



COMPETITION TRIBUNAL

**Presentation on 2026/2027 Annual Performance Plan to the
Select Committee on Economic Development and Trade**

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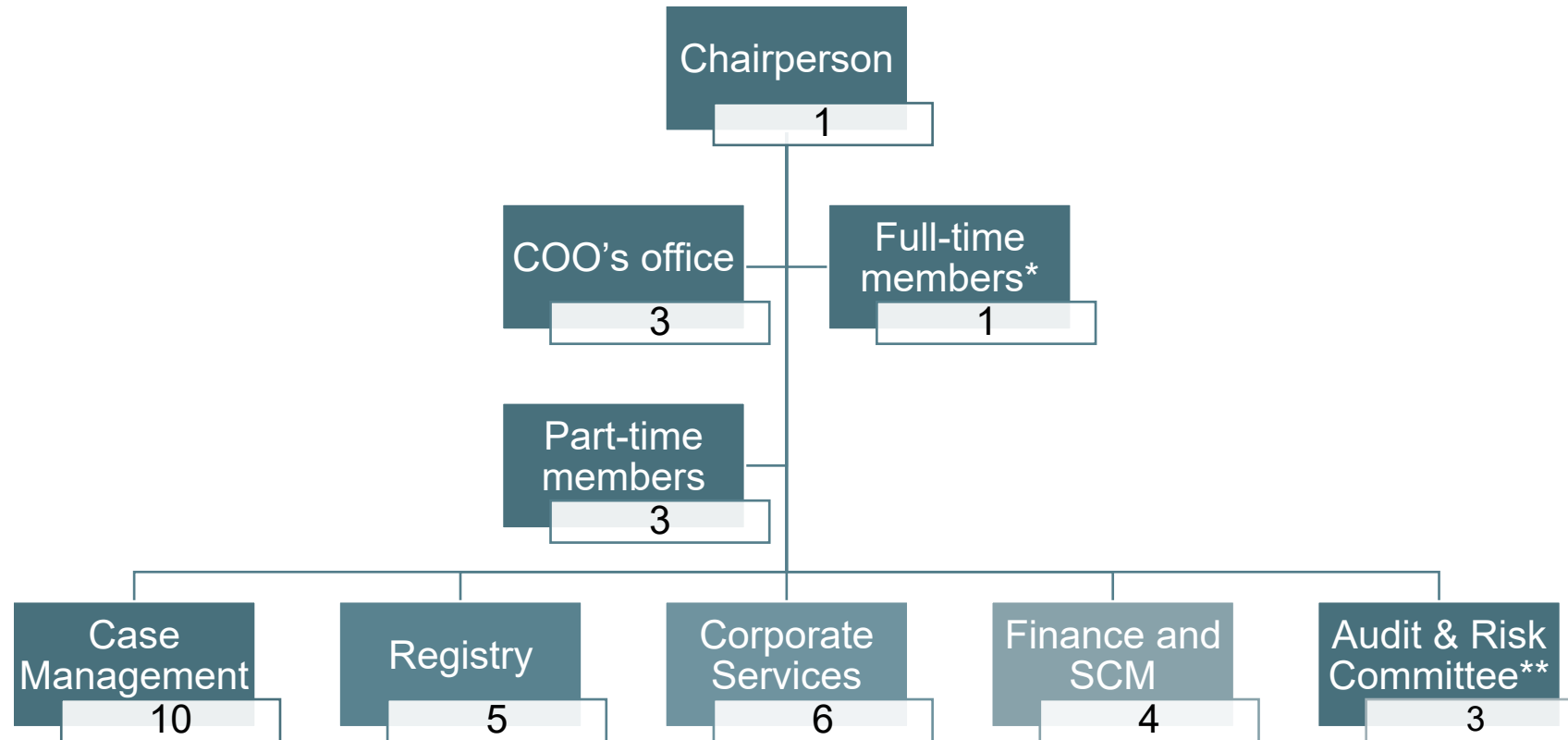
Outline

- **Competition Tribunal**
- **Legislative Mandate**
- **Strategic Outcomes**
- **2026/2027 Key Performance Indicators**
- **Financial Overview**

The Competition Tribunal

- The Competition Tribunal (Tribunal) is an independent adjudicative body established in terms of section 26 of the Competition Act, No. 89 of 1998 (Act).
- The Tribunal is one of three independent institutions established in terms of the Act; these are:
 - The Competition Commission (Commission), which is the investigative and enforcement authority
 - The Competition Tribunal, which adjudicates on matters referred to it by the Competition Commission, and
 - A Competition Appeal Court (CAC), which considers appeals or reviews against Tribunal decisions.
- It functions like a court of first instance in balancing the interest of various stakeholders (consumers, workers, business and other) before it.
- The Tribunal has jurisdiction throughout the Republic of South Africa.

ORGANISATIONAL STRUCTURE



* Total staff complement: 30 (excluding 3 part-time members and 3 interns).

** The Audit and Risk Committee (ARC) serves as an independent oversight structure, providing assurance on governance, risk management and internal control.

The Chairperson is the Accounting Authority of the Tribunal.

Legislative Mandate

- The Tribunal adjudicates on competition matters (mergers and prohibited practices).
- It exercises its functions in accordance with the Act and the Constitution without fear, favour or prejudice.
- It does not set priorities – the quasi-judicial nature of the Tribunal precludes the Tribunal from setting pro-active outcomes or priorities.
- The Tribunal, however, aligns its outcomes with those of the NDP, GNU strategic priorities, the dtic policy imperatives and three overarching joint/integrated dtic outputs (Industrialisation, Transformation and a Capable State) as the Growth and Inclusion Strategy (GAIN).
- The two outcomes of the Tribunal in terms of its APP are set out below and reflect the strategic objectives of the core and secretariat functions of the Tribunal:

**SOUND, EFFICIENT AND
RESPONSIVE
ADJUDICATION**

**TRANSPARENT,
ACCOUNTABLE AND
SUSTAINABLE ENTITY**

Legislative Mandate

The purpose of the Act is to promote and maintain competition in the Republic in order to:

- a) promote efficiency, adaptability, and development of the economy.
- b) provide consumers with competitive prices and product choices.
- c) promote employment and advance the social and economic welfare of all South Africans.
- d) expand opportunities for South African participation in world markets and recognise the role of foreign competition in the Republic.
- e) ensure that small and medium-sized enterprises have an equitable opportunity to participate in the economy.
- f) promote a greater spread of ownership, in particular to increase the ownership stakes of historically disadvantaged persons; and
- g) detect and address conditions in the market for any particular goods or services, or any behaviour within such a market, which tends to impede, restrict or distort competition in connection with the supply or acquisition of those goods or services within the Republic.

Strategic Outcomes

- The Tribunal has set two outcomes in its Annual Performance Plan:
 - Sound, Efficient and Responsive Adjudication; and
 - Transparent, Accountable and Sustainable Entity.
- These outcomes enable the Tribunal to achieve its mandate in promoting competitive and inclusive markets.
- The two outcomes have been distilled into seven outputs which in turn translate into 27 indicators that are measured quarterly and annually.
- This is an increase from 21 indicators in the 2025/2026 financial year.

2026/2027 Annual Performance Plan

Summary of Enhancements

- **Red-tape Reduction:** improvements in case management turnaround times aimed at reducing the cost of doing business:
 - ❑ Reduction of prohibited practice turnaround times from 120 days to 90 days.
 - ❑ Percentage of mergers set down for a hearing within 10 business increased from 92% to 95%.
 - ❑ Percentage of merger orders issued within 10 business days increased from 92% to 100%.
 - ❑ Percentage of reasons for mergers issued within 20 business days increased from 80% to 84%.
- **Communication and stakeholder engagement:** three additional KPIs to improve stakeholder engagement:
 - ❑ Publishing Tribunal newsletters.
 - ❑ Hosting school outreach programmes.
 - ❑ Increased engagement through social media.
- **B-BBEE compliance:** one new KPI on achieving B-BBEE compliance.
- **Job creation:** increase in one KPI on the number of internships **from two to three** and **one new KPI** on job shadowing initiatives.

Annual Performance Plan

Institutional Programme Performance Information

- The Tribunal has set two outcomes:
 - Sound, Efficient and Responsive Adjudication; and
 - Transparent, Accountable and Sustainable Entity.
- These outcomes enable the Tribunal to achieve its mandate in promoting competitive and inclusive markets.
- Seven outputs have been identified that will enable the Tribunal to achieve these two outcomes. In turn we have identified 27 indicators linked to these outputs that are measured quarterly and annually.

Tribunal Outcome	Output	Number of indicators
Outcome 1: Sound, Efficient and Responsive Adjudication	Efficient case management procedures to ensure hearings are set down within legislated timeframes.	7 indicators
	Efficient and timeous issuing of orders and reasons	
Outcome 2: Transparent, Accountable and Sustainable entity	Effective communication and information sharing	20 indicators
	Sound governance	
	Effective financial management	
	Transformation in procurement practices	
	Transformation, capacity development, retention and training	
	Improved knowledge management system	

Annual Performance Plan

Outcome 1: Sound, Efficient and Responsive Adjudication

	<i>SOUND, EFFICIENT AND RESPONSIVE ADJUDICATION</i>				
	EFFICIENT CASE MANAGEMENT PROCEDURES TO ENSURE HEARINGS ARE SET DOWN WITHIN LEGISLATED TIMEFRAMES.	PREVIOUS TARGETS	MTEF TARGETS		
	OUTPUT INDICATOR	2025/26	2026/27	2027/28	2028/29
1	Mergers set down for a hearing within 10 business days of filing.	92%	95%	95%	95%

	<i>SOUND, EFFICIENT AND RESPONSIVE ADJUDICATION</i>				
	EFFICIENT AND TIMEOUS ISSUING OF ORDERS AND REASONS	PREVIOUS TARGETS	MTEF TARGETS		
	OUTPUT INDICATOR	2025/26	2026/27	2027/28	2028/29
2	Merger orders issued to parties within 10 business days following conclusion of the hearing.	92%	100%	100%	100%
3	Reasons for mergers issued to parties within 20 business days of order being issued.	80%	84%	84%	84%
4	Reasons for prohibited practice cases are issued to parties <u>within 90 business days</u> following conclusion of the hearing.	70%	50%	60%	70%

Annual Performance Plan

Outcome 1: Sound, Efficient and Responsive Adjudication

	<i>RESPONSIVE AND RELIABLE ADJUDICATION</i>				
	EFFICIENT AND TIMEOUS ISSUING OF ORDERS AND REASONS	PREVIOUS TARGETS	MTEF TARGETS		
	OUTPUT INDICATOR	2025/26	2026/27	2027/28	2028/29
5	Procedural matter orders issued to parties within 45 business days following conclusion of the hearing.	70%	70%	70%	70%
6	Orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing.	95%	95%	95%	95%
7	Decisions/orders/reasons in interim relief matters issued to parties within 40 business days of last hearing date.	70%	70%	70%	70%

Annual Performance Plan

Outcome 2: Transparent, Accountable and Sustainable Tribunal

	<i>TRANSPARENT, ACCOUNTABLE AND SUSTAINABLE TRIBUNAL</i>				
	EFFECTIVE COMMUNICATION AND INFORMATION SHARING	PREVIOUS TARGETS	MTEF TARGETS		
	OUTPUT INDICATOR	2025/26	2026/27	2027/28	2028/29
8	Press releases of final merger decisions issued within 3 business days of the order date and after finalisation of confidentiality claims.	90%	90%	90%	90%
9	Press releases of prohibited practice decisions issued within 3 business days of the order date and after finalisation of confidentiality claims.	90%	90%	90%	90%
10	Tribunal newsletters	New target	Two newsletters issued	Two newsletters issued	Two newsletters issued
11	School outreach programme	New target	One school programme undertaken	One school programme undertaken	One school programme undertaken
12	Increase engagement through social media	New target	20%	30%	50%

Annual Performance Plan

Outcome 2: Transparent, Accountable and Sustainable Tribunal

	<i>TRANSPARENT, ACCOUNTABLE AND SUSTAINABLE TRIBUNAL</i>				
	SOUND GOVERNANCE	PREVIOUS TARGETS	MTEF TARGETS		
	OUTPUT INDICATOR	2025/26	2026/27	2027/28	2028/29
13	Prior financial year audit findings resolved in terms of agreed timelines with the auditors.	100%	100%	100%	100%
14	Audit Outcome	Unqualified opinion	Unqualified opinion	Unqualified opinion	Unqualified opinion

Annual Performance Plan

Outcome 2: Transparent, Accountable and Sustainable Tribunal

	<i>TRANSPARENT, ACCOUNTABLE AND SUSTAINABLE TRIBUNAL</i>				
	TRANSFORMATION IN PROCUREMENT PRACTICES	PREVIOUS TARGETS	MTEF TARGETS		
	OUTPUT INDICATOR	2025/26	2026/27	2027/28	2028/29
15	Expenditure against budget	90%	90%	90%	90%
16	Supplier invoices paid within 20 days.	90%	96%	96%	96%
17	Expenditure on B-BBEE suppliers	100% of expenditure on B-BBEE levels 1-4 suppliers	100% of expenditure on B-BBEE levels 1-4 suppliers	100% of expenditure on B-BBEE levels 1-4 suppliers	100% of expenditure on B-BBEE levels 1-4 suppliers
18	Expenditure on women, youth and persons with disabilities	20% of expenditure on women, youth or PWDs.	30% of expenditure on women, youth or PWDs.	30% of expenditure on women, youth or PWDs.	30% of expenditure on women, youth or PWDs.
19	Expenditure on EME suppliers	30% of expenditure as EME and QSE suppliers	30% of expenditure on EME and QSE suppliers	30% of expenditure on EME and QSE suppliers	30% of expenditure on EME and QSE suppliers

Annual Performance Plan

Outcome 2: Transparent, Accountable and Sustainable Tribunal

	TRANSPARENT, ACCOUNTABLE AND SUSTAINABLE TRIBUNAL				
	TRANSFORMATION, CAPACITY DEVELOPMENT, RETENTION AND TRAINING	PREVIOUS TARGET	MTEF TARGETS		
	OUTPUT INDICATOR	2025/26	2026/27	2027/28	2028/29
20	Percentage of staff retention	80%	80%	80%	80%
21	Percentage of staff training expenditure against total employee costs	2%	2%	2%	2%
22	Number of capacity building and/or training workshops conducted	One annual capacity building workshop	Four capacity building and/or training workshops	Four capacity building and/or training workshops	Four capacity building and/or training workshops
23	Number of interns provided with opportunities within the Tribunal	2	3	3	3
24	Number of job shadowing opportunities	New indicator	8	8	8
25	Percentage of employment equity representation of employees from the designated groups	75%	80%	80%	80%
26	Improve B-BBEE compliance rating	New target	Level 8	Level 5	Level 3
	Improved knowledge management	PREVIOUS TARGET	MTEF TARGETS		
	OUTPUT INDICATOR	2025/26	2026/27	2027/28	2028/29
27	Enhancement of case management system	Feasibility study conducted on current CMS system and requirements.	Approve and initiate the design and development of new CMS in line with project implementation plan	Implementation of new CMS.	

Financial Overview

Financial Overview

Statement of financial performance					Average growth rate (%)	Expenditure/total: Average (%)	Medium-term estimate			Average growth rate (%)	Expenditure/total: Average (%)
Audited outcome	Audited outcome	Audited outcome	Approved budget								
2022/23	2023/24	2024/25	2025/26								
R thousand					2022/23-2025/26		2026/27	2027/28	2028/29	2025/26 - 2028/29	
Revenue											
Non-tax revenue	20,358	18,288	18,683	25,155	7.3%	32.9%	25,155	25,155	25,155	–	35.5%
Sale of goods and services other than capital assets	18,472	15,461	18,257	23,155	7.8%	30.0%	23,155	23,155	23,155	–	32.6%
of which:											
Administrative fees	18,472	15,461	18,257	23,155	7.8%	30.0%	23,155	23,155	23,155	–	32.6%
Other non-tax revenue	1,886	2,827	426	2,000	2.0%	2.9%	2,000	2,000	2,000	–	2.8%
Transfers received	42,286	38,433	40,159	46,799	3.4%	67.1%	43,822	45,570	46,987	0.1%	64.5%
Total revenue	62,644	56,721	58,842	71,954	4.7%	100.0%	68,977	70,725	72,142	0.1%	100.0%
Expenses											
Current expenses	61,156	65,978	64,213	71,953	5.6%	100.0%	68,977	70,725	72,142	0.1%	100.0%
Compensation of employees	37,824	41,082	41,994	49,244	9.2%	64.5%	48,613	50,329	50,839	1.1%	70.1%
Goods and services	22,377	23,898	21,185	21,626	-1.1%	34.0%	19,232	19,218	20,071	-2.5%	28.2%
Depreciation	907	947	1,034	1,029	4.3%	1.5%	1,075	1,118	1,169	4.3%	1.5%
Interest, dividends and rent on land	48	50	1	54	4.0%	0.1%	57	60	63	5.3%	0.1%
Transfers and subsidies	–	–	–	–	–	–	–	–	–	–	–
Total expenses	61,156	65,978	64,213	71,953	5.6%	100.0%	68,977	70,725	72,142	0.1%	100.0%
Surplus/(Deficit)	1,488	(9,257)	(5,371)	–	-100.0%		–	-	–	–	

Expenditure per Strategic objective

R thousand	2026/27	2027/28	2028/29	% Spent
Sound, Efficient and Responsive Adjudication	36,066	36,994	37,736	52%
Transparent, Accountable and Sustainable entity	29,099	29,835	30,432	42%
Other Expenditure	3,811	3,896	3,974	6%
Total	68,977	70,725	72,142	100%

Financial Overview

- **Clean audit:** 10th consecutive clean audit recently obtained.
- **Filing fees:** Updated merger threshold and filing fee Regulations were published in May 2026. Initial estimations indicate that there is a negligible positive impact on the current future financial forecasts.
- **Budget constraints:** Targets were achieved through effective resource planning and prioritisation remaining within budget constraints. A baseline adjustment is required to fill critical positions and sustain operational capacity. This will lead to significantly reduced turn around times, reducing red tape for business.

THANK YOU