured include:

- Updated CIPC XBRL Taxonomy aligned with government initiatives to address climate change

**x. Participation at Key Conferences Promoting Investment and Industrialisation**

CIPC aims to support the South African Investment Conference and Black Industrialist Conference by promoting good corporate governance, thus encouraging voluntary compliance with the Companies Act of 2008. Continuous monitoring of compliance and enforcement measures will be emphasized.

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



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

| dtic Focus Area   | Contribution to 5.4% Growth Plan   | Outcome   | Output  | Output Indicator   | Annual Targets      |               |               |                                 |                                       |         |         |    |
|---|--|---|---|--|---------------------|---------------|---------------|---------------------------------|---------------------------------------|---------|---------|----|
|   |  |   |   |  | Audited Performance |               |               | Estimate Performance / Baseline | Medium Term Targets                   |         |         |    |
|   |  |   |   |  | 2020/21             | 2021/22       | 2022/23       | 2023/24                         | 2024/25                               | 2025/26 | 2026/27 |    |
| Impact statement #2: Ease of doing business                               |  |   |   |  |                     |               |               |                                 |                                       |         |         |    |
| SMME's supported  | Empowering Futures: Expanding Job Training Opportunities for Youth and SMME  | Reduced compliance burden for SMMEs, companies, closed corporations and corporates                  | Awareness initiatives aimed at SMMEs  | Number of corporate education and awareness initiatives conducted  | New Indicator       | 30            | 40            |                                 | 30                                    | 40      | 40      | 40 |
| Impact Statement #3: Investor confidence in SA businesses and innovations |  |   |   |  |                     |               |               |                                 |                                       |         |         |    |
| Investment  | Addresses investment without clear alignment to any dtic output. However, works toward enhancing South Africa's investment environment | Reputable business regulation environment which is conducive to investment and facilitation thereof | 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  |
|   |  |   | Reports on Tracked Capital Raised through IPOs to promote regular tracking of investments   | Number of Prospectus Reports <sup>12</sup>   | New Indicator       | New Indicator | New Indicator |                                 | 4 Quarterly report<br>1 Annual Report |         |         |    |

<sup>12</sup> The Prospectus reports capture tracking of investments and their impact on society, as well as the impact of investment facilitation and unblocking interventions

| dtic Focus Area      | Contribution to 5.4% Growth Plan   | Outcome | Output   | Output Indicator   | Annual Targets      |               |               |  |   |  |  |
|----------------------|--|---------|--|--|---------------------|---------------|---------------|--|---|--|--|
|                      |  |         |  |  | Audited Performance |               |               | Estimate Performance / Baseline        | Medium Term Targets   |  |  |
|                      |  |         |  |  | 2020/21             | 2021/22       | 2022/23       | 2023/24                                | 2024/25   | 2025/26                                  | 2026/27                                  |
| Greening the economy | Addresses greening the economy without clear alignment to any dtic output. |         | Incorporation of ESG Taxonomy into our CIPC Base Taxonomy as an initiative to address climate change | Updated CIPC XBRL Taxonomy aligned with government initiatives to address climate change | 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 | Updated 2026/27 CIPC XBRL Taxonomy Q1-Q4 |

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

|   |  |  |                         | Quarterly Milestones |             |             |             |
|---|--|--|-------------------------|----------------------|-------------|-------------|-------------|
| Output  | Performance Indicator/Measure  | Baseline   | Annual Target 2024/2025 | 1st Quarter          | 2nd Quarter | 3rd Quarter | 4th Quarter |
| Impact statement #2: Ease of doing business   |  |  |                         |                      |             |             |             |
| Awareness initiatives aimed at SMMEs  | Number of corporate education and awareness initiatives conducted  | 30   | 40                      | 14                   | 14          | 6           | 6           |
| Impact Statement #3: Investor confidence in SA businesses and innovations   |  |  |                         |                      |             |             |             |
| 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  | 4                       | 1                    | 1           | 1           | 1           |
| Targeted proactive pre-investigations   | Number of targeted proactive pre-investigations  | 7  | 4                       | 0                    | 2           | 1           | 1           |
| Reports on Tracked Capital Raised through IPOs to promote regular tracking of investments   | Number of Prospectus Reports (Quarterly monitoring and Annual Reporting of Capital Raised)   | Quarterly and Annual Reports on Capital Raised through IPO's | 4                       | 1                    | 1           | 1           | 1           |

| Output  | Performance Indicator/Measure  | Baseline  | Annual Target 2024/2025   | Quarterly Milestones  |  |   |             |
|---|--|---|---|---|--|---|-------------|
|   |  |   |   | 1st Quarter   | 2nd Quarter  | 3rd Quarter   | 4th Quarter |
| Incorporate ESG Taxonomy into our CIPC Base Taxonomy as an initiative to address climate change | Updated CIPC XBRL Taxonomy aligned with government initiatives to address climate change | Phased Implementation of ESG reporting, 2-3 multi-year implementation | Approved Report confirming CIPC Position to adopt ESG standards | Gap Analysis Report on adoption of ESG, assessing Regulation 43 | Publish Options for the market as part of public consultations on ESG- | Develop Progress Report publishing consolidated efforts | -           |

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 |                   |                   |
|  | 2022/23<br>R '000   | 2023/24<br>R '000 | 2024/25<br>R '000                | 2025/26<br>R '000 | 2026/27<br>R '000 |
| <b>Current payment</b><br>Compensation of employees and Goods & services, etc.                   | 54 488              | 52 984            | 71 417                           | 74 773            | 78 213            |
| <b>Payments of capital assets</b><br>Building and other fixed structure<br>Machinery & equipment | -                   | -                 | -                                | -                 | -                 |
| <b>Other classifications</b>   | -                   | -                 | -                                | -                 | -                 |

## 6. Updated key risks and mitigations from the SP

### Programme 1: Service Delivery and Access

Table 1: Key Risk and Mitigations Identified for Programme 1

| Outcomes   | Key Risks   | Risk Mitigations  |
|--|---|---|
| <p><b>Improved Organisational Competencies and Capabilities towards building a capable state and improved service delivery</b></p> | <p>1. <b>Non-professional organisational culture:</b></p> <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> </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>• Skills development plan focused on the different management levels and individual PDP</li> <li>• Alignment of individual performance plan with the strategic plan, as per approved performance management policy</li> <li>• Implement training as per new tech/automation requirements, as per change 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> </ul> <p>Ongoing strategy Reviews:</p> <ul style="list-style-type: none"> <li>• Utilisation of Communication channels and tools to disseminate information</li> <li>• Ongoing divisional meetings (Cascading of organisational strategy by managers to team)</li> </ul> |

| Outcomes | Key Risks  | Risk Mitigations  |
|----------|--|---|
|          | <ul style="list-style-type: none"> <li>• Not living the values and working in silos</li> </ul>   | Values survey <ul style="list-style-type: none"> <li>• Education and awareness (on values)</li> <li>• Simplification and rationalisation of values</li> </ul>   |
|          | <p><b>2. Non-optimal organizational performance:</b></p> <ul style="list-style-type: none"> <li>• Pro-longed organizational design process</li> <li>• Under-utilization of financial resources from ineffective planning and budgeting</li> <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> | <ul style="list-style-type: none"> <li>• None proposed</li> <li>• Ongoing reporting (budget vs actual).</li> <li>• Finance team engagement with Managers and implementation of budget adjustments where necessary.</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> <li>• None proposed</li> </ul> |
|          | <p><b>3. Non-availability and non-accessibility of ICT services:</b></p>   |   |
|          |  |   |

| Outcomes | Key Risks  | Risk Mitigations  |
|----------|--|---|
|          | <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> </ul> | <ul style="list-style-type: none"> <li>• Modernization of key systems (to reduce dependence on 3rd parties)</li> <li>• Develop and implement identified and prioritized technology platform components according to plan</li> <li>• Business process driven application development model<br/>- Complete legacy migration to oracle</li> <li>• Continuous enhancement of cyber-security solutions- Implementation of initiatives</li> <li>• Continuous ICT improvement</li> <li>• Staff retention model and succession plan</li> <li>• Business process driven application development model using the K2 development framework</li> <li>• None proposed</li> <li>• None proposed.</li> </ul> |

| Outcomes | Key Risks   | Risk Mitigations   |
|----------|---|--|
|          | <ul style="list-style-type: none"> <li>Inadequate data integrity</li> </ul>   | <ul style="list-style-type: none"> <li>Continuous improvement of automated integrity checks</li> <li>Complete cyber-security solution: ID management</li> <li>Transformation of and migration to new Data 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> |
|          | <p><b>4. Organisational structure deficiencies:</b></p> <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 organizational 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 organizational growth</li> </ul> | <ul style="list-style-type: none"> <li>Continuous implementation of the Governance Framework</li> <li>Continuous implementation of the Governance Framework</li> <li>Phased implementation of OD project</li> <li>OD - revised structure (Commissioner), (usually requires approval from Minister of dtic, Minister of DPSA and NT which will add to the timeline)</li> </ul>                                    |



| Outcomes   | Key Risks   | Risk Mitigations   |
|--|---|--|
|  | <ul style="list-style-type: none"> <li>• Outdated organizational structure</li> </ul> <p><b>5. Impact of Artificial Intelligence on CIPC strategy and operations:</b></p> <ul style="list-style-type: none"> <li>• Enhanced capability of cyber criminals</li> <li>• Skills gap due the pace of AI adoption</li> <li>• General fast pace of AI adoption and utilisation</li> <li>• General posture and understanding of AI by CIPC</li> <li>• Conventional ownership of IP i.e. Music production is challenged by the emergence of by AI</li> </ul> | <ul style="list-style-type: none"> <li>• OD- updated JDs and Job evaluation based on revised structure (CS)</li> </ul> <ul style="list-style-type: none"> <li>• Ongoing risk assessment and scanning of the environment- additional mitigations identified and implemented</li> <li>• Identify potential gaps and develop and implement a plan of action. Ongoing scanning of the environment</li> <li>• Ongoing discussions on AI and CIPC strategy, Policies and resource requirements</li> <li>• Continuous focused discussion on AI and risk and opportunity assessment</li> <li>• Ongoing engagement with other IP offices and stakeholders.</li> </ul> |
| <p><b>Improve the customer / citizen experience in relation to service delivery / delivery of the CIPC's core mandate, and to enhance the CIPC's good reputation</b></p> | <p><b>1. Dissatisfaction with services offered from various functions organisation-wide:</b></p>  |  |

| Outcomes   | Key Risks   | Risk Mitigations  |
|--|---|---|
|  | <ul style="list-style-type: none"> <li>Manual processes in some areas and non-adaptability to changing customer preferences for service offerings</li> <li>Lack of awareness of CIPC services, channels and know-how by the customer</li> </ul> | <ul style="list-style-type: none"> <li>Systems change processes for prioritized and identified areas with manual processes (Projects): <ul style="list-style-type: none"> <li>Implementation of E-services system (K2) development programme</li> <li>Implementation Mobility Applications and ChatBot programmes</li> <li>Continuous monitoring and reporting on the status of identified priority automation Projects</li> <li>Continuous IP training for CIPC employees</li> </ul> </li> <li>Review media strategy (digital, broadcast, print) <ul style="list-style-type: none"> <li>Optimise information presentation on website (simple, accessible and easy to use)</li> <li>Build and maintain relationships with other role players and stakeholders.</li> </ul> </li> </ul> |
| <p><b>Regular stakeholder engagement towards accurately determining the impact of CIPC activities on local and international businesses, as well as society as a whole</b></p> | <p>1. <b>Non-optimal organizational performance:</b></p> <ul style="list-style-type: none"> <li>Lack of dedicated unit / lead for stakeholder management</li> <li>Lack of integrated stakeholder management planning</li> </ul>                 | <ul style="list-style-type: none"> <li>Appointment of a Senior Manager: Strategic Communications.</li> <li>Finalisation and approval of stakeholder management strategy.</li> </ul>   |
| <p><b>Improving the Capacity and Responsiveness of the state to support increased investment</b></p>   | <p>1. <b>Non-compliance and pro-longed approval of legislation:</b></p> <ul style="list-style-type: none"> <li>Current legislation does not provide for proactive enforcement by CIPC (IP space)</li> </ul>                                     | <ul style="list-style-type: none"> <li>None suggested</li> </ul>  |

| Outcomes | Key Risks   | Risk Mitigations   |
|----------|---|--|
|          | <ul style="list-style-type: none"> <li>• Dependence on other law enforcement agencies</li> <li>• Lack of understanding of IP related matter by other law enforcement agencies</li> <li>• Incorrect utilization 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> <li>• Legislation supporting implementation of IP strategy (Legislative Inadequacies):</li> <li>• Delays in finalisation of IP legislation</li> <li>• Non-aligned stakeholder interests</li> <li>• Delays in design making- election year</li> </ul> | <ul style="list-style-type: none"> <li>• Capacitated internal staff with regards to enforcement</li> <li>• Training of law enforcement agencies in the CIPC enforcement mandate and law- considering the Covid challenge the IP division has engaged the IT division to assist a solution to enable virtual training for law enforcement agencies (zero rated data and /or any solution which will enable access)</li> <li>• Education and awareness on enforcement to various stakeholders (IP)<br/>- Law enforcement authorities now conduct raids</li> <li>• Legal opinion/ support</li> <li>• Implemented partial measures for some functions</li> <li>• None suggested</li> <li>• None suggested</li> <li>• None suggested</li> </ul> |

| Outcomes  | Key Risks  | Risk Mitigations  |
|---|--|---|
|   | <ul style="list-style-type: none"> <li>• Reputational damage in the international damage.</li> <li>• Financial and resource wastage/losses.</li> </ul>   | <ul style="list-style-type: none"> <li>• None suggested</li> <li>• None suggested</li> </ul>  |
| <p><b>A controlled environment for information, with improved access control to CIPC systems by third parties</b></p> | <p><b>1. Technology shortfalls in enabling effective third-party collaboration:</b></p> <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> |

Programme 2: Innovation & Creativity

Table 2: Key Risk and Mitigations Identified for Programme 2

| Outcomes   | Key Risks   | Risk Mitigations   |
|--|---|--|
| <p><b>Building state capacity to better regulate and ensure integrity of granted patent rights</b></p> | <p><b>1. Non-optimal organisational performance:</b></p> <ul style="list-style-type: none"> <li>• High legal related costs limit accessibility of IP services</li> <li>• Delayed implementation of the substantive search and examination programme</li> <li>• Current programmes support only sophisticated business (no focus on programmes to integrate small business participation in IP)</li> </ul> | <ul style="list-style-type: none"> <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>• Testing of the SSEP system (ongoing)</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> </ul> |
| <p><b>Transform the economy through localisation</b></p>   | <p><b>1. Potential events adversely affecting the implementation of CIPC strategy and implementation of project:</b></p> <ul style="list-style-type: none"> <li>• (Geopolitical environment)- CIPC strategic relationships with various stakeholders in the global territory.</li> <li>• Impact on supply value chains</li> </ul>   | <ul style="list-style-type: none"> <li>• Strengthen relationships and strategic relationships with developing countries. Develop a plan to lessen dependence on other countries.</li> <li>• Establish and improve Collaborative partnerships with developing countries.</li> </ul>   |

| Outcomes  | Key Risks  | Risk Mitigations   |
|---|--|--|
|   | <ul style="list-style-type: none"> <li>• Cyber security issues</li> </ul>  | <ul style="list-style-type: none"> <li>• Continuous scanning of the environment and enhance security measures where relevant</li> </ul>  |
| <p><b>Towards building a capable state, enhance capacities to deal with IP Crimes with the objective of creating a conducive environment for investment</b></p> | <p><b>1. Non-compliance and pro-longed approval of legislation</b></p> <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 utilization 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> <p><b>2. Legislation supporting implementation of IP strategy (Legislative Inadequacies):</b></p> <ul style="list-style-type: none"> <li>• Delays in finalisation of IP legislation</li> <li>• Non-aligned stakeholder interests</li> <li>• Delays in design making- election year</li> <li>• Reputational damage in the international damage.</li> <li>• Financial and resource wastage/losses.</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 End. Agencies</li> <li>• Continuous training of law enforcement agencies on IP enforcement.</li> <li>• - IP to facilitate the development of data collection tool/APP to assist LE officials.</li> <li>• Engage formally with the Head of the Co-Tribunal for general technical discussions on CoAct</li> <li>• Process for full implementation in progress</li> <li>• None suggested</li> <li>• None suggested</li> <li>• None suggested</li> <li>• None suggested</li> <li>• None suggested</li> </ul> |

## Programme 3: Business Regulation and Reputation

Table 3: Key Risk and Mitigations Identified for Programme 3

| Outcomes  | Key Risks  | Risk Mitigations   |
|---|--|--|
| <p><b>Reduced administrative compliance burden for SMME's, companies and co-operatives, whilst maintaining a reputable regulated business environment</b></p> | <p><b>1. Dissatisfaction with services offered from various functions organisation-wide</b></p> <ul style="list-style-type: none"> <li>• Manual processes in some areas and non-adaptability to changing customer preferences for service offerings</li> <li>• Lack of awareness of CIPC services, channels and know-how by the customer</li> <li>• Nature of Supply Chain Management processes. SCM is highly legislated, implementation is confined by the applicable legislation</li> </ul> | <ul style="list-style-type: none"> <li>• Systems change processes for prioritized and identified areas with manual processes (Projects):               <ul style="list-style-type: none"> <li>- E-services system (K2) development programme implementation</li> <li>- Mobility Applications and ChatBot programmes implementation</li> <li>- Continuous monitoring and reporting on the status of identified priority automation Projects</li> <li>- Continuous IP training for CIPC employees</li> </ul> </li> <li>• Review media strategy (digital, broadcast, print):               <ul style="list-style-type: none"> <li>- Optimise Information presentation on website (simple, accessible and easy to use)</li> <li>- Build and maintain relationships with other role players and stakeholders.</li> </ul> </li> <li>• Implementation of a planned project to identify operational efficiencies within existing SCM processes.</li> </ul> |

| Outcomes  | Key Risks  | Risk Mitigations   |
|---|--|--|
|   | <ul style="list-style-type: none"> <li>Inadequate business continuity planning and execution</li> <li>Ineffective quality management</li> </ul>  | <ul style="list-style-type: none"> <li>Validate ICT continuity plans and emergency response readiness through integrated exercises and system recovery tests:               <ul style="list-style-type: none"> <li>- Review and enhance Information continuity and recovery Plan and emergency response arrangements.</li> <li>- Implement a new Enterprise Robotics Tape Library and migrate to a Premium backup management solution to significantly enhance recovery capabilities.</li> <li>- Review of the BCM programme</li> <li>- Resourcing of the Corporate BC function</li> </ul> </li> <li>Ongoing quality management initiatives</li> </ul> |
| <p><b>Reputable business regulation environment which is conducive to investment and facilitation thereof</b></p> | <p><b>1. Non-optimal organizational performance</b></p> <ul style="list-style-type: none"> <li>Pro-longed organizational design process</li> <li>Lack of dedicated unit / lead for stakeholder management</li> <li>Lack of integrated stakeholder management planning</li> <li>Under-utilization 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>Ongoing OD process - phased implementation approach.</li> <li>Signed MOU and SLAs with various stakeholders</li> <li>Each business unit manages own stakeholders on an adhoc basis. Collaboration Framework</li> <li>Monitoring budget vs actual</li> <li>Inventors assistance programme</li> <li>WIPO partnership</li> <li>Integration with law enforcement agencies</li> </ul>  |



| Outcomes | Key Risks   | Risk Mitigations   |
|----------|---|--|
|          | <ul style="list-style-type: none"> <li>• Delayed implementation of the substantive search and examination programme</li> <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> | <ul style="list-style-type: none"> <li>• SSE training and competency testing programme</li> <li>• European Patent Office oversight on the quality of work produced by examiners</li> <li>• MOU between CIPC and European Patents</li> <li>• IPAS (Intellectual Property Administration system) approved for implementation</li> <li>• International engagements to shape and direct the IP space</li> <li>• Train the trainer programme with WIPO and Department of Small Business Development</li> <li>• Inventors assistance programme (IAP)</li> <li>• Website</li> <li>• Education and awareness initiatives (e.g. campaigns and workshops)</li> <li>• Marketing collateral (e.g. brochures)</li> <li>• Social media</li> <li>• Partnerships with other role players (e.g. Seda, the dti, WIPO)</li> <li>• Conducting reviews</li> </ul> |

## Part D: Technical Indicator Descriptions (TID)

### 7. Technical Indicator Descriptions

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

##### 7.1.1 Skills and training plan developed and implemented

| Indicator Title                                    | Percentage employee completion of training initiatives   |   |  |
|--|--|---|--|
| Definition   | Implementation of the workplace skills plan in a phased approach. Phases will be dictated by organisational needs.   |   |  |
| Source of data                                     | Skills development Plans, Training Registers   |   |  |
| Method of calculation/<br>Assessment               | $(\text{Number of employees who have completed training initiatives} / \text{Total number of employees}) \times 100$   |   |  |
| Means of Verification                              | Training Attendance Registers or Training Reports  |   |  |
| 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                                | 100% of planned training conducted for the year  |   |  |
| Indicator responsibility                           | The Divisional Manager: Human Capital is responsible for managing and reporting on this indicator.   |   |  |

### 7.1.2 Implementation of the CIPC internship programme

| Indicator Title                                    | Number of interns in the employ of the CIPC   |   |  |
|--|---|---|--|
| Definition   | This indicator measures the number of interns recruited and employed by the Companies and Intellectual Property Commission (CIPC) in a given financial year to support CIPC operations and provide skills development opportunities to young professionals. |   |  |
| Source of data                                     | Employment contracts, onboarding documents, and monthly HR reports indicating the number of interns officially employed.  |   |  |
| Method of calculation/<br>Assessment               | Simple count of the number of interns who have signed employment contracts and are on the payroll during the financial year.  |   |  |
| Means of Verification                              | Signed contracts, HR records, payroll data, and intern attendance registers.  |   |  |
| Assumptions  | <ul style="list-style-type: none"> <li>• There is sufficient funding for the internship program</li> <li>• There is a continuous demand for internships at the CIPC.</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                                | 100% number of interns employed   |   |  |
| Indicator responsibility                           | The Divisional Manager: Human Capital is responsible for managing and reporting on this indicator.  |   |  |

### 7.1.3 Clean audit achieved

| Indicator Title                                    | Number of AGSA Audit outcome report   |   |  |
|--|---|---|--|
| Definition   | To promote a governed, accountable, clean, and compliant administration, a clean audit is pursued.  |   |  |
| Source of data                                     | Management reports  |   |  |
| Method of calculation/<br>Assessment               | Simple count (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.  |   |  |

| Indicator Title                                    | Number of Interns in the employ of CIPC   |   |  |
|--|---|---|--|
| Definition   | CIPC has 56 positions allocated for internship programs aimed at giving graduate work experience. This will contribute to the employability of the graduate hence reducing unemployment levels. |   |  |
| Source of data                                     | Human capital report  |   |  |
| Method of calculation/<br>Assessment               | Simple count of internship positions filled   |   |  |
| Means of Verification                              | Signed management report  |   |  |
| Assumptions  | <ul style="list-style-type: none"> <li>There is a budget to cover employee benefits such as salary, resources they require such as computers, etc.</li> </ul>                                   |   |  |
| Disaggregation of Beneficiaries (where applicable) | <ul style="list-style-type: none"> <li>Youth, Women, Black, people with disabilities.</li> </ul>  |   |  |
| Spatial Transformation (where applicable)          | N/A(Local district and metros)  |   |  |
| Calculation type                                   | Cumulative (Year – End)   | X |  |
|  | Cumulative (Year to Date)   |   |  |
|  | Non-cumulative  |   |  |
| Reporting cycle                                    | Quarterly and annually  |   |  |
| Desired performance                                | All 56 positions filled   |   |  |
| Indicator responsibility                           | Divisional Manager of Human Capital   |   |  |

### 7.1.4 Implementation of Stakeholder and customer satisfaction report recommendations

| Indicator Title                   | Percentage average 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="389 730 1342 1272" style="border: 1px solid black; padding: 10px; margin: 10px 0;"> </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" data-bbox="373 1491 1350 1769" style="margin: 10px 0;"> <thead> <tr> <th colspan="2" style="text-align: center;">Rating Scale</th> </tr> </thead> <tbody> <tr> <td style="background-color: #006633; color: white; text-align: center;">80%-100%</td> <td style="text-align: center;">Exemplary</td> </tr> <tr> <td style="background-color: #90EE90; text-align: center;">66%-79%</td> <td style="text-align: center;">Met</td> </tr> <tr> <td style="background-color: #FFD700; text-align: center;">33%-65%</td> <td style="text-align: center;">Partially Met</td> </tr> <tr> <td style="background-color: #FF0000; color: white; text-align: center;">0%-32%</td> <td style="text-align: center;">Not Met</td> </tr> </tbody> </table> <p>The total of the attributes are then aggregated to make up the overall customer experience or satisfaction score.</p> | 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  |              |  |          |           |         |     |         |               |        |         |
| 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   |              |  |          |           |         |     |         |               |        |         |

| Indicator Title                                    | Percentage average customer and stakeholder satisfaction   |   |  |
|--|--|---|--|
| 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 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 is responsible for this indicator  |   |  |

**7.1.5 Case studies of firms, workers, entrepreneurs, professionals or communities impacted by CIPC activities**

| Indicator Title                                    | Number of Case Studies demonstrating the impact of CIPC activities on business and society  |   |  |
|--|---|---|--|
| Definition   | This output refers to production of case studies of firms, workers, entrepreneurs, professionals, or communities impacted by CIPC activities.   |   |  |
| Source of data                                     | Management Report ('Case Study')  |   |  |
| Method of calculation/<br>Assessment               | Simple count of the number of entity success stories profiled through Case Studies, examples used in presentations, website highlights, advertising campaigns, social media platforms, as well as financing of films that tell the South African Story  |   |  |
| Means of Verification                              | Signed Management Report ('Case Study') as well as other supporting evidence where available  |   |  |
| Assumptions  | <ul style="list-style-type: none"> <li>• Participation of identified stakeholders.</li> <li>• Adequate resources</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 set milestones achieved   |   |  |
| Indicator responsibility                           | Responsibility is shared between: <ul style="list-style-type: none"> <li>• Chief Strategy Executive: Strategy</li> <li>• Executive Manager: Innovation and Creativity Promotion (IP)</li> <li>• Executive Manager: Business Regulation and Reputation</li> <li>• Divisional Manager: Enterprise Information Management</li> <li>• Chief Financial Officer: Finance and SCM</li> </ul> |   |  |



## 7.1.6 Automation of CIPC processes

| Indicator Title                                    | Number of CIPC Processes Automated  |   |
|--|---|---|
| Definition   | The purpose of this indicator is to measure the progress of the CIPC's modernization efforts aimed at improving service delivery, reducing turnaround times, and enhancing customer experience by automating key processes. |   |
| Source of data                                     | Project management reports, IT development records, and completion certificates from the Information Technology (IT) and Business Development departments.  |   |
| Method of calculation/<br>Assessment               | Simple count of the number of processes that have been fully automated and deployed within the reporting period.  |   |
| Means of Verification                              | Project reports, process implementation reports, IT systems records, and user feedback surveys.   |   |
| Assumptions  | There are no major technical issues that delay automation, and funding and human resources are available for the implementation.  |   |
| 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 set milestones achieved   |   |
| Indicator responsibility                           | Responsibility is shared between: <ul style="list-style-type: none"> <li>• BISG, CIO</li> </ul>   |   |

### 7.1.7 Percentage of invoices paid within 20 days

| Indicator Title                                    | Number of invoices paid within 20 days   |   |
|--|--|---|
| Definition   | This output refers to the total number of invoices paid against all invoice received in 20 days.   |   |
| Source of data                                     | Finance department   |   |
| Method of calculation/<br>Assessment               | Simple count of the number of invoices received against invoices paid in 20 days.  |   |
| Means of Verification                              | List of invoices received and proof of payment   |   |
| Assumptions  | <ul style="list-style-type: none"> <li>Supplier submitted all required documents.</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 set milestones achieved  |   |
| Indicator responsibility                           | Responsibility is shared between: <ul style="list-style-type: none"> <li>Chief Financial Officer: Finance and SCM</li> </ul>   |   |

### 7.1.8 Percentage of B-BBEE compliant suppliers

| Indicator Title                                    | Number of products and services from compliant suppliers (procurement above R 30000 and SA based companies)  |   |
|--|--|---|
| Definition   | This output refers to products or services that is procured from B-BBEE compliance suppliers   |   |
| Source of data                                     | Procurement report   |   |
| Method of calculation/<br>Assessment               | Number of B-BBEE compliance certificates from suppliers  |   |
| Means of Verification                              | Valid B-BBEE compliance  |   |
| Assumptions  | <ul style="list-style-type: none"> <li>• Procurement is above R30 000.</li> <li>• There are suppliers with B-BBEE compliance for required service</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 set milestones achieved  |   |
| Indicator responsibility                           | Chief Financial Officer: Finance and SCM   |   |

## 7.1.9 CIPC Data Strategy developed

| Indicator Title                                    | Number of drafts of the CIPC Data Strategy developed   |   |
|--|--|---|
| Definition   | The purpose of this indicator is to ensure that the CIPC has a robust and comprehensive data strategy in place that aligns with the organization’s objectives of improving data governance, integrity, and the use of data to enhance decision-making. |   |
| Source of data                                     | Internal strategy documents, drafts, project reports, and records from Strategic Planning teams.   |   |
| Method of calculation/ Assessment                  | Simple count of the number of formal draft documents produced and reviewed by the relevant internal committees or stakeholders.  |   |
| Means of Verification                              | Reviewed drafts, meeting minutes from review committees, and sign-offs by stakeholders.  |   |
| Assumptions  | <ul style="list-style-type: none"> <li>• Timely input from all stakeholders</li> <li>• Availability of resources for strategy development</li> <li>• No major delays in the review process.</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                                | Completion of at least one high-quality draft document within the financial year.  |   |
| Indicator responsibility                           | Senior Manager: Strategy and Planning  |   |

### 7.1.10 CIPC Data Sharing Policy

| Indicator Title                                    | Number of quarterly progress reports indicating the stage of development of the data sharing policy   |   |
|--|---|---|
| Definition   | Data Policies define the framework for secure and responsible data sharing with strategic partners relevant stakeholders. It outlines the principles, procedures, and control mechanisms to ensure the appropriate collection, storage, access, and use of sensitive data |   |
| Source of data                                     | Management Report (or email) indicating the stage of development and supporting evidence (include draft policies)   |   |
| Method of calculation/<br>Assessment               | Simple count of progress Reports  |   |
| Means of Verification                              | Signed Management Report as well as other supporting evidence   |   |
| 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 of the Data Sharing Policy sooner than targets  |   |
| Indicator responsibility                           | Senior Manager: Enterprise Information Management   |   |

## 7.2 Programme 2: Innovation and Creativity

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

| Indicator Title                                    | Number of non- binding work products issued per examiner 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/<br>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.  |   |  |

## 7.2.2 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/<br>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<br>(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<br>(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.   |   |  |

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

| Indicator Title                                       | Number of SSE Training Programmes developed   |   |  |
|---|---|---|--|
| Definition  | This indicator tracks the number of Substantive Search and Examination (SSE) training programs developed by the CIPC in a given financial year. SSE training programs are designed to build capacity in examining patent applications in line with global best practices. |   |  |
| Source of data  | Training development reports, program outlines, approval documents, and internal memos from the Intellectual Property (IP) department.  |   |  |
| Method of calculation/<br>Assessment                  | A simple count of meetings held annually  |   |  |
| Means of Verification                                 | Signed-off training program materials, training manuals, and agendas, along with approval from the relevant committees  |   |  |
| Assumptions   | <ul style="list-style-type: none"> <li>• Adequate resources (staff, budget, and time) are available for the development of training programs</li> <li>• There is no delay in the approval process.</li> </ul>   |   |  |
| Disaggregation of Beneficiaries<br>(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<br>(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)   | X |  |
|   | Cumulative (Year to date)   |   |  |
|   | Non-cumulative  |   |  |
| Reporting cycle                                       | Quarterly and annually  |   |  |
| Desired performance                                   | Development of at least one SSE training program per year to enhance skills and knowledge of examiners.   |   |  |
| Indicator responsibility                              | The Senior Manager: Patents and Designs Registry is responsible for managing and reporting on this indicator.   |   |  |



## 7.2.4 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/<br>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<br>(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<br>(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.  |   |  |

## 7.2.5 Inventor Assistance Programme (IAP) implemented

| Indicator Title                                    | Number Annual Status Tracking Reports to track the status of paired applications  |   |  |
|--|---|---|--|
| 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/<br>Assessment               | Simple count (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   |   |  |

### 7.2.6 Sustainable Job creating through implementation of experiential learning project (ELP) via SSE program

| Indicator Title                                    | Number of new permanent jobs created through implementation of ELP of the SSE Programme  |                         |  |                           |  |                |   |
|--|--|-------------------------|--|---------------------------|--|----------------|---|
| 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                                   | <table border="1"> <tr> <td>Cumulative (Year – End)</td> <td></td> </tr> <tr> <td>Cumulative (Year to date)</td> <td></td> </tr> <tr> <td>Non-cumulative</td> <td>X</td> </tr> </table>  | Cumulative (Year – End) |  | Cumulative (Year to date) |  | Non-cumulative | X |
| 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  |                         |  |                           |  |                |   |

### 7.2.7 Number of positioned Advertised

| Indicator Title | Number of positions advertised  |
|-----------------|---|
| Definition      | The purpose of this indicator is to ensure transparency in the recruitment process and to fill vacant positions in a timely manner, contributing to organizational capacity and operational efficiency. |
| Source of data  | Human Resources (HR) recruitment records, job advertisements, and internal memos detailing the positions that have been posted for recruitment.   |

|  |  |   |  |
|--|--|---|--|
| Method of calculation/<br>Assessment               | Management Report on Junior Examiner Job Creation  |   |  |
| Means of Verification                              | Copies of job advertisements, HR records, and documentation from the recruitment platforms (internal and external) used for advertising the positions.   |   |  |
| Assumptions  | <ul style="list-style-type: none"> <li>The recruitment process is not hindered by administrative or regulatory delays.</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 advertised 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  |   |  |

## 7.2.8 Compliance with Regulations by Accredited Collecting Societies

| Indicator Title                                    | Number of Annual audit reports 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/<br>Assessment               | Simple count (Service provider annual audit report - 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<br>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)  |

### 7.2.9 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  |   |  |
|--|--|---|--|
| 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/<br>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 – End)  | X |  |
|  | Cumulative (Year to date)  |   |  |
|  | Non-cumulative   |   |  |
| 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)   |   |  |



### 7.2.10 Increase IP regulatory compliance monitoring capacity within Law Enforcement

| Indicator Title                                    | Number of IP Enforcement Operations Reports 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/<br>Assessment               | Simple count (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  |   |  |

### 7.3 Programme 3: Business Regulation and Reputation

#### 7.3.1 Awareness initiatives aimed at SMMEs

| Indicator Title                                    | Number of corporate education and awareness events (virtual or physical) conducted   |   |  |
|--|--|---|--|
| 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 or photo of number of views on social media platform) or recording of session   |   |  |
| Method of calculation/ Assessment                  | Approved reports with supporting documentation (Simple count)  |   |  |
| Means of Verification                              | Signed management report (indicating the venue, date, purpose/outcomes of the session) and printout of attendees from physical registers or Ms Teams or photo of number of views on social media platform 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.   |   |  |



### 7.3.2 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/<br>Assessment               | Number of analysis reports (Simple Count)  |   |  |
| 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  |   |  |

### 7.3.3 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: <ul style="list-style-type: none"> <li>• Companies Tribunal (Social and Ethics committee decisions)- Investigations following the 12-month compliance period as prescribed in the Companies Act</li> <li>• Rotation Auditor compliance- Auditors need to rotate as per the companies act (5-year rotation)</li> <li>• Proactive interventions identified from the media</li> <li>• FSCA identified and fined directors - Proactively investigate to drive disqualification of directors</li> </ul> |   |  |
| Source of data                                     | Analysis report including correspondence with companies and individuals  |   |  |
| Method of calculation/ Assessment                  | Number of analysis reports (Simple Count)  |   |  |
| 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  |   |  |

### 7.3.4 Reports on Tracked Capital Raised through IPOs to promote regular tracking of investments

| Indicator Title                                    | Number of Prospectus Reports <sup>13</sup>  |                       |  |                           |   |                |  |
|--|---|-----------------------|--|---------------------------|---|----------------|--|
| 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/<br>Assessment               | Simple count (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> <i>(Data on demographics not available initially)</i>                              |                       |  |                           |   |                |  |
| Spatial Transformation (where applicable)          | Reflect on contribution to spatial transformation priorities: N/A<br>Reflect on the spatial impact area: N/A  |                       |  |                           |   |                |  |
| Calculation type                                   | <table border="1"> <tr> <td>Cumulative (Year End)</td> <td></td> </tr> <tr> <td>Cumulative (Year to date)</td> <td>X</td> </tr> <tr> <td>Non-Cumulative</td> <td></td> </tr> </table>   | Cumulative (Year End) |  | Cumulative (Year to date) | X | Non-Cumulative |  |
| 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   |                       |  |                           |   |                |  |

<sup>13</sup> The Prospectus reports capture tracking of investments and their impact on society, as well as the impact of investment facilitation and unblocking interventions

### 7.3.5 Incorporate ESG Taxonomy into our CIPC Base Taxonomy as an initiative to address 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 regard 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> <i>(Data on demographics not possible initially)</i>  |   |  |
| 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 to date)  | X |  |
|  |  |   |  |
| Reporting cycle                                    | Quarterly and annually   |   |  |
| Desired performance                                | All set milestones achieved.   |   |  |
| Indicator responsibility                           | Senior Manager Corporate Disclosure Regulation and Compliance  |   |  |