



# **REVISED STRATEGIC PLAN**

**2025/26- 2029/30**

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# EXECUTIVE AUTHORITY STATEMENT

The Public Finance Management Act mandates that all public entities develop a Strategic Plan outlining their overall strategy for the five-year period aligned with the state's Medium-Term Development Plan (MTDP). Each year, an Annual Performance Plan (APP) translates this strategy into actionable targets, ensuring that budgets align with these plans and receive the necessary approvals from the Executive Authority.

The Department of Trade, Industry and Competition (the dtic)—in collaboration with its entities, industry specialists, think tanks, and representatives from the Presidency—has undertaken a forward-thinking, visionary approach in shaping these strategic plans. This approach extends beyond the Dtic and its entities, focusing on the broader South African economy without being constrained by current limitations. It fosters long-term transformation, economic growth, infrastructure development, industrialisation, and regulatory modernisation, all aimed at enhancing global competitiveness, ease of doing business, and reducing red tape.

The Companies Tribunal (the Tribunal) has developed its Strategic Plan for 2025/26 – 2029/30, which I now submit to Parliament in accordance with legislative requirements. This plan is designed to contribute meaningfully to South Africa's economic trajectory, targeting a GDP growth rate of 3.6% by 2029 and advancing the country's competitiveness, economic transformation, and business environment.

In alignment with its organisational mandate, the Tribunal fully supports the 20 identified economic constraints and is well-positioned to contribute meaningfully to four key economic interventions:

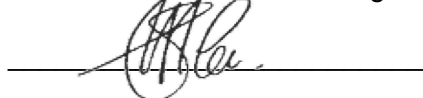
**Red Tape Reduction** - By streamlining its processes and ensuring swift, cost-free adjudication, the Tribunal aims to reduce bureaucratic delays and improve access to justice.

**Workforce and Supplier Readiness** - The Tribunal will enhance organisational capacity, align skills with operational needs, and promote local procurement to support supplier development and economic inclusion.

**Readiness and Skills for the Economy** - Through its internal and external initiatives, the Tribunal supports efforts to develop a skilled and adaptable workforce aligned with industry needs and economic growth priorities.

**Deepening Market Opportunities for Domestic Producers, Suppliers, and Retailers** - The Tribunal will actively contribute to creating an enabling environment that expands opportunities for local businesses, encouraging inclusive and sustainable economic participation.

As we embark on this journey under the 7th Administration, this Strategic Plan reflects our commitment to good governance, public sector innovation, and end-user-centric solutions that drive sustainable economic growth.



**Mr. Parks Tau, MP**  
Minister of Trade, Industry and Competition

## STATEMENT BY THE ACCOUNTING AUTHORITY

It is an honour to present the Companies Tribunal's five-year Strategic Plan, outlining our vision, priorities, and strategic direction through March 2030. This plan is designed to guide the Tribunal in fulfilling its mandate and realizing its vision: "To be a world-class adjudicatory and dispute resolution organization that promotes fair and ethical business practices."

The Tribunal's Strategic Plan is grounded in the foundational values of the Constitution of the Republic of South Africa, the Companies Act, No. 71 of 2008, and the dtic's strategic objective of fostering a fair regulatory environment that encourages investment, trade, and enterprise development in an equitable and socially responsible manner.

Our approach is further informed by the Blue-Sky strategy wherein we shall streamline our operations to reduce costs, improve time management, enhance overall effectiveness of service delivery; allocate a percentage of our bursary funds to labour market development to enhance skills and employability of our youth; strengthening the domestic economy and increasing local and global market competitiveness through increase in local spent.

The Tribunal remains committed to its core mandate of adjudicating company disputes and facilitating Alternative Dispute Resolution (ADR). As economic challenges persist, ADR is expected to become an increasingly preferred mechanism due to its cost-effectiveness compared to litigation. Additionally, the Tribunal may perform other functions assigned by the Companies Act or any laws listed in Schedule 4 of the Act.

Despite our strong alignment with national priorities, we recognize key challenges that could impact our ability to fully execute this strategy. These include:

- Limited funding, which constrains the Tribunal's ability to expand its reach and fully market its services.
- Capacity constraints, affecting caseload management and the ability to operate at full potential.
- The need for greater awareness, ensuring that businesses recognize the benefits of ADR in resolving disputes efficiently.

The Tribunal remains dedicated to enhancing its accessibility, efficiency, and effectiveness over the next five years. Through strategic partnerships, digitization efforts, reduced turnaround times, ring-fencing funding programs for workforce readiness and skills for the economy, and an emphasis on ethical governance, we aim to contribute meaningfully to a business environment that is fair, transparent, and conducive to sustainable economic development.



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**Judge Dennis Davis**

Chairperson: Companies Tribunal

## STATEMENT BY CHIEF OPERATING OFFICER

The Tribunal is a quasi-judicial body established under the Companies Act, 2008 (Act No. 71 of 2008), plays a vital role in expeditiously resolving company disputes. By providing an alternative dispute resolution mechanism, it alleviates pressure on South African courts while promoting compliance with the Bill of Rights and fostering economic growth. The Tribunal offers its services at no cost, ensuring accessible, informal, and formal proceedings.

In fulfilling its mandate, the Tribunal helps reduce bureaucratic red tape, directly impacting industrialization, transformation, and the development of a capable state. By serving businesses efficiently, it enhances investor confidence, attracts foreign direct investment, and improves South Africa's global ranking in business competitiveness, ease of doing business, and regulatory efficiency; ultimately contributing to economic growth.

The Tribunal adjudicates various applications, including name and directorship disputes, reviews of CIPC compliance notices, AGM-related applications, and exemptions from establishing social and ethics committees (SECs).

The Tribunal intends during the MTDP to employ 15 Interns, pay 100% of invoices within 20 business days of receipt, resolve applications and complaints within 30 business days for opposed matters, 20 business days for unopposed matters and 20 business days for alternative dispute resolution (ADR), increase number of engagements and collaboration with stakeholders on the services of the Tribunal from four (4) to 20, increase the number of outreaches to small enterprises in townships and villages from 20 to 100. The Tribunal intends to have 10000 followers over five (5) years on all social media platforms.

The Tribunal shall cooperate and participate in the following being led by the Regulation Branch within **the dtic**:

- i. Policy Reform wherein the intention is to lower the cost of doing business by eliminating inefficiencies and creating an enabling environment for growth and investment.
- ii. Supporting with simplifying regulations to reduce barriers and unlock economic potential.

I am grateful for the opportunity to lead the Tribunal's operations and extend my appreciation to the Lord Almighty, the leadership of **the dtic**—Minister Parks Tau, Deputy Ministers, Director-General Simphiwe Hamilton, the Tribunal Chairperson Judge Dennis Davis, Tribunal members, staff, stakeholders, and the end-users of our services.

I am confident that the Tribunal will continue to provide accessible, efficient, and cost-effective justice, fostering a fair and ethical corporate environment that supports South Africa's economic development.



Mrs Irene Mathatho  
**Acting Chief Operations Officer**

## OFFICIAL SIGN-OFF

It is hereby certified that Companies Tribunal's 2025/26 to 2029/30 Strategic Plan was developed by the Management of the Tribunal under the guidance of the Chairperson and Department of Trade, Industry and Competition, and it takes into account all relevant policies, legislation, and other mandates for which the Tribunal is responsible. It accurately reflects the impact and outcomes that Tribunal will endeavour to achieve over the period 2025/26 – 2029/30

Signature:



**Mr Simukele Khoza**

Head: Marketing and Communication

Signature:



**Mr Sammy Ramaphoko**

Head: Human Resource and Facilities

Signature:



**Mr Kaykay Sebokoane**

Head: Information Communication and Technology



Signature:

**Mr Mesuli Mpeta**

Head: Legal

Signature:



**Mr Selby Magwasha**

Head: Registry

Signature:



**Ms Irene Mathatho**

Chief Financial Officer

Signature:



**Ms Irene Mathatho**

Acting Chief Operations Officer

Approval by

Signature:



**Judge Dennis Davis**

Accounting Authority

## **PART A: OUR MANDATE**

## 1. CONSTITUTIONAL MANDATE

### **Constitutional mandate: -The Constitution of the Republic of South Africa**

The Tribunal plays a crucial role in protecting the rights enshrined in the **Bill of Rights**, ensuring fair business practices and addressing prohibited conduct. Its adjudicative mandate directly impacts the following constitutional provisions:

- a) **Equality (Section 9)** – The Tribunal is accessible to all consumers and businesses, ensuring equal protection under the law. It upholds diversity and rejects all forms of discrimination.
- b) **Human Dignity (Section 10)** – Through its decisions, the Tribunal ensures that prohibited conduct does not infringe on human dignity.
- c) **Privacy (Section 14)** – While carrying out its legal responsibilities, the Tribunal safeguards personal privacy.
- d) **Access to Information (Section 32)** – Transparency is fundamental to democracy. The Tribunal ensures that citizens have timely and accurate information to make informed decisions and hold leaders accountable.
- e) **Just Administrative Action (Section 33)** – The Tribunal hears all parties fairly and provides clear reasons for its decisions promptly.
- f) **Access to Courts (Section 34)** – The Tribunal provides a free, efficient alternative to traditional courts, resolving disputes quickly and fairly.
- g) **Public Administration Values (Section 195)** – As a state institution, the Tribunal adheres to the principles of ethical, transparent, and efficient governance.

By resolving cases efficiently and cost-effectively, the Tribunal contributes to **economic transformation and industrialization**. Its swift and fair rulings promote global competitiveness, enhance ease of doing business, and position South Africa as a desirable investment destination.

## 2. LEGISLATIVE AND POLICY MANDATES

The Tribunal is established by the Act, as a juristic person. In terms of the Act, the Tribunal has jurisdiction throughout the Republic. It is independent and subject only to the Constitution and law.

The Tribunal's mandate in terms of the Companies Act is to:

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



The Tribunal is tasked with fulfilling its functions in alignment with the principles of the Constitution, International Law, and the Companies Act. It is expected to operate in a manner that is simple, ethical, efficient, equitable, transparent, accountable, and impartial, ensuring no bias or prejudice.

By streamlining business processes, implementing an electronic case management system, and reducing administrative burdens, the Tribunal fosters an environment conducive to entrepreneurship. This approach not only supports the ease of doing business but also attracts both local and international investments, ultimately stimulating economic growth.

### 3. INSTITUTIONAL POLICIES AND STRATEGIES OVER THE FIVE YEARS

- ❖ Industrial Policy Framework through contributing on diversification;
- ❖ Government of National Unity (GNU) Statement of Intent;
- ❖ Companies Amendment, Act No. 16 of 2024 (the CAA);
- ❖ Medium Term Development Plan; and
- ❖ Relevant and applicable parts of the National Development Plan.

The Tribunal plays a vital role in supporting South Africa's economic growth goals by aligning with the government's strategic priorities such as diversification, inclusive growth, and job creation. Through re-industrialization, transformation, and a capable state, the Tribunal is contributing to several key areas:

1. **Re-Industrialisation:** The focus on locally manufactured goods, particularly through B-BBEE compliance and efficient procurement processes, is a step towards encouraging economic participation by previously marginalized groups. By ensuring timely processing of invoices, the Tribunal helps create a stable and reliable business environment.
2. **Transformation:** By offering internships, the Tribunal is not only contributing to job creation but also helping develop a skilled workforce ready for the market. This is critical for long-term inclusive growth, reducing poverty and increasing skills and work experience for the economy.
3. **Capable State:** The Tribunal's work in resolving Companies Act-related disputes and fast-tracking decisions creates a supportive environment for small and medium-sized businesses. These businesses are crucial for economic development and job creation. Additionally, engaging in outreach initiatives and securing a strong social media presence helps to raise awareness and build broader community support for business and economic development.

All of these efforts contribute towards reducing the high unemployment rate and alleviating poverty, while supporting the government's broader goal of economic transformation.

## 4. RELEVANT COURT RULINGS

There is a significant concern about potential litigation risks facing the Companies Tribunal due to cases being reviewed by the High Court, with specific applications for costs against the Tribunal. This situation may warrant legislative intervention to protect the members and staff of the Tribunal from legal action related to their work in performing the Tribunal's mandate.

Given that the Companies Tribunal operates as an adjudicatory body, it is common for legislation to provide protections or immunities to members and staff in the course of their duties, to prevent personal liability. This could be an important area for lawmakers to address to ensure that Tribunal members can carry out their responsibilities without the constant threat of legal costs or challenges.

This matter requires attention of the relevant legislative authorities to draft amendment that outlines clear protections for Tribunal members and staff, reducing the likelihood of costly and time-consuming litigation.

There is a provision in the Financial Advisory and Intermediary Act (the FAIS Act) with such an exemption and it reads as follows:

“Section 43: Limitation of liability”

43. The Minister, the Board or a member thereof, any officer or employee assisting the Board, the registrar, the Advisory Committee or any member thereof, the Ombud and any employee in the Office of the Ombud, or other body or person performing any function in terms of this Act is not liable for any loss sustained by or damage caused to any person as a result of anything done or omitted by any of them in the bona fide exercise of any power or carrying out of any duty or performance of any function under or in terms of a provision of this Act.”

## **PART B: OUR STRATEGIC FOCUS**



**FIGURE 2: TRIBUNAL's VISION, MISSION AND VALUES**

## **5. VISION**

To be a world class adjudicatory and dispute resolution organisation that contributes to the promotion of fair and ethical business practices.

## **6. MISSION**

- a) To adjudicate applications made in terms of the Companies Act and make orders in respect of such applications.
- b) To assist in the resolution of company disputes through conciliation, mediation and arbitration.
- c) To perform any other function assigned to it by or in terms of the Companies Act or any law mentioned in schedule 4.

## **7. VALUES**

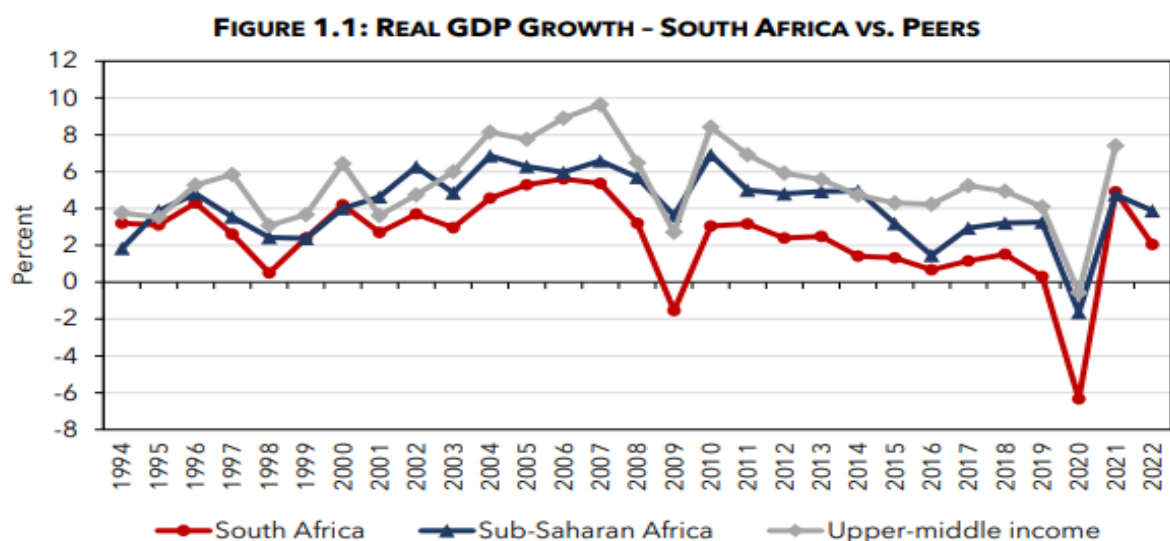
- a) **Accountability:** Delivering on our plans and commitments and taking responsibility for our conduct.
- b) **Impartiality:** Conducting ourselves in a fair and just manner, without fear, favour or prejudice
- c) **Transparency:** Being reasonably open about our policies, procedures and conduct
- d) **Professionalism:** Being courteous, punctual, and responsible in adhering to policies, values and the code of conduct of the Tribunal when dealing with the public and stakeholders
- e) **Mutual respect:** Treating all people with dignity and honour in accordance with the values of the Tribunal
- f) **Ethical:** Acting with integrity and being guided by the Tribunal's Code of Conduct and policies.

## 8. SITUATIONAL ANALYSIS

### 8.1. UNPRECEDENTED SOCIAL AND ECONOMIC CHALLENGES FACING SOUTH AFRICA

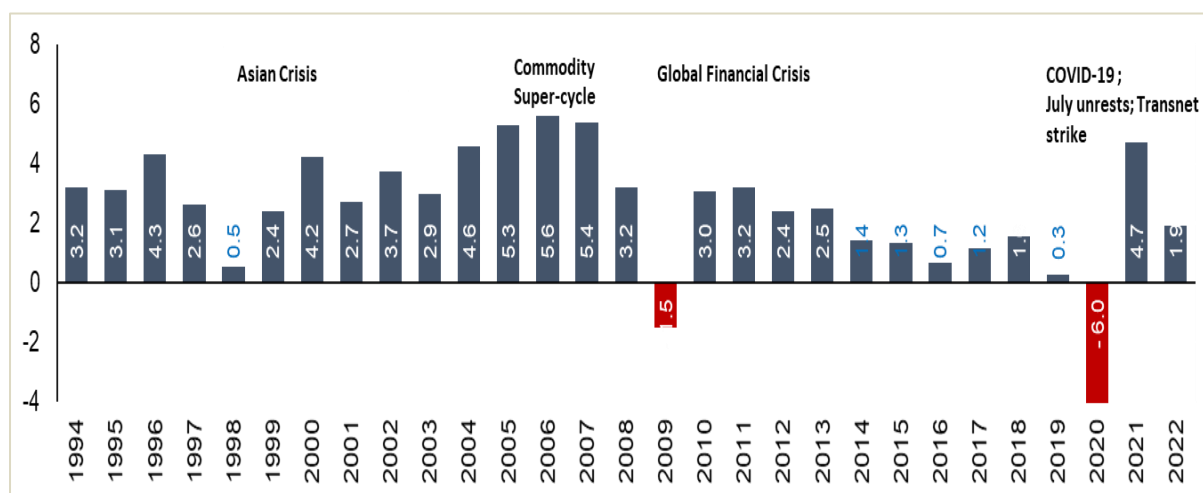
#### 8.1.1 Growth

The economy has struggled to grow at a rate sufficient to generate the necessary number of jobs, which has led to persistently high levels of unemployment. This sluggish economic growth has also exacerbated poverty, inequality, and underdevelopment, creating a vicious cycle that is difficult to break. The country's economic challenges are compounded by external factors such as global market fluctuations and internal issues like policy uncertainty. To achieve meaningful progress in increasing employment and addressing these deep-rooted problems, the country needs to achieve a minimum % of 5.4% growth rate. This growth level is essential for job creation and advancing the nation's broader development priorities, including improving living standards, reducing inequality, and fostering inclusive economic participation.



Source: Own elaboration based on World Economic Outlook (April 2023) for South Africa and Sub-Saharan Africa and World Development Indicators for Upper-Middle-Income Countries.

## 8.2 ECONOMIC OVERVIEW



### 8.2.1 Exclusion

A large portion of the South African population remains marginalized, with limited access to economic opportunities. This exclusion is not just a matter of employment but extends to fundamental aspects of life such as education, healthcare, and basic services. Despite progress in certain areas, access to quality education remains uneven, particularly between urban and rural areas and between different socio-economic groups. Healthcare services are similarly uneven, with rural and impoverished communities often receiving substandard care. These disparities perpetuate cycles of poverty and inequality, making it difficult for those affected to improve their circumstances. Addressing these inequalities is crucial for building a more inclusive society where everyone has the opportunity to succeed.

### 8.2.2 Innovation

Innovation is widely recognised as a key driver of economic growth and societal progress. It enables the development of new products, services, and processes that can enhance productivity, create jobs, and improve the quality of life. In South Africa, as in many European countries, the industrial sector tends to be more innovative than the services sector. According to recent data, 54.8% of enterprises in South Africa's industrial sector engage in innovative activities, compared to 49.3% in the services sector. This gap highlights the potential for growth in the services sector if innovation can be encouraged and supported. A focus on innovation across all sectors is essential

for the country to compete globally and to build a resilient, dynamic economy capable of adapting to changing global conditions.

### **8.2.3 Capable State**

The effectiveness and capability of the state have been significantly undermined by corruption and the lingering effects of state capture. These issues have eroded public trust and weakened the state's ability to implement policies and deliver services effectively. A capable state is critical for driving economic growth, implementing reforms, and addressing the structural constraints that limit the country's potential. Strengthening the state's capacity involves building robust institutions, ensuring accountability, and fostering a culture of transparency and good governance. It also requires rethinking the economic strategy to align with current challenges and opportunities, ensuring that implementation is both efficient and effective. By addressing these issues, the state can better support economic development, reduce inequality, and improve its citizens' overall quality of life.

## 9. EXTERNAL ENVIRONMENT ANALYSIS : PESTEL ANALYSIS

**TABLE 1 : PESTEL ANALYSIS**

<b>Political</b>	<ul style="list-style-type: none"> <li>✓ Legislative Amendments</li> <li>✓ Use of E-Government</li> <li>✓ Changing political priorities (change of administration)</li> <li>✓ Political instability</li> <li>✓ Policy uncertainties</li> <li>✓ Fractured governance</li> <li>✓ Budget issues</li> <li>✓ Red tape</li> </ul>
<b>Economic</b>	<ul style="list-style-type: none"> <li>✓ Sovereign downgrades</li> <li>✓ Low sentiments</li> <li>✓ Unemployment/Poverty/Inequality</li> <li>✓ Energy security(electricity)</li> <li>✓ Grant cut/reduction(10%)</li> <li>✓ Fiscal Constraints</li> <li>✓ Taxes</li> <li>✓ Disinvestment</li> <li>✓ Fuel price</li> <li>✓ Foreign Exchange rates</li> <li>✓ Inflation</li> <li>✓ Low economic growth</li> <li>✓ Geo-Political tensions (Trade agreements)</li> <li>✓ South Africa's policy (BRICS)</li> <li>✓ Economic Transformation</li> <li>✓ Creative Disruption</li> </ul>



	<ul style="list-style-type: none"> <li>✓ Product to market costs</li> </ul>
<b>Social</b>	<ul style="list-style-type: none"> <li>✓ High rate of unemployment</li> <li>✓ Awareness of the Tribunal</li> <li>✓ Language diversity</li> <li>✓ Social media</li> <li>✓ Fraud / corruption</li> <li>✓ Low literacy rate</li> <li>✓ Misconception about the Tribunal's jurisdiction by members of the public</li> <li>✓ Population growth</li> </ul>
<b>Technological</b>	<ul style="list-style-type: none"> <li>✓ Access to data</li> <li>✓ Future technologies (4IR, etc.)</li> <li>✓ Impact of social media</li> <li>✓ Cyber-attacks / ransom ware</li> </ul>
<b>Legal</b>	<ul style="list-style-type: none"> <li>✓ Data privacy framework (POPI Act, etc.) King 4 report</li> <li>✓ Universal Compliance (Data privacy framework, POPI Act, etc.) and King 4 report</li> <li>✓ Legislative amendments</li> <li>✓ Limited jurisdiction to meet public expectations – (duplicated)</li> <li>✓ Case Reviews Costs</li> </ul>
<b>Environmental</b>	<ul style="list-style-type: none"> <li>✓ Green economy</li> <li>✓ Pandemics</li> <li>✓ Utilities (load shedding, water outage)</li> <li>✓ Lack of appropriate hearing rooms</li> <li>✓ Natural Disasters</li> <li>✓ Lack of appropriate hearing rooms</li> </ul>

The Tribunal operates in a dynamic external environment influenced by economic conditions, industry trends, regulatory frameworks, employment challenges and environmental considerations. Navigating these factors is essential for the Tribunal to fulfil its mandate and contribute to developing South Africa's economy. The Act has been amended by the CAA which has now appointed the Chairperson of the Tribunal as the Accounting Authority (AA) and designated overseeing operations of the Tribunal to the Chief Operating Officer. The AA reports to Parliament through the office of the Executive Authority (EA), the Minister of **the dtic** following the PFMA. The Tribunal's activities are aligned with its mandate, which is, in turn, aligned with **the dtic** and national priorities. The Tribunal's services are demand driven and as such impacts of developments in the spaces of companies highly influence the operations of the Tribunal.

The outcomes of the 2024 General Elections saw the formation of the Government of National Unity (GNU). South Africa experienced a transition from the majority ruling government to an inclusive GNU. A Statement of Intent bounds the GNU and lays the foundational principles and minimum programme of priorities. The MTDP serve as the five (5)-year medium-term plan for the 7<sup>th</sup> Administration of the Government. It also serves as the implementation framework for the National Development Plan (NDP): Vision 2030. The medium-term planning process for the development of the MTDP thus far has included a review of the approach and methodology, moving from the Medium-Term Strategic Framework (MTSF) 2019-2024 to the MTDP 2024-2029. The MTDP priorities are aligned to the goals and objectives of the NDP and Programme of Priorities of the GNU. The MTDP 2024-2029 will however have a greater emphasis on development outcomes and will primarily be framed as an economic plan to address existing socio-economic challenges.

## 10. INTERNAL ENVIRONMENTAL ANALYSIS: SWOT ANALYSIS

A summary of the SWOT analysis is provided in the table below.

**TABLE 2: SWOT ANALYSIS**

POSITIVES		NEGATIVE
INTERNAL	<b>STRENGTHS</b> <ul style="list-style-type: none"> <li>✓ <i>Flexible working environment</i></li> <li>✓ <i>Institutional knowledge</i></li> <li>✓ <i>Quick turnaround times</i></li> <li>✓ <i>Strong collaboration amongst management</i></li> <li>✓ <i>Holding hearings virtually</i></li> <li>✓ <i>Good systems and procedures</i></li> <li>✓ <i>Independence and impartiality</i></li> <li>✓ <i>Competent and capable staff</i></li> <li>✓ <i>Cost-free adjudication forum</i></li> </ul>	<b>WEAKNESSES</b> <ul style="list-style-type: none"> <li>• <i>Limited Mandate</i></li> <li>• <i>Poor governance</i></li> <li>• <i>Budgetary constraints</i></li> <li>• <i>Human Capacity in certain divisions</i></li> <li>• <i>Limited succession plan</i></li> <li>• <i>Limited prospects of growth</i></li> <li>• <i>Inadequate facilities</i></li> <li>• <i>Outsourced internal audit</i></li> <li>• <i>High staff turnover</i></li> <li>• <i>Rising cost of doing business in SA</i></li> </ul>
	<b>OPPORTUNITIES</b> <ul style="list-style-type: none"> <li>✓ <i>Growing uptake of ADR services</i></li> <li>✓ <i>Expanding our geographic footprint</i></li> <li>✓ <i>Access to virtual technology</i></li> <li>✓ <i>Increasing referrals from external stakeholders (including</i></li> </ul>	<b>THREATS</b> <ul style="list-style-type: none"> <li>• <i>Budget constraints</i></li> <li>• <i>Limited jurisdiction</i></li> <li>• <i>Stagnant case load</i></li> <li>• <i>Cyber-attacks / ransom ware</i></li> <li>• <i>Cost orders</i></li> </ul>

POSITIVES		NEGATIVE
EXTERNAL	<p><i>CIPC, TRP, BBBEE, law firms etc.)</i></p> <ul style="list-style-type: none"> <li>✓ <i>Technology – automating systems and processes to improve efficiency</i></li> <li>✓ <i>Benchmarking on best practice models from similar entities</i></li> <li>✓ <i>Aggressive marketing of the Tribunal</i></li> <li>✓ <i>Change of political administration</i></li> <li>✓ <i>Contribution to research, jurisprudence, and the development of company law</i></li> <li>✓ <i>Collaboration with higher education institutions to increase research output on the work of the Tribunal.</i></li> <li>✓ <i>Government and other stakeholders Collaboration for support and resource sharing</i></li> <li>✓ <i>Availability of retired judges and senior legal practitioners to adjudicate</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Limited access to the Tribunal (by the public)</i></li> <li>• <i>Limitation of mandate</i></li> <li>• <i>Majority of the Act provision allocated to courts instead of the Tribunal</i></li> <li>• <i>Lack of sanctions</i></li> <li>• <i>Silent provisions of imposition of administrative costs, charges and penalties</i></li> </ul>

## 11. ALIGNMENT TO THE NDP, MTDP 2024-2029 AND THE DTIC

The Tribunal also derives its mandate from the NDP 2030 developed by the National Planning Commission (NPC) in 2012. The NDP aims to reduce inequality and eliminate poverty by 2030 and is grounded in six pillars that outline the objectives to be achieved by 2030. The Tribunal's priorities are aligned to the Medium-Term Development Plan as the implementation framework for the NDP together with **the dtic** as detailed below:

**Strategic Priority 1: Transformation:** The Industrial Policy seeks to build a new model of growth and economic inclusion that unites South Africans in the economy and promotes inclusive industrial, geographical and demographic transformation. Coupled with this is the focus on gender sensitive industrialisation looking to enhance participation of black people, women and youth in economic activities by removing barriers to entry. There is a strong need to strengthen measures that have been put in place for women's empowerment, especially in manufacturing and value-added services. The Companies Tribunal is intentional in sourcing local content from black people, women and the youth to strengthen the domestic economy and increase local and global market competitiveness through compliance with the B-BBEE legislation.

**Strategic Priority 2: Inclusive Growth and Job Creation:** The government aims to stimulate economic growth that benefits all South Africans, with a particular focus on job creation. This involves fostering a business-friendly environment, encouraging public-private partnerships, and implementing policies that promote market-driven growth. In turn, the Tribunal will contribute to this commitment by allocating a percentage of its total bursary fund on allocations directed toward labour market programs, internships, or work experience initiatives.

**Strategic Priority 3: Building a Capable, Ethical, and Developmental State:** GNU is committed to strengthening state institutions by promoting efficiency, reducing corruption, and ensuring that public officials are appointed based on merit rather than political loyalty. This includes reforming the public sector and state-owned enterprises to improve service delivery and governance.

These priorities are part of a broader strategy to align the government's actions with the NDP and Sustainable Development Goals (SDGs), ensuring a better quality of life for all South Africans by 2030. These alignments ensure that the Tribunal is integral to achieving the broader objectives of the South African government.

The Tribunal shall streamline operations to reduce costs, improve time management, and enhance the overall effectiveness of service delivery.

The adjustments are essential to align our strategic objectives with the broader economic growth plan, addressing prior concerns about inefficiencies and enhancing our institution's responsiveness. This plan serves as a foundational approach to achieving streamlined operations and fostering an investment-friendly business environment.

## **PART C: MEASURING PERFORMANCE**

## 12. INSTITUTIONAL PERFORMANCE

The Tribunal's strategic focus responds to **the dtic** economic intervention the red tape reduction and will be grounded on five (5) strategic pillars: Improved Access to Justice, Operational Efficiency and Effectiveness, Economic Transformation, Effective Stakeholder Management, and Stakeholder Management and Collaboration and Outreach and Brand Awareness.

The five (5) pillars guiding the work of the Tribunal over the next five (5) years are explained as follows:

### 12.1 STRATEGIC PILLARS

**Strategic Pillar 1: Improved Access to Justice:** As means of red tape reduction, this pillar helps the Tribunal to ensure that all stakeholders, particularly vulnerable or under-resourced parties have fair and equal opportunities to access justice, resolve disputes efficiently, and seek remedies through a transparent, accountable and user-friendly process.

**Strategic Pillar 2: Operational Efficiency and Effectiveness:** Still under the red tape reduction, this pillar helps the Tribunal to operate in a manner that maximises productivity, minimises waste, and optimises the use of resources to deliver timely, fair and cost-effective dispute resolution services. By focusing on Operational efficiency, the Tribunal will optimise its performance, reduce costs and improve dispute resolution outcomes, ultimately enhancing its reputation and credibility.

**Strategic Pillar 3: Economic Transformation:** The Tribunal contributes to a vibrant and sustainable economy by resolving disputes efficiently, promoting business growth and fostering a fair and transparent business environment. Especially among previously disadvantaged people thereby enhancing economic stability, competitiveness and innovation.

**Strategic Pillar 4: Effective Stakeholder management and collaboration:** This pillar aims to make sure that the Tribunal maintains positive productive relationships with diverse stakeholders, ensuring their needs are addressed, concerns are heard, and expectations are met, thereby enhancing the Tribunal's legitimacy, credibility and impact. By achieving effective stakeholder management, the Tribunal can ensure its decisions are informed, respected and implemented, ultimately contributing to a fair and efficient business environment.

The operationalisation of the Tribunal's strategic pillars will be delivered through two (2) programmes. Below is the illustration of the programmes and associated statement of intent.

## 13. 2025/26 – 2029/30 STRATEGIC PLAN PROGRAMMES AND PURPOSE

### 13.1 Programme 1: Adjudication

The purpose of the programme is to adjudicate and make orders in relation to applications made in terms of the Companies Act No. 71 of 2008 as amended, as well as to facilitate the resolution of company disputes in terms of Alternative Dispute Resolution. To ensure a fair, efficient, and effective resolution of disputes between companies, shareholders, and other stakeholders, utilizing various dispute resolution mechanisms. By implementing the Adjudication and Alternative Dispute Resolution program, the Tribunal contributes to the promotion of fair and ethical corporate practices.

Members of the Tribunal are appointed by the Minister of Trade, Industry and Competition to adjudicate applications and resolve disputes based on the applications filed by the parties to the dispute or referrals from Companies and Intellectual Property Commission or Take over Regulation Panel. Where necessary, hearings are held in person or virtually. Cases are decided on paper without the parties' physical appearance. Internally, Registry is tasked with the administrative element of this function complementing the part-time Tribunal Members.

Under this programme, the Tribunal will contribute to the following MTDP priority:

- ❖ **MTDP Strategic Priority 1: Inclusive growth and job creation:**
- ❖ **Outcome:** Enabling environment for investment and improved competitiveness through structural reforms:
  - Cut red tape and streamline support for small enterprises and entrepreneurs especially in townships and villages, to thrive.



## PROGRAMME 1: ADJUDICATION AND ALTERNATIVE DISPUTE RESOLUTION

OUTCOME	OUTCOME INDICATORS	BASELINE	FIVE YEAR TARGET
<b>1. Streamlined operation to reduce costs, turnaround times and the overall effectiveness of service delivery</b>	1.1 Percentage of decisions and orders issued on opposed applications within 30 days from the day of the hearing or filing of papers	95%	95%
	1.2. Percentage of decisions and orders issued on unopposed applications within 20 days from allocation or filing of papers	95%	95%
	1.3. Percentage of cases finalized in terms of ADR within 20 days from the last day of sitting or allocation or filing of papers	95%	95%

### 13.2 PROGRAMME 2: ADMINISTRATION

The purpose of the programme is to ensure operational efficiency and effectiveness as well as effective stakeholder engagement. The Programme further aims to efficiently support and manage the operations by ensuring that there is proper Financial Management, Human Resource Management, Information Technology Management, Stakeholder Management and Legal Services.

The Tribunal will successfully deliver on its objectives through a cohesive, well-structured organization where people, processes, and systems perform optimally. As a publicly accountable entity, the focus will continue to strive to achieve clean administration and resource optimization. The focus is on developing human and organisational capacity toward building a world-class institution. This requires a series of strategic human resource interventions to attract, develop, and retain talent. This also aims to promote sound financial and supply chain management and operational efficiency, embed good governance to prevent organizational value by mitigating governance failures, anticipate and respond to the changing contextual and legislative reforms, and better anticipate and manage risks associated with outcomes.

Under this programme, the Tribunal will contribute to the following MTDP priorities:

❖ **MTDP Strategic Priority 1: Inclusive growth and job creation:**

❖ **Outcome:** Increased employment opportunities

- Continue to implement and optimise public employment programmes (including the Presidential Employment

Stimulus, the National Youth Service, Expanded Public Works) and prioritise work experience for young people.

❖ **MTDP Strategic Priority 2: Reduce poverty and tackle the high cost of living**

❖ **Outcome:** Social cohesion and nation building

- Promote the involvement of all key stakeholders in the life of our country, representing civil society, traditional leaders, the faith-based sector, labour, business, cultural workers, sports people and other formations representing the diverse interests and voices of our citizens

❖ **MTDP Strategic Priority 3: Build a capable, ethical and developmental state**

❖ **Outcome:** Improve governance and performance of public entities

❖ **Outcome:** A capable and professional public service

- Strengthen the public procurement system, in line with the Public Procurement Act, for efficiencies and effectiveness and to stimulate demand.

## PROGRAMME 2: ADMINISTRATION

OUTCOME	OUTCOME INDICATOR	BASELINE	FIVE YEAR TARGET
1. Co-ordinated internship system with ring-fencing funding programs for internship	2.1 Percentage increase in workplace-based internships.	New Indicator	3%
2. Compliance to the B-BBEE Act and Codes of Good Practice	2.2 Percentage of procurement from designated groups in terms of B-BBEE Act	70%	90%
3. Effective Stakeholder Engagement	3.1 Number of new followers on social media platforms	New indicator	10 000
	3.2 Engagements and collaborations with stakeholders on the services of the Tribunal and identifying areas of improvement	4	20
	3.3 Number of outreaches to small enterprises in townships and villages	20	100

## 14. COMPANIES TRIBUNAL'S PERFORMANCE INFORMATION

Over the next five (5) years, the Tribunal endeavours to utilise its limited resources most effectively and efficiently to deliver on its mandate and achieve the intended impact in the economy. This is based on the premise that the current strategy uses resource optimisation for excellent service delivery. The organisational macro-structure should be reconfigured to align with the new strategy. Furthermore, the current strategy emphasises leveraging technology and partnerships to provide high-quality services at the least possible cost.

The core thrust of the Strategic Plan is to establish a results-driven and value-oriented framework that delivers meaningful impact. To achieve this, the organization has rigorously defined an impact statement that will serve as the guiding force for all outcomes over the next five years. This impact statement is closely aligned with the organization's core mandate and has been extensively reviewed and validated through consultations with key stakeholders. This approach ensures that the strategic plan is both impactful and responsive to stakeholder expectations

## 15. IMPACT STATEMENT

To define the impacts, the Tribunal used the Theory of Change, which is the first step in creating a results chain. Accordingly, within the South African Government, the guidelines provided by the Aspen Institute, composed by Anderson (n.d.), were applied extensively in this regard, hence the following impact:

<b>IMPACT STATEMENT:</b>	<b>Provide speedy resolution of company disputes with jurisdiction throughout the Republic of South Africa in terms of the Companies Act.</b>
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## 16. EXPLANATION OF PLANNED PERFORMANCE OVER THE FIVE-YEAR PLANNING PERIOD

<b>Outcome 1:</b>	<b>Streamlined operation to reduce costs, turnaround times and the overall effectiveness of service delivery</b>
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### **Outcome's contribution to the achievement of a Capable State**

Mandate.	It will assist in the organisation in achieving the mandate because, when the Companies Tribunal is able to achieve this outcome it will then be able to adjudicate matters brought to it in a fair and equitable manner. It will also be able to solve disputes through conciliation, mediation and arbitration.
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MTDP and APEX Priorities.	It will enhance the sustainability of South Africa's business environment and support competitiveness.
Women, children, youth and persons with disabilities.	Facilitate the conduct of business between organisations in a non-discriminatory manner where marginalised groups are not left behind.
Other policies.	It will improve the regulatory legal framework.
Explanation of enablers to achieve the five-year targets.	Legislative framework, human resources, funding, applications and hearing rooms.
How will this Outcome contribute to the achievement of the Impact?	It will enable an inclusion of marginalised people in the mainstream economy through transformation.

<b>Outcome 2:</b>	<b>Inclusive growth and job creation</b>
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**Outcome's contribution to the achievement of: Inclusive growth and job creation**

Mandate.	This will help Companies Tribunal to fulfil its mandate effectively.
MTDP and APEX Priorities.	Inclusive growth and job creation will assist in the contribution towards the 3.6%% economic growth plan to reduce the high rates of unemployment. Through providing work experience exposure to interns, the Tribunal aims to prepare the individuals to be employable and to contribute to the country's economic growth and reduce poverty.
Women, children, youth and persons with disabilities.	Facilitate the conduct of business between organisations in a non-discriminatory manner where marginalised groups are not left behind.
Other policies.	It will improve the regulatory legal framework.
Explanation of enablers to achieve the five-year targets.	Legislative framework, human resources policies, availability of funding.
How will this Outcome contribute to the achievement of the Impact?	It will enable efficiency of its operations thereby having a positive impact on economic transformation.

<b>Outcome 3:</b>	<b>Economic Transformation</b>
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**Outcome's contribution to the achievement of: Economic Transformation**

Mandate.	This will help Companies Tribunal to fulfil its mandate enshrined in the Constitution of the Republic South Africa and the Companies Act, effectively.
MTDP and APEX Priorities.	Economic Transformation will assist in the contribution towards the achievement of the 2 <sup>nd</sup> MTDP priority of

	Reducing Poverty and tackle the high cost of living. When the procurement is focused on BBB-EE prescripts, then it assist in reducing poverty among marginalised population groups in South Africa.
Women, children, youth and persons with disabilities.	Facilitate the conduct of business between organisations in a non-discriminatory manner where marginalised groups are not left behind.
Other policies.	It will improve the regulatory legal framework.
Explanation of enablers to achieve the five-year targets.	Human resources, funding and procurements undertaken during each financial year.
How will this Outcome contribute to the achievement of the Impact?	It will help the organisation to have a positive impact on economic transformation through the development of BBB-EE compliant businesses hence making an impact around inclusion of marginalised communities into the mainstream economy.

<b>Outcome 4:</b>	<b>Effective Stakeholder Engagement</b>
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**Outcome's contribution to the achievement of: Effective Stakeholder Engagement**

Mandate.	This will help Companies Tribunal to fulfil its mandate enshrined in the Constitution of the Republic South Africa and the Companies Act, effectively.
MTDP and APEX Priorities.	Promote economic growth through partnership with stakeholder in the economic development eco-system. Strive to ensure that all companies have equal access to our services as means to promote economic inclusion and transform the South African economy. Work with the three spheres of government to advance the Regional support initiatives. Contributes to African Union vision of "No country left behind".
Women, children, youth and persons with disabilities.	Facilitate the conduct of business between organisations in a non-discriminatory manner where marginalised groups are not left behind.
Other policies.	It will improve the regulatory legal framework.
Explanation of enablers to achieve the five-year targets.	legislative framework, human resources, funding, applications and hearing rooms.
How will this Outcome contribute to the achievement of the Impact?	Helps sustainability and socio-economic development.

## 17. EXPLANATION OF ENABLERS TO ACHIEVE THE FIVE-YEAR TARGETS

What is supposed to be the enablers to achieve the five-year plan are also economic constraints to the achievement of the intended Blue-Sky strategy intended to improve

the ease of doing business, reduce red tape, consider the end-user, promote investment, attract foreign direct investment in the country and improve South African ranking on the competitive business index, ease of doing business and red tape reduction; with the potential to contribute to economic growth and also contribute to investment. South Africa could market itself as a quick responsive country regarding its turnaround times for company law disputes free of charge.

#### **a) Mandate**

The institution needs an un-ambiguous, and wider mandate to function effectively. The Tribunals mandate is limited, voluntary and ambiguous in respect to ADR provisions. Proposed amendments to the Companies Act were submitted, amongst others, to make alternative dispute resolution compulsory. We await the outcome.

The Tribunal lacks enforcement powers and to widen the scope and the mandate of the Companies Tribunal requires amending the legislation including the introduction of administrative sanctions, charges and costs; and redirecting most of the mandate given to courts in the primary legislation to the Companies Tribunal. This will assist will the ease of doing business, removing red tape and improved company disputes leading to improved business competitiveness of the country.

#### **b) Members of the Tribunal**

Members are critical role players in the Tribunal. These are the experts who make decisions on the applications that the Tribunal receives. As per the Act these are appointed by the Minister. Without this enabler in place the Tribunal would not be able to perform its mandate.

Members fees have been the same rate since its inception and this could pose as an emerging risk should members not prioritise the cases allocated by the Companies Tribunal if members could get a better rate elsewhere.

The turnaround times could be impacted.

The Tribunal has noted another emerging risk being an increase in the number of cases that are being reviewed. Some review quotes the member as a party to the review, some praying for costs against the Tribunal and the member.

Law-markers therefore need to amend the legislation to include exemption provisions of the members and staff from being taken to court for rendering the mandate of the organisation.

#### **c) Applications/clients**

To function effectively the Tribunal needs to receive an adequate number of applications. The limitations in mandate could be the direct results of inadequate scope of the Companies Tribunal in the primary legislation.

#### **d) Funding/Budgetary Constraints**

The Tribunal will need an increase in its baseline over the Medium-Term Expenditure Framework (MTEF). Funds Allocated for each financial year are insufficient to meet the operational requirements of the Tribunal and have over the years been augmented by an approved surplus which has been depleted.

Section 210 of the Companies Act makes the following provision that the Commission, the Companies Tribunal and the Panel, are each financed from money appropriated by Parliament, any fees payable in terms of the Act, income derived from the investments and deposits of surplus funds and money accruing from any source.

Sections 40 of the Competition Act and 210 of the Companies Act are similar; however, the difference is that where the Companies Act makes provision for the TRP and CIPC to levy fees, the Companies Tribunal is excluded.

The Competition Tribunal generates its funding from the National Treasury, fees earned from the Competition Commission, other income being recoupment of printing costs and case fees for filing a matter at the Tribunal and investment income for the interest earned.

Section 40 of the Competition Act provides that the Competition Commission is financed from money that is appropriated by Parliament for the Commission, fees payable to the Commission in terms of the Act, income derived by the Commission from its investment and deposit of surplus money in terms of subsection (6) and money received from any other source.

Because of the provision above, the Competition Commission keeps all the fees it levies for the service it renders in terms of its mandate and transfers penalty charged to the National Treasury.

The Minister of Trade, Industry and Competition could resolve the finance challenge that the Companies Tribunal has by adopting the same model as the one between the Competition Commission and Competition Tribunal, and regularise the funding model through the regulations, there is no need to amend the legislation as the legislation covers this arrangement. Failure to pass regulations to correct the Tribunal funding model is self-inflicted wound that could leave the Tribunal into the defunct entity.

Since 2012, the CIPC has been generating surplus fees of more than R100million and applying to the National Treasury at the end of the financial year to retain these fees according to their annual reports. These funds could be used to fund the Companies Tribunal.

In the financial services sector, the FSCA collects levies, administrative fees etc. and allocates it to all its entities. As a result, they are not depended on the National Treasury for funding and are self-funded.

Addressing the funding requirements does not require the legislation to be amended for the Companies Tribunal as the legislation already makes provision for sources of funding for the Tribunal, CIPC and the Panel.

The Competition Commission and Competition Tribunal have entered into an MOU to share 5% and 35% of the fee charged by the Competition Commission on intermediate and large mergers respectively. This is where most funding of the Competition Tribunal is generated. This arrangement was entered into in early days of the establishment of the two institutions without prior approval from the National Treasury; however, the transaction is reported in both entities Annual Report in their financials.

#### **e) Facilities**

Currently the Companies Tribunal does not have hearing rooms and the spaces used as hearing rooms are ill-suited for the purpose. Parking space is inadequate for both the members and clients of the Tribunal. Professionally equipped hearing rooms and adequate parking space are important enablers for the achievement of the mandate and five-year plans of the Tribunal.

#### **f) Equipment and infrastructure**

Tools of trade such as furniture, computer equipment and stationery are important enablers in the achievement of the five-year plan. Currently IT infrastructure is partially outsourced and managed by the shareholder, **the dtic** and the Tribunal.

## **18. STRATEGIC RISK AREAS**

### **18.1 KEY RISKS AND MITIGATIONS**



Risk Number	Outcome	Risk name	Output Affected	Risk Description	Mitigation
1	<b>Operational efficiency and effectiveness</b>	Inadequate budget	Efficient resourcing (funding)	Inadequate funding and resources to execute the mandate effectively and efficiently.	Monthly monitoring of budget through budget variance report
2	<b>Capable State</b>	Adjudication & dispute resolution inefficiencies	Adjudicated Applications	a) Quality of decisions compromised b) late delivery of decisions	a) Member peer decision review b) Increase reminders to Members, and Chairperson consideration for extension on complex matters.
3	<b>Operational efficiency and effectiveness</b>	Human Resource Capacity	Resource inefficiencies & deficiencies (management & financial)	a) Inability to fully fill positions b) Inability to adequately develop and train staff c) Inability to retain competent and skilled personnel with the right values.	Prioritization of resources
4	<b>Operational efficiency and effectiveness</b>	IT operational ineffectiveness	Functional, efficient, and user-friendly ICT systems for ease of doing business	Unavailability and inaccessibility of IT services or systems	Implementation of the Disaster Management Plan
6	<b>Effective Stakeholder engagement and outreach and brand awareness</b>	Inadequate Marketing & communication activities (Limited marketing and advertising of Tribunal's services)	Stakeholder engagement	Limitations to market the organization	Increased marketing and communication initiatives will be undertaken.

Above is a summary of key risks which may affect the achievement of the identified outcomes, as well as measures to mitigate the identified risk.

**PART D: TECHNICAL INDICATOR  
DESCRIPTIONS (TIDS)**

## 19. PART D: TECHNICAL INDICATOR DESCRIPTIONS (TIDS)

### PROGRAMME 1: ADJUDICATION & APPROPRIATE DISPUTE RESOLUTION

<b>Indicator title</b>	1.1 Percentage of decisions and orders <sup>1</sup> issued on <u>opposed</u> applications within 30 working days from the last date of hearing or filing of papers
<b>Definition</b>	<ul style="list-style-type: none"> <li>This indicator tracks the percentage of decisions and orders issued on opposed applications within 30 days from the last set-down or final submission by parties, whichever is applicable</li> </ul>
<b>Source of data</b>	<ul style="list-style-type: none"> <li>Registry records</li> </ul>
<b>Method of calculation or assessment</b>	<ul style="list-style-type: none"> <li>The number of decisions and orders issued within 30 days divided by Total number of decisions and orders issued multiplied by 100</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>Accurate record of decisions and orders issued by the Tribunal</li> <li>Outliers are complex cases and/or matters that may go beyond the desired turnaround time as provided with the written authorisation of the Chairperson and are exempted from the above method of calculation of assessment.</li> <li>Abandoned cases are cases where the applicant has not provided necessary information that is required for a matter to be adjudicated and are exempted from the calculation the above method of calculation of assessment.</li> </ul>
<b>Spatial transformation (where applicable)</b>	<ul style="list-style-type: none"> <li>N/A<sup>2</sup></li> </ul>
<b>Desired performance</b>	<ul style="list-style-type: none"> <li>Reduce turnaround times in issuing decisions and orders</li> </ul>
<b>Indicator responsibility</b>	<ul style="list-style-type: none"> <li>Registrar</li> </ul>

<sup>1</sup> **Decisions and orders** issued are as prescribed by the Companies Act, 2008. Issued means formal communication of the decision and order to the client

<sup>2</sup> Ibid.

<b>Indicator title</b>	<b>1.2</b> Percentage of decisions and orders issued on <u>unopposed</u> applications within 20 working days from the last date of filing of papers
<b>Definition</b>	<ul style="list-style-type: none"> <li>This indicator tracks the percentage of decisions and orders issued on unopposed applications within 20 days from the last set-down or final submission by parties, whichever is applicable</li> </ul>
<b>Source of data</b>	<ul style="list-style-type: none"> <li>Registry records</li> </ul>
<b>Method of calculation or assessment</b>	<ul style="list-style-type: none"> <li>The number of decisions and orders issued within 20 days divided by total number of decisions and orders issued multiplied by 100</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>Accurate record of decisions and orders issued by the Tribunal</li> <li>Outliers are complex cases and/or matters that may go beyond the desired turnaround time as provided with the written authorisation of the Chairperson and are exempted from the above method of calculation of assessment.</li> <li>Abandoned cases are cases where the applicant has not provided necessary information that is required for a matter to be adjudicated and are exempted from the calculation the above method of calculation of assessment.</li> </ul>
<b>Spatial transformation (where applicable)</b>	<ul style="list-style-type: none"> <li>N/A<sup>3</sup></li> </ul>
<b>Desired performance</b>	<ul style="list-style-type: none"> <li>Reduce turnaround times in issuing decisions and orders</li> </ul>
<b>Indicator responsibility</b>	<ul style="list-style-type: none"> <li>Registrar</li> </ul>

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<sup>3</sup> Ibid.

<b>Indicator title</b>	<b>1.3</b> Percentage of cases finalised <sup>4</sup> in terms of Alternative Dispute Resolution (ADR) within 20 working days after the date set-down or filing of papers or allocation
<b>Definition</b>	<ul style="list-style-type: none"> <li>This indicator tracks the percentage of ADR cases finalised within 20 days after date of set-down or final submission by parties, whichever is applicable</li> </ul>
<b>Source of data</b>	<ul style="list-style-type: none"> <li>Registry records</li> </ul>
<b>Method of calculation or assessment</b>	<ul style="list-style-type: none"> <li>The number of ADR cases finalised within 20 days divided by total number of ADR cases finalised multiplied by 100</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>Accurate record of ADR cases finalised</li> <li>Outliers are complex cases and/or matters that may go beyond the desired turnaround time as provided with the written authorisation of the Chairperson and are exempted from the above method of calculation of assessment.</li> <li>Abandoned cases are cases where the applicant has not provided necessary information that is required for a matter to be adjudicated and are exempted from the calculation the above method of calculation of assessment.</li> </ul>
<b>Spatial transformation (where applicable)</b>	<ul style="list-style-type: none"> <li>N/A<sup>5</sup></li> </ul>
<b>Desired performance</b>	<ul style="list-style-type: none"> <li>Reduce turnaround times in issuing decisions and orders</li> </ul>
<b>Indicator responsibility</b>	<ul style="list-style-type: none"> <li>Registrar</li> </ul>

<sup>4</sup> **Finalised** refers to decision making and issuing of failed certificates, withdrawals, and cancellations

<sup>5</sup> Ibid.

## PROGRAMME 2: ADMINISTRATION

Indicator title	2.1 Percentage increase in workplace based internships
Definition	<ul style="list-style-type: none"> <li>The percentage of total stipend paid compared to the total grant received</li> </ul>
Source of data	<ul style="list-style-type: none"> <li>Budget variance report</li> </ul>
Method of calculation or assessment	<ul style="list-style-type: none"> <li>Total stipend paid to be divided by the total grant received for the financial year multiply by 100</li> </ul>
Assumptions	<ul style="list-style-type: none"> <li>Correctness of the Report</li> </ul>
Spatial transformation (where applicable)	<ul style="list-style-type: none"> <li>N/A</li> </ul>
Desired performance	<ul style="list-style-type: none"> <li>3% of the total grant received allocated to internships</li> </ul>
Indicator responsibility	<ul style="list-style-type: none"> <li>Head of HR and CFO</li> </ul>

Indicator title	2.2 Percentage of total public procurement spent on local suppliers and retailers
Definition	<ul style="list-style-type: none"> <li>The percentage of procurement spent on suppliers and service providers with B-BBEE level 1 to 4</li> </ul>
Source of data	<ul style="list-style-type: none"> <li>BBBEE Certificates and affidavits</li> </ul>
Method of calculation or assessment	<ul style="list-style-type: none"> <li>Total amount of spending on suppliers and service providers with B-BBEE level 1 to 4 divided by the total spending for a financial year multiply by 100</li> </ul>
Assumptions	<ul style="list-style-type: none"> <li>Correctness of reports</li> </ul>
Spatial transformation (where applicable)	<ul style="list-style-type: none"> <li>Not applicable</li> </ul>
Desired performance	<ul style="list-style-type: none"> <li>90% of procurement from designated groups in terms of BBBEE ACT</li> </ul>
Indicator responsibility	<ul style="list-style-type: none"> <li>CFO</li> </ul>

<b>Indicator title</b>	<b>3.1 Number of followers on social media platforms</b>
Definition	<ul style="list-style-type: none"> <li>• 10 000 new followers on all social media platforms (over five years)</li> </ul>
Source of data	<ul style="list-style-type: none"> <li>• Social media insights</li> </ul>
Method of calculation or assessment	<ul style="list-style-type: none"> <li>• Total number of new followers on social media</li> </ul>
Assumptions	<ul style="list-style-type: none"> <li>• Correctness of the reports (insights)</li> </ul>
Spatial transformation (where applicable)	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
Desired performance	<ul style="list-style-type: none"> <li>• 2 000 new social media followers per annum</li> </ul>
Indicator responsibility	<ul style="list-style-type: none"> <li>• Head: Communications and Marketing</li> </ul>

<b>Indicator title</b>	<b>3.2 Number to engagements and collaborations with stakeholders on the services of the Tribunal</b>
Definition	<ul style="list-style-type: none"> <li>• Participate in 20 engagements and collaborations with stakeholders (over five years)</li> </ul>
Source of data	<ul style="list-style-type: none"> <li>• Reports from the engagements and collaborations with stakeholder</li> </ul>
Method of calculation or assessment	<ul style="list-style-type: none"> <li>• Total number of reports engagements and collaborations with stakeholder</li> </ul>
Means of verification	<ul style="list-style-type: none"> <li>• Stakeholder engagement reports</li> </ul>
Assumptions	<ul style="list-style-type: none"> <li>• Correctness of reports</li> </ul>
Spatial transformation (where applicable)	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
Desired performance	<ul style="list-style-type: none"> <li>• Four engagements on the services of the Tribunal per annum</li> </ul>
Indicator responsibility	<ul style="list-style-type: none"> <li>• Head: Communications and Marketing</li> </ul>

Indicator title	<b>3.3 Number of outreaches to small enterprises in townships and villages</b>
Definition	<ul style="list-style-type: none"> <li>Participate in 100 outreaches to small enterprises in townships and villages</li> </ul>
Source of data	<ul style="list-style-type: none"> <li>Meeting reports and/or meeting recordings or attendance registers</li> </ul>
Method of calculation or assessment	<ul style="list-style-type: none"> <li>Total number of outreaches to small enterprises in townships and villages</li> </ul>
Assumptions	<ul style="list-style-type: none"> <li>Correctness of reports</li> </ul>
Spatial transformation (where applicable)	<ul style="list-style-type: none"> <li>N/A</li> </ul>
Desired performance	<ul style="list-style-type: none"> <li>Twenty outreaches to small enterprises in townships and villages per annum</li> </ul>
Indicator responsibility	<ul style="list-style-type: none"> <li>Head: Communications and Marketing</li> </ul>