



## **COMPANIES TRIBUNAL**

### **ANNUAL PERFORMANCE PLAN**

**2024/25**

**March 2024**

## CONTENTS

MINISTER'S FOREWORD .....	2
Accounting Authority's Statement .....	6
Accounting Officer's Statement .....	7
Official Sign-Off .....	8
Part A: Our Mandate .....	9
1. Constitutional mandate: -The Constitution of the Republic of South Africa .....	9
2. Legislative and policy mandates .....	9
3. Institutional Policies and Strategies .....	10
4. Relevant Court Rulings .....	10
Part B: Our Strategic Focus .....	11
4. Situational Analysis .....	11
4.1.1 External Environment Analysis .....	11
Part C: Measuring Our Performance .....	14
5. Institutional Programme Performance Information .....	14
5.1 Programme 1: Adjudication .....	14
5.1.1. Purpose of the programme .....	14
5.1.1.1 Outcomes, Outputs, Output Indicators and Targets .....	15
5.1.1.2 Indicators, Annual and Quarterly Targets .....	17
5.2 Programme 2: Administration .....	18
5.2.1 Purpose of the programme .....	18
5.2.1.1 Outcome, Outputs, Performance Indicators, and targets .....	19
5.2.1.2 Output Indicators, Annual and Quarterly Targets .....	21
6. Explanation of planned performance over the medium-term period .....	22
6.1 Contribution of outputs towards achieving the outcomes and impact in the Strategic Plan aligned to the Mandate .....	22
7. Program Resource Considerations .....	27
7.1 Financial Plan .....	27
8. Key Risks .....	30
9. Materiality and Significance of Framework .....	31
9.1 Statutory requirements .....	31
9.2 Assessment and determination of materiality for the Tribunal .....	32
9.3 Annual review of materiality .....	32
Part D: Technical Indicator Descriptions (TID) .....	33



## MINISTER'S FOREWORD

Government's priority focus area continues to be the recovery of growth, investment and employment, guided by the Economic Recovery and Reconstruction Plan adopted in 2020, and the tasks outlined by President Ramaphosa in the 2022 State of the Nation Address.

This APP represents the outcome of the work done by the Companies Tribunal. The APP is not about many new objectives but rather a new way of implementation, with the focus on integration, to enhance the development impact of the work.

This APP will advance the strategic shift initiated in 2021/2022 toward strengthened implementation and impact of **dtic's** work, through greater integration of efforts within the department and our entities, guided by the shared cross-cutting broader outcomes, and the forty-five outputs. In this regard, the work of the **dtic** and the entities will be evaluated in relation to outputs number 33 and 40 which contribute to Industrialisation, transformation, and capable state." These outputs can be realised through achievement of predetermined objectives as outlined in the APP. Companies Tribunal aims to achieve these outputs through procurement from disadvantaged communities, reduction of time to resolve disputes, advocacy services and research.

The scope of the outputs collectively still encompass the identified **dtic's** priorities, which include among others, the work of sector masterplans, initiatives to boost levels of investment and localisation in the economy, expanding trade within the continent, enabling better local economic development, supporting the growth of new industries (in the green economy and through beneficiation) and building a capable state, in particular addressing red tape as prioritised by the President in the 2022 State of the Nation Address.

I table the APP for 2024/25 in accordance with the request by the Speaker. I wish to thank the management for the work done and wish them well in executing the APP and aligning their work to government's overall programmes and priorities.

A handwritten signature in black ink, appearing to read 'Ebrahim Patel', written over a horizontal line.

**Ebrahim Patel**

**Minister of Trade, Industry and Competition**

## Annex

### 2024/25 APP Functional focus of outputs

#### Functional focus of outputs

Additional outputs (programmatic, enabling or responsive to immediate needs) have been included in the APP. The following tables indicate the functional focus of these outputs. Output numbering refers to the classification in the consolidated table, found in the APP. Pillar numbering refers to the section in dealing with the aims of industrial policy. Outcome numbers refer to: Industrialisation (1), Transformation (2) and Capable State (3) though it should be seen as indicative, as one Output intended to cover a single Outcome can and does have positive spillover-effects on the other Outcomes.

Number	Output	Pillar	Outcome
Output 1	<b>R350 billion</b> in investment pledges secured across the state	4	1
Output 23	<b>100</b> Investor facilitation and unblocking interventions provided	4	1
Output 17	<b>1</b> new SEZs application considered for designation	4	1,2

#### 12.1.2 Industrial production

Number	Output	Pillar	Outcome
Output 2	<b>R60 Billion</b> in additional local output committed or achieved	2	1
Output 11	<b>R 200 Billion</b> in black industrialist output achieved	1	1,2

#### 12.1.3 Exports

Number	Output	Pillar	Outcome
Output 3	<b>R900 Billion</b> in manufacturing exports	3	1
Output 4	<b>R400 Billion</b> in manufacturing exports to other African countries	3	1,2
Output 5	<b>R9 Billion</b> in exports of Global Business Services (GBS)	3	1
Output 27	<b>20</b> Successful Export Interventions to support the implementation of the AfCFTA	3	1
Output 28	<b>10</b> High impact trade interventions completed	3	1,3
Output 41	<b>5</b> Finalisation of legal instruments under the AfCFTA (Tariff offers, Schedule of Commitments, Rules of Origin, Protocols and Annexes to protocols)	3	3

#### 12.1.4 Industrial support

Number	Output	Pillar	Outcome
Output 6	<b>R32 Billion</b> in support programmes administered by or in partnership with <b>the dtic-group</b>	1	1,2,3
Output 7	<b>R15 Billion</b> support programmes to enterprises in areas outside the 5* main metros	1	1,2
Output 8	<b>R8 Billion</b> in financial support programmes and procurement contracts approved to SMMES, women and youth- empowered businesses	1	1
Output 9	<b>R 8 Billion</b> in financial support programmes to enterprises in labour absorbing sectors	1, 6	1
Output 43	<b>1</b> Operationalization of an Adjudication process for incentive applications	1	1, 3

### 12.1.5 Transformation

Number	Output	Pillar	Outcome
Output 10	<b>R 900 Million</b> in Equity Equivalent Investment Programme agreements	1	1,2
Output 15	<b>20 000</b> additional workers with shares in their companies	1	1
Output 16	<b>10</b> High-impact outcomes on addressing market concentration through the implementation of market inquiry outcomes	1	1,2

### 12.1.6 Jobs

Number	Output	Pillar	Outcome
Output 12	<b>1 Million</b> jobs supported or covered by <b>the dtic</b> group and/ or master plans	6	2
Output 13	<b>100 000</b> jobs to be created (50 000 social economy fund part-time or temporary job opportunities and 50 000 full-time jobs)	6	1,2
Output 14	<b>160 000</b> jobs in Black Industrialists firms retained	1, 6	1,2

### 12.1.7 Energy

Number	Output	Pillar	Outcome
Output 18	<b>R 1 Billion</b> Support to enterprises including SMMEs to mitigate impact of load shedding by IDC and NEF	5	1,2
Output 19	<b>1500 Megawatts</b> of energy from projects facilitated	5	1,3
Output 20	<b>550 Megawatts</b> of energy available for the grid	5	1,3
Output 21	<b>3</b> Projects successfully managed through the Energy One-Stop Shop	5	3
Output 22	<b>2</b> Expedited regulatory amendments and flexibility, to promote energy efficiency	5	1,2,3

### 12.1.8 Green economy targets

Number	Output	Pillar	Outcome
Output 29	<b>4</b> Interventions to respond to green trade barriers	5	1
Output 30	<b>1 EV</b> white paper implementation	5	1
Output 31	<b>1</b> Green hydrogen commercialisation framework implementation	5	1

### 12.1.9 Stakeholder engagement and impacts

Number	Output	Pillar	Outcome
Output 25	<b>9</b> Business Forums hosted aimed at supporting increased FDI, exports and outward investment hosted	1	1,2,3
Output 32	<b>1000 Case studies</b> of firms, workers, entrepreneurs, professionals or communities' impacted by <b>the dtic</b> measures; including 12 local films/documentaries telling the SA story	1	1
Output 33	<b>Community outreach</b> programmes by <b>the dtic</b> group in <b>10</b> districts	1	1,2,3
Output 37	<b>2</b> Conferences, summits, and international forums hosted	1	1,2,3
Output 45	<b>10</b> Successful actions completed on price monitoring and excessive pricing or price gouging or price restraint	1	1,2,3

**12.1.10 Addressing crime**

Number	Output	Pillar	Outcome
Output 24	Grey-listing: <b>2</b> Implementation of remedial actions by CIPC of the Financial Action Task Force (FATF) requirements to meet immediate outcome 5 (IO5) in South Africa's Action Plan	1	3
Output 42	<b>1</b> Metal trading system implemented	1,5	1,2,3

**12.1.11 Red tape and state capability targets**

Number	Output	Pillar	Outcome
Output 39	<b>9</b> Impact evaluations of <b>dtic</b> programme or sub-programmes	All	3
Output 40	<b>5</b> High-impact measures to reduce red tape or improve turnaround times in administration of incentives and work of agencies		
Output 44	<b>6</b> Impact assessments or enhancements of trade instruments or measures	2,3	1,2,3

**12.1.12 Improving the capacity and responsiveness of the state and social partnership**

Number	Output	Pillar	Outcome
Output 26	<b>4</b> Pieces of priority legislation amended, tabled or submitted to Executive Authority, Cabinet or Parliament	All	1,2,3
Output 34	<b>8</b> Master Plans managed	All	1,2,3
Output 35	Oversight of IDC, NEF and ECIC to ensure that at least <b>96%</b> of planned KPIs are achieved	All	1,2,3
Output 36	<b>3</b> Projects to assist industrial innovation and support firms	All	1,2,3
Output 38	<b>50</b> Mergers and acquisitions where public interest conditions have been incorporated	All	1,2



### **Accounting Authority's Statement**

I am pleased to present the 2024/25 Annual Performance Plan (APP) for the Companies Tribunal (the Tribunal). The APP sets out a three-year plan for the Tribunal to deliver on its mandate and realize its new vision "To be a world class adjudicatory and alternative dispute resolution Tribunal that contributes to a fair corporate practice".

The Tribunal's APP is informed by the values and founding provisions of the Constitution, and the Companies Act, No. 71 of 2008 (the Act). It is further informed by the Department of Trade, Industry and Competition's (the **dtic's**) strategic objective of creating a fair regulatory environment that enables investment, trade and enterprise development in an equitable and socially responsible manner. The APP is further informed by the six priorities of the Sixth Administration particularly the six focus areas in the trade, industry and competition portfolio, within which the Tribunal resides. Furthermore, Tribunal will contribute to **dtic** outputs through reduction of timeframes to finalise cases and procurement from disadvantaged communities. The mandate of the Tribunal remains two-fold: adjudication and resolution of disputes through Alternative Dispute Resolution (ADR). The Tribunal may also perform any other functions assigned to it in terms of the Act or any laws mentioned in Schedule 4 of the Act.

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

In an environment characterised by a difficult economic climate, the use of ADR as a preferred mode of resolving company disputes is expected to rise over the next 5 years. ADR saves costs associated with litigation. The current mandate of the Companies Tribunal is limited, it is hoped that the Companies Amendment Bill in Parliament will expand the Tribunal's mandate and translate into more cases filed with the Companies Tribunal.

A handwritten signature in dark ink, appearing to be 'Dennis Davis', written in a cursive style.

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**Dennis Davis**

**Chairperson: Companies Tribunal**

## **Accounting Officer's Statement**

The Companies Tribunal (the Tribunal) was established to increase access by companies, to the justice system, through efficient adjudication and resolution of disputes through Alternative Dispute Resolution mechanisms (ADR). The beneficiaries of the Tribunal include the start-up companies, small to medium companies and companies in financial distress who cannot afford the fees associated with protracted litigation. The Tribunal offers a simple, expeditious and cost-free mechanism of resolving companies' disputes. This impacts positively on the economy of the country as it saves costs associated with lost productivity and legal fees, contributing towards the creation of a capable state where the government invests and creates a platform for all sizes of business to thrive.

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

The Tribunal plans to increase its marketing activities over the MTEF period. Stakeholders such as business chambers and the Legal Practice Council will be engaged with a view of forming strategic partnerships to disseminate information about the Tribunal throughout the country. There is a growing need to increase the expertise of the Tribunal by adding retired judges and senior legal professionals. It is in this view that the Tribunal plans to embark on the exercise of reviewing the burden of cases relating to its mandate launched at the highcourts to inform its marketing activities such that all possible clients of the Tribunal gain access to the costless and expedited services of the Tribunal.

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



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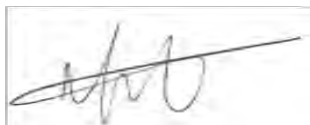
**Selby Magwasha**  
**Acting Chief Operations Officer**



## Official Sign-Off

It is hereby certified that this Annual Performance Plan:

- Was developed by the management of the Companies Tribunal together with the Chairpersons of the Governance Committees.
- Considered all the relevant policies, legislation and other mandates for which the Companies Tribunal is responsible.
- Accurately reflects the Impact, Outcomes and Outputs which the Companies Tribunal will endeavour to achieve over the period 2024/25.



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**Irene Mathatho**  
**Chief Financial Officer**



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**Selby Magwasha**  
**Acting Chief Operations Officer**

**Approved by:**



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**Dennis Davis**  
**Accounting Authority**

## **Part A: Our Mandate**

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

Through its adjudicative mandate and its consideration of matters of prohibited conduct and fair business practice, the Companies Tribunal (the Tribunal) plays a significant role in upholding and preserving the principles enshrined in the Bill of Rights. Specifically, the Tribunal has a direct impact on the following areas within the Constitution of the country, under the Bill of Rights chapter:

- a)** Sub-section 9: Equality – Through remaining accessible to diverse groupings of consumers and businesses, the Tribunal plays its role in ensuring that parties have the right to equal protection and benefit of the law. Additionally, the Tribunal strives through its value system to respect human diversity and ensure that no form of discrimination, if any, is tolerated.
- b)** Sub-section 10: Human dignity – Through the adjudication process, the Tribunal ensures that prohibited conduct, as well as the relevant action thereto do not impair human dignity.
- c)** Sub-section 14: Privacy – Whilst adhering to its founding legislation, and as part of the adjudicative role, the Tribunal ensures that the privacy of persons is protected.
- d)** Sub-section 33: Just administrative action – The Tribunal ensures it hears both sides to a dispute and that it issues reasons for its decisions.

### **2. Legislative and policy mandates**

The Tribunal is established in terms of the Companies Act, No. 71 of 2008, (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.

In delivering on this mandate the Tribunal is expected to exercise and perform its functions in line with the spirit, purpose and objects of the Constitution, International Law and Companies Act, and in a manner which

is simple, ethical, efficient, equitable, transparent, accountable, impartial and without fear, favour or prejudice.

### **3. Institutional Policies and Strategies**

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

### **4. Relevant Court Rulings**

There are no court rulings to date that impact on our mandate.

## Part B: Our Strategic Focus

### 4. Situational Analysis

#### 4.1.1 External Environment Analysis

##### Political Economic Social Technology Legal Environment (PESTLE)

POLITICAL	ECONOMIC
<ul style="list-style-type: none"> <li>• Priority on driving out corruption.</li> <li>• Legislative Amendments</li> <li>• Use of E-Government</li> <li>• Long decision lead times</li> <li>• Changing political priorities (change of administration)</li> <li>• Political instability</li> <li>• Pandemics</li> <li>• Fraud and Corruption</li> </ul>	<ul style="list-style-type: none"> <li>• Impact of load shedding</li> <li>• Impact of water restrictions</li> <li>• Economic instability (local and international)</li> <li>• Slow economic growth</li> <li>• Budget cut</li> <li>• Austerity measures</li> </ul>
SOCIAL	TECHNOLOGICAL
<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>	<ul style="list-style-type: none"> <li>• Access to data</li> <li>• Future technologies (4IR, etc.)</li> <li>• Impact of social media</li> <li>• Access to mobile technology / ICT</li> <li>• Artificial intelligence</li> <li>• Cyber-attacks / ransom ware</li> </ul>
LEGAL	ENVIRONMENTAL
<ul style="list-style-type: none"> <li>• Data privacy framework (POPI Act, etc.) King 4 report</li> <li>• Legislative amendments</li> <li>• Limited jurisdiction to meet public expectations</li> <li>• Case Reviews</li> </ul>	<ul style="list-style-type: none"> <li>• Green economy</li> <li>• Pandemics</li> <li>• Utilities (load shedding, water outage)</li> <li>• Lack of appropriate office accommodation</li> </ul>

#### 4.1.2 Internal Environment Analysis Strengths Weaknesses Opportunities and Threats (SWOT)

##### a) Strengths and Weaknesses:

Strengths	Weaknesses
<ul style="list-style-type: none"><li>• Diverse pool of experienced Tribunal Members</li><li>• Flexible working environment</li><li>• Institutional knowledge</li><li>• Short turnaround time</li><li>• Strong collaboration amongst management</li><li>• Holding hearings virtually</li><li>• Strong problem-solving skills</li><li>• Robust IT infrastructure</li><li>• Good systems and procedures</li><li>• Independence and impartiality</li></ul>	<ul style="list-style-type: none"><li>• There are instances where the Tribunal does not get value for money spent on goods and services</li><li>• Limited Mandate</li><li>• Poor governance</li><li>• Budgetary constraints</li><li>• Human Capacity in certain divisions</li><li>• Flat structure</li><li>• Inadequate facilities</li><li>• Job specification divisionally</li><li>• Outsourced internal audit</li></ul>

**b) Opportunities and Threats:**

OPPORTUNITIES	THREATS
<ul style="list-style-type: none"> <li>• Growing uptake of ADR services</li> <li>• Expanding our geographic footprint</li> <li>• Access to virtual technology</li> <li>• Increasing referrals from external stakeholders (including CIPC, TRP, law firms etc.)</li> <li>• Technology – automating systems and processes to improve efficiency</li> <li>• Support from key stakeholders for the Tribunal’s extension of scope</li> <li>• Benchmarking on best practice models from similar entities</li> <li>• Aggressive marketing of the Tribunal</li> <li>• Contribution to research, jurisprudence and the development of company law</li> <li>• Collaboration with higher education institutions to increase research output on the work of the Tribunal.</li> <li>• Government Collaboration for support and resource sharing</li> <li>• Amendments of the Companies Act to increase mandate</li> <li>• Availability of retired judges and senior legal practitioners to adjudicate</li> </ul>	<ul style="list-style-type: none"> <li>• Budget constraints</li> <li>• Limited jurisdiction</li> <li>• Decline in case load</li> <li>• Cyber-attacks / ransom ware</li> <li>• Cost orders</li> <li>• Limited access to the Tribunal (by the public)</li> <li>• Limited public awareness of the Tribunal</li> <li>• Perception of political role players that the Tribunal is not impartial</li> <li>• External dependencies (e.g. Internal Audit function and IT infrastructure outsourced)</li> <li>• Fraud / corruption</li> <li>• Language diversity</li> <li>• Low literacy rate</li> <li>• Competition from other alternative dispute resolution bodies</li> <li>• Misconception about Tribunal jurisdiction</li> <li>• New Administration</li> <li>• Inability to close unattended files</li> <li>• Part-time members who may have conflicting priorities to the Tribunal’s cases</li> </ul>

## **Part C: Measuring Our Performance**

### **5. Institutional Programme Performance Information**

#### **5.1 Programme 1: Adjudication**

##### **5.1.1. Purpose of the programme**

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

Contributes to the promotion of fair and ethical corporate practices (Quality of decisions, turnaround time for issuing of decisions).

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. Where necessary, hearings are held in person or virtually. Cases are decided on paper without parties' physical appearance.

The Tribunal contributes to the **dtic's** Output number 40, "High-impact measures to reduce red tape or improve turnaround times in administration of incentives and work of agencies" and Output 33 "Community Outreach Programmes by the DTIC group" both which have the Outcome of Industrialisation, Transformation, and Capable State.

### 5.1.1.1 Outcomes, Outputs, Output Indicators and Targets

Outcomes	Outputs	Output Indicators	Annual Targets						
			Audited Performance			Estimated Performance	MTEF Period		
			2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
Improved access to justice	Order decisions issued /	Percentage of decisions and orders issued on opposed applications within 35 working days from the last set down or final submission by parties, whichever is applicable	100%	100%	88%	95%	95%	95%	95%
	Order/ decision issued	Percentage of decisions and orders issued on <u>unopposed</u> applications within 25 working days from the last date of submission by parties whichever is applicable	96%	97%	100%	95%	95%	95%	95%



Outcomes	Outputs	Output Indicators	Annual Targets						
			Audited Performance			Estimated Performance	MTEF Period		
			2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
	Resolved disputes	Percentage of cases finalised in terms of Alternative Dispute Resolution (ADR) within 20 working days after the date of set down or final submission by parties whichever is applicable	100%	100%	100%	95%	95%	95%	95%

### 5.1.1.2 Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target 2024/25	Q1	Q2	Q3	Q4
Percentage of decisions and orders issued on opposed applications within 35 working days from the last set down or final submission by parties, whichever is applicable	95%	95%	95%	95%	95%
Percentage of decisions and orders issued on <u>unopposed</u> applications within 25 working days from the last date of submission by parties whichever is applicable	95%	95%	95%	95%	95%
Percentage of cases finalised in terms of Alternative Dispute Resolution (ADR) within 20 working days after the date of set down or final submission by parties whichever is applicable	95%	95%	95%	95%	95%

## 5.2 Programme 2: Administration

### 5.2.1 Purpose of the programme

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

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

The Tribunal will be contributing to the **dtic's** three broad outcomes (Transformation, industrialisation, and capable state):

- a) Output 33, "Community outreach programmes by the **dtic** group" and Output 37, "Conferences, summits, and international forums hosted" which would be achieved through the implementation of the target on outreaches with Ministry; governmental collaborative engagements as well as media engagements which is a target set to enhance and strengthen stakeholder engagements and improve community inclusion in government activities.

Through implementation of operational efficiency targets of producing the required research, and obtaining a clean audit, the Tribunal would be implementing the **dtic's** 39<sup>th</sup> Output, "High impact measures to improve the efficiency and /or effectiveness, of the **dtic's** policy or programme interventions". This would include economic transformation where a majority of the Tribunals procurement is awarded to B-BBEE targeted service providers, thus contributing to the promotion of a growing and inclusive economy. Research will contribute towards legislative amendment on the mandate of the Tribunal in order to cater for companies with more than two director and those that are in financial distress.

### 5.2.1.1 Outcome, Outputs, Performance Indicators, and targets

Outcome	Outputs	Output Indicators	Annual Targets						
			Audited/Actual Performance			Estimated Performance	MTEF Period		
			2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
Operational efficiency and effectiveness	1. Staff retention	1.1 Percentage of critical positions filled on approved organisation structure	-	-	-	87%	87%	87%	87%
	2. Enhanced mandate of the Tribunal	2.1 Number of research report produced	-	One report	One report	One report	One report	One report	One report
	3. Unqualified opinion	3.1 An unqualified opinion issued by the external auditors on the Annual Financial Statements by 31 August each year	Unqualified opinion	Unqualified opinion	Unqualified opinion	Unqualified opinion	Unqualified opinion	Unqualified opinion	Unqualified opinion
Economic transformation	4. Procurement from designated groups	4.1 Percentage of preferential procurement from designated groups	-	60%	65%	65%	70%	70%	70%

Effective stakeholder engagement	5. Advocacy service	5.1 Outreaches undertaken with Ministry, municipalities, communities and institutions of higher learning.	-	-	-	18	20	21	22
		5.2 Number of mid-year year seminars held	1	1	2	2	2	2	2
		5.3 Number of Media engagements: (media statements/radio activities) conducted	8	4	12	12	12	13	14

### 5.2.1.2 Output Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target 2024/25	Q1	Q2	Q3	Q4
1.1 Percentage of critical positions filled on approved organisation structure	87%	87%	87%	87%	87%
2.1 Number of research report produced	One research report	Develop ToR	Signing of MOU with stakeholders	Submission of 1 <sup>st</sup> draft report	Submission of final report
3.1 An unqualified opinion issued by the external auditors on the Annual Financial Statements by 31 August each year	An unqualified audit opinion by the external auditors	-	-	An unqualified audit opinion by the external auditors	-
4.1 Percentage preferential procurement from designated groups	70%	70%	70%	70%	70%
5.1 Number of outreaches with Ministry; governmental collaborative engagements Ministry, municipalities, communities, institutions of higher learning etc; marketing/ branding campaigns	20	4	6	6	4
5.2 Number of mid-year year seminars held	2	-	-	1	1

Output Indicators	Annual Target 2024/25	Q1	Q2	Q3	Q4
5.3. Number of Media engagements: (media statements/radio activities) conducted	12	2	3	4	3

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

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

#### 6.1.1 Outcome 1: Improved access to justice

##### a) The number of applications adjudicated within the turnaround times (Adjudication)

The Tribunal adjudicates applications at no charge to the parties. The targeted beneficiaries of this output include the start-ups, small to medium companies and companies in financial distress that cannot afford the fees associated with protracted litigation. This means that even the applicants that would normally be excluded from litigation by the high prohibitive costs of a normal court litigation are able to lodge cases at the Tribunal. The affordability of the Tribunal's services has a positive impact on economic inclusion and transformation. While the target is small companies and those in distress, big companies also benefit from speedy resolution of cases to ensure that disputes do not inhibit business activities for a prolonged period.

Furthermore, the Tribunal's targeted turnaround times are between 25 days (unopposed) and 35 days (opposed). Very few applications exceed the periods. In ordinary courts, cases may take months on the roll and years before coming before the court. Hence the Tribunal services offer an

affordable and quicker option than normal litigation that may cripple a business both financially and operationally. Through the Tribunal's intervention and services, companies can speedily resolve disputes and remain sustainable and competitive. This ensures achievement of the impacts stated in the Strategic Plan of economic inclusion, transformation and making South Africa an attractive investment destination.

b) The number of disputes-applications resolved within the turnaround times through Alternative Dispute Resolution (ADR)

The same benefits of cost and time efficiency offered by the output of adjudicated applications are applicable to the output of resolved disputes. In addition, the turn-around time for resolution of disputes is 20 days which makes it even shorter than that of adjudicated applications. Further benefits of dispute resolution through alternative dispute resolution (ADR) are that it is informal and confidential, more flexible, and responsive to the individual needs of the parties involved. Parties have a chance to tell their story as they know it. The parties' involvement in the process creates greater commitment to the result so that compliance is more likely. Through ADR, it is more likely to preserve goodwill or at least not escalate the conflict. This is especially important in situations where there is a continuing relationship with companies in business. Thus, ADR contributes to economic inclusivity and to making South Africa an attractive environment for both local and international investment. In offering an expeditious and cost-free mechanism of resolving company disputes, the Tribunal saves costs associated with lost productivity and legal fees and as such increases access to justice and impacts positively on South African economy.

### **6.1.2. Outcomes and Explanation of the planned performance in relation to outputs**

**a) Registry – Administration of cases and records**

The Registry function plays an integral role in the administration of cases and records management as follows:

- The administration of cases entails the development and implementation of policies and procedure for administration of cases through Case Management System including the co-ordination of hearings and communication of decisions to parties.



- Records Management entails the preservation of institutional records and disposal of records in line with the approved file plan.

**b) Adjudicated Applications**

The Tribunal's performance on this output will be measured by the percentage of decisions and orders issued within 25 or 35 days depending on whether a case is decided on paper only or parties give evidence before the Tribunal. The longest targeted turn-around time for adjudication is 35 days. The planned annual performance in 2024/25 is 95%. This is intended to remain constant over the MTEF period due to system challenges and funding shortages experienced which in turn limit marketing.

**c) Resolved disputes**

The Tribunal's performance on this output will be measured by the percentage of cases finalised within 20 days in terms of Alternative Dispute Resolution (ADR). Thus, the Tribunals' planned turn-around time for resolution of disputes is a shorter period than even that of adjudicated applications. The planned annual performance in 2024/25 is 95%. This is intended to remain constant over the MTEF period for reasons previously mentioned.

**d) Optimal capacitating of the Tribunal (Recruitment, Training and development, Employee Wellness)**

In the 2024/25 financial year, the Tribunal intends to focus on capacity building. Thus, capacity building is one of the Tribunal's outputs over the MTEF period. Capacity building strategies involve efforts to fill all critical and funded positions by recruiting skilled personnel to support the Tribunal in achieving its mandate.

The Tribunal's performance on this output will be measured through the percentage of the filled positions against the vacant and funded positions. The starting base in the 2023/24 financial year was 87%. For 2024/2025 financial year, the target will remain 87% as this is influence by the number of funded positions. This will translate to the vacancy rate of 13%. This target will change should there be budget to fill other critical positions.

**e) Communications and Marketing – Increasing the parties accessing the Tribunal services**

The mandate of the Tribunal is to offer adjudication and alternative dispute resolution to companies. Therefore, media engagements will be undertaken to create awareness of the Tribunal 's services. Furthermore, the Tribunal will participate in marketing and branding campaigns to exhibit its services to various stakeholders. In addition, outreach activities will be undertaken with the Ministry in municipalities, communities and schools, etc. The creation of public knowledge and interest around the mandate of the institution is paramount hence the need to partner with various stakeholders to take Tribunal services to the people.

From the financial year 2019/20 to 2022/23, the number of applications received by the Tribunal has been on a steady increase. For this reason, the Tribunal intends to mount a public awareness campaign as part of sustained efforts to educate the public and boost awareness about the Tribunal's mandate. The campaign will be a comprehensive effort that will, within the limited budget, include multiple components such as seminar with business formations, television and radio messaging, social media, grassroots outreach, media relations and government affairs. Furthermore, the Tribunal commissioned a study to investigate possible areas for legislative amendment. This output is therefore aimed at enhancing the Tribunal's operational efficiency in achieving its mandate.

The Tribunal's indicators on this output for 2024/25 financial year include hosting two (2) seminars, releasing twelve (12) media statements, (20) Outreaches with Ministry, government collaborative engagements, marketing, and branding campaigns. This output carries the greatest number of activities (indicators). This is so because, as stated above, since 2019/20, the number of cases received by the Tribunal has been on steady increase. In creating awareness of the Tribunal services, Communications and Marketing will ramp up its efforts to create public awareness and knowledge of Tribunals services.

**f) Information Communication and Technology (ICT) – Establish and avail the optimal ICT infrastructure to enable an efficient and effective operations of the Companies Tribunal**

The IT function plays an integral role in ensuring the smooth operation of an organization and contributes greatly on the following areas:

- **Service Uptime:** IT is responsible for making sure that the organization's systems and applications are constantly accessible to users. This involves maintaining and monitoring system performance, identifying and resolving problems that can result in downtime, and putting in place redundancy measures to lessen the effects of system failures.
- **ICT Security:** IT is responsible for preventing unauthorized access, theft, and damage to the organization's systems, data, and networks. This involves implementing security policies and processes into practice, monitoring suspicious activities on the network, and responding to security vulnerabilities and incidents.
- **IT Continuity Plans** are essential for ensuring that an organization can continue to function both during and after a disruptive event. IT plays a significant part in formulating and putting these plans into place. This includes determining the vital applications and systems, creating backup and recovery processes, and testing to ensure integrity and recoverability.
- **Policy and Governance:** IT oversees developing and implementing policies that regulate how the organization uses technology. As part of this, standards for data protection, appropriate use of organizational resources, and security best practices must be established. To guarantee that technology is employed efficiently to support business objectives, collaboration and approvals of relevant structures are established.

**g) Legal – Governance, compliance and legal support**

The Legal Services Division is responsible for managing all the Tribunal's litigation before the High Court, Supreme Court of Appeal (SCA) and the Constitutional Court. The Division provides Legal advice and support to Management and Tribunal Members, it is further responsible for the provision and management of corporate governance, risk management and compliance in the Tribunal, providing legal advice and secretarial services to governance committees such as the Audit & Risk Committee and Remuneration Committee.

## **h) Office of the CFO- Sound financial planning, management, and reporting**

The finance function is responsible for financial management and supply chain management.

- Financial management: This function ensures that there is sound internal controls around financial management. This includes but not limited to budgeting including MTEF (Medium Term Expenditure Framework) and ENE (Estimate of National Expenditure), Preparation of Monthly, Quarterly and Annual Financial Statements, management of income and expenditure, cash management, asset management and payroll services. Accurate and timeous financial reports will be produced throughout the financial year.
- Supply Chain Management (SCM) division: As per Treasury Regulations the SCM division should be established within the office of the CFO. The supply chain management will ensure that procurement processes are undertaken in line with the relevant regulations, PPPFA, PFMA and all National Treasury instruction notes and circulars.

## **7. Program Resource Considerations**

### **7.1 Financial Plan**

For the financial year 2024/25, the Tribunal based the budget estimate on the allocation letter received from the dtic. Although the allocation received reflects the baseline increase over the MTEF period, the Tribunal needs more funds to operate optimally. The Tribunal's organizational structure has been recently reviewed and there are positions which are not funded resulting in some units operating with one individual and that poses a risk to the organization's ability to fulfill its mandate. The Tribunal has plans to market the Tribunal fully so that its services are well known, however the marketing plan cannot be fully implemented due to lack of funds. The expected increase in the mandate of the Tribunal as a result of amendments of the Act is also expected to increase the case load therefore putting more pressure on the financial resources of the Tribunal.

The Tribunal believes that generating its own revenue through charging filing fees would offer part solution to the Tribunal challenges on liquidity. This process will however take some time to materialise due to extensive consultations and planning required. However, even the fees expected to be

generated from filing fees would not be enough to fund day to day operational and administrative expenditure of the Tribunal. This process also would also involve the amendment of the Companies Act.

The Tribunal 's major expenditure is on compensation of employees and Tribunal members' fees, with little surplus to fill additional post as approved on the organisational structure. Due to inadequate funding, the amount estimated for member's fees is inadequate as cases are expected to increase hence the funding for fees needs to be increased proportionally.

**(i) Projections of revenue and expenditure**

<b>STATEMENT OF FINANCIAL PERFORMANCE</b>	<b>Audited outcome</b>			<b>Revised estimate</b>	<b>Medium-term estimate</b>		
<b>R thousand</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>
Revenue							
Non-tax revenue	368	151	524	635	664	691	722
Transfers received	20 752	20 313	24 529	28 202	29 497	30 706	32 088
Donations received/Revenue in-kind	1 854	2 039	2 243	2 468	2 714	2 986	3 284
Income from surplus funds	-	-	-	3 990	-	-	-
Total revenue	22 975	22 503	27 296	35 295	32 875	34 383	36 094
Expenses							
Current expenses							
Compensation of employees	12 979	13 553	14 921	18 638	19 298	20 068	20 971
Goods and services	7 906	10 777	9 863	16 388	13 262	13 986	14 779
Depreciation	193	213	195	269	315	329	344

Total expenses	21 078	24 543	24 979	35 295	32 875	34 383	36 094
Surplus/(Deficit)	1 897	(2 040)	2 317	-	-	-	-

(ii) Budget Allocation per Programme

Programme Name: Administration							
Economic classification	Audited outcome			Revised estimate	Medium-term estimate		
	2020/21 R'000	2021/22 R'000	2022/23 R'000	2023/24 R'000	2024/25 R'000	2025/26 R'000	2026/27 R'000
Current payment							
Compensation of employees	12 979	13 553	14 921	18 638	19 298	20 068	20 971
Goods & services, etc.	3132	6 947	5 863	12 210	8 789	9 262	9 856
Payments of capital assets							
Building and other fixed structure	-	-	-	-	-	-	-
Machinery & equipment	584	100	83	150	300	350	350

Programme Name: Adjudication							
Economic classification	Audited outcome			Revised Estimates	Medium-Term Expenditure Estimate		
	2020/21 R'000	2021/22 R'000	2022/23 R'000	2023/24 R'000	2024/25 R'000	2025/26 R'000	2026/27 R'000
Current payment							
Member's fees	3 838	3 374	3 517	3 674	3 839	4 023	4 204
Goods and services	545	569	595	623	649	680	713
Payments of capital assets	-	-	-	-	-	-	-
Building and other fixed structure	-	-	-	-	-	-	-
Machinery & equipment	-	-	-	-	-	-	-

## 8. Key Risks

Outcomes	Key Risks	Risk Mitigation
Operational efficiency and effectiveness	1. Inadequate budget	1. Requests for retention of additional funding. 2. Forward planning (re-prioritising) 3. Propose legislative amendments on funding model

Improved access to justice	2. Adjudication & dispute resolution inefficiencies	1. Proposes legislative amendments for expansion of CT's mandate 2. Media profiling of Tribunal Members 3. Conduct survey on mandate /services of the Tribunal
Operational efficiency and effectiveness	3. Inadequate Capacity building	1. Development of a Resource Plan including costing & budget allocation for critical vacancies.
	4. Marketing & communication inefficiencies (Limited marketing and advertising of Tribunal's services)	1. Partnership with other stakeholders Social Media Platforms (Facebook and Instagram)

## 9. Materiality and Significance of Framework

### 9.1 Statutory requirements

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



## **9.2 Assessment and determination of materiality for the Tribunal**

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

The following guideline will be applied to the basis selected:

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

## **9.3 Annual review of materiality**

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

## Part D: Technical Indicator Descriptions (TID)

### Programme 1: Adjudication

Outcome 1: Improved access to Justice system	
Indicator title	Percentage of decisions and orders <sup>1</sup> issued on <u>opposed</u> applications within 35 working days from the last set down or final submission by parties, whichever is applicable
Definition	This indicator tracks the percentage of decisions and orders issued on opposed applications within 35 days from the last set down or final submission by parties, whichever is applicable
Source of data	Registry records
Method of calculation / assessment	The number of decisions and orders issued within 35 days divided by Total number of decisions and orders issued multiplied by 100
Assumptions	Accurate record of decisions and orders issued by the Tribunal
Disaggregation of beneficiaries (where applicable)	N/A <sup>2</sup>
Spatial transformation (where applicable)	N/A <sup>3</sup>
Desired performance	Reduce turnaround times in issuing decisions and orders
Indicator responsibility	Registrar

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<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> Only legal entities apply to the Tribunal. The current Application Form, CT 142, does not provide for details on disaggregation of beneficiaries/applicants (race, gender, and the geographic location). The request to amend the Form was sent to **dtic** in September 2022

<sup>3</sup> Ibid.

<b>Outcome 2: Improved access to Justice system</b>	
<b>Indicator title</b>	Percentage of decisions and orders issued on <u>unopposed</u> applications within 25 working days from the last date of submission by parties whichever is applicable
<b>Definition</b>	This indicator tracks the percentage of decisions and orders issued on unopposed applications within 25 days from the last set down or final submission by parties, whichever is applicable
<b>Source of data</b>	Registry records
<b>Method of calculation / assessment</b>	The number of decisions and orders issued within 25 days divided by total number of decisions and orders issued multiplied by 100
<b>Assumptions</b>	Accurate record of decisions and orders issued by the Tribunal
<b>Disaggregation of beneficiaries (where applicable)</b>	N/A <sup>4</sup>
<b>Spatial transformation (where applicable)</b>	N/A <sup>5</sup>
<b>Desired performance</b>	Reduce turnaround times in issuing decisions and orders
<b>Indicator responsibility</b>	Registrar

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<sup>4</sup> Only legal entities apply to the Tribunal. The current Application Form, CT 142, does not provide for details on disaggregation of beneficiaries/applicants (race, gender, and the geographic location). The request to amend the Form was sent to **dtic** in September 2022

<sup>5</sup> Ibid.

<b>Outcome 3: Improved access to Justice system</b>	
<b>Indicator title</b>	Percentage of cases finalised <sup>6</sup> in terms of Alternative Dispute Resolution (ADR) within 20 working days after the date of set down or final submission by parties whichever is applicable
<b>Definition</b>	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
<b>Source of data</b>	Registry records
<b>Method of calculation / assessment</b>	The number of ADR cases finalised within 20 days divided by total number of ADR cases finalised multiplied by 100
<b>Assumptions</b>	Accurate record of ADR cases finalised
<b>Disaggregation of beneficiaries (where applicable)</b>	N/A <sup>7</sup>
<b>Spatial transformation (where applicable)</b>	N/A <sup>8</sup>
<b>Desired performance</b>	Reduce turnaround times in issuing decisions and orders
<b>Indicator responsibility</b>	Registrar

<sup>6</sup> **Finalised** refers to decision making and issuing of failed certificates, withdrawals and cancellations

<sup>7</sup> Only legal entities apply to the Tribunal. The current Application Form, CT 142, does not provide for details on disaggregation of beneficiaries/applicants (race, gender, and the geographic location). The request to amend the Form was sent to **dtic** in September 2022

<sup>8</sup> Ibid.

## Programme 2: Administration

Outcome 1.1: Operational efficiency and effectiveness	
Indicator title	Percentage of critical positions filled on approved organisation structure
Short definition	The percentage rate at which an employer attracts and loses employees.
Purpose/importance	Ensure that the Tribunal has the right talent with the right skills at the right time. Retain scarce, critical, professional and technical skills and ensure the approved organisational structure is filled by at least 87%
Source/collection of data	Excel spreadsheet with number of employees/ organogram
Method of calculation/Assessment	The number of filled positions divided by the total number of positions as per the approved structure multiplied by 100
Means of verification	Employee list per month
Assumptions	The assumption is that HR will fill 87% of positions as per the approved structure based on previous experience.
Disaggregation of Beneficiaries	Not applicable
Spatial Transformation	Not Applicable
Data limitations	None
Type of indicator	Quantitative
Calculation type Cumulative	(Year-End)
Reporting cycle	Annually

<b>New indicator</b>	No
<b>Desired performance.</b>	Retaining competent employees with the right skills at the right time
<b>Indicator responsibility Executive Manager</b>	Head: Human Resources and Facilities

<b>Output 2.1: Research Report (Operational efficiency and effectiveness)</b>	
<b>Indicator title</b>	<b>Number of research report produced</b>
<b>Short definition</b>	Research on possible amendment of the Act
<b>Purpose/importance</b>	Research conducted on possible amendment to broaden the mandate of the Tribunal
<b>Source/collection of data</b>	Research report produced
<b>Method of calculation</b>	Manual counting of the research report against the target
<b>Data limitations</b>	Human error
<b>Type of indicator</b>	Quantitative – Output
<b>Calculation type</b>	Cumulative
<b>Reporting cycle</b>	Quarterly
<b>New indicator</b>	No
<b>Desired performance</b>	To enhance CT's capacity to deliver on its mandate in terms of section 195 of the Companies Act, 2008 in respect of adjudications and alternative dispute resolutions.
<b>Indicator responsibility</b>	Legal Manager

<b>Outcome 3.1: Operational efficiency and effectiveness</b>	
<b>Indicator title</b>	<b>An unqualified opinion issued by the external auditors on the Annual Financial Statements by 31 August each year</b>
<b>Short definition</b>	This means that our financial statements present fairly, in all material respects, the financial position of the Tribunal as of 31 March
<b>Purpose/importance</b>	This is to ensure that a transparent financial management system is maintained.
<b>Source/collection of data</b>	An audit opinion is issued by the External Auditors on 31 July of each financial year based on annual financial statements submitted for audit purposes. The audit opinion is published with the financial statements in our annual report and is also saved on the records repository under organisational control and planning/Auditing
<b>Method of calculation/Assessment</b>	Performance is assessed by evaluation of audit opinion obtained
<b>Means of verifications</b>	External audit report
<b>Assumptions</b>	Proper records of the financial affairs of the entity are maintained Annual financial statements are prepared, approved and submitted to the External Auditors by 31 May each year Effective financial governance
<b>Disaggregation of Beneficiaries</b>	Not applicable
<b>Spatial Transformation</b>	Not applicable
<b>Data limitations</b>	Not applicable
<b>Type of indicator</b>	Qualitative
<b>Calculation type</b>	Non-Cumulative

<b>Reporting cycle</b>	Annually
<b>New indicator</b>	No
<b>Desired performance</b>	An unqualified audit opinion by the external auditors
<b>Indicator responsibility</b>	CFO and all Senior Managers

<b>Output 4.1: Operational efficiency and effectiveness: Procurement</b>	
<b>Indicator title</b>	<b>Percentage preferential procurement from designated groups</b>
<b>Definition</b>	The percentage of procurement spend on suppliers and service providers with B-BBEE level 1 to 4
<b>Source of data</b>	Payment analysis spreadsheet
<b>Method of calculation or assessment</b>	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
<b>Means of verification</b>	Reports
<b>Assumptions</b>	Correctness of reports
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation</b>	N/A
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	70%



<b>Indicator responsibility</b>	CFO
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<b>Output 5.1: Stakeholder Engagements</b>	
<b>Indicator title</b>	<b>Number of outreaches with Ministry; governmental collaborative engagements Ministry, municipalities, communities, institutions of higher learning etc; marketing/ branding campaigns</b>
<b>Short definition</b>	Participate in twenty (20) outreaches and/or exhibitions
<b>Purpose/importance</b>	To create awareness and educate the public about services of CT and promote a positive corporate image
<b>Source/collection of data</b>	Meeting reports and/or meeting recordings with attendance registers
<b>Method of calculation</b>	Manual counting of meeting reports and/or meeting records with attendance registers
<b>Data limitations</b>	Lack of resources (Human and Capital)
<b>Type of indicator</b>	Quantitative – Output
<b>Calculation type</b>	Cumulative
<b>Reporting cycle</b>	Quarterly
<b>New indicator</b>	No, continuous from previous year
<b>Desired performance</b>	Public awareness, accessibility, and stakeholder management
<b>Indicator responsibility</b>	Head Communications and Marketing

Output 5.2: Stakeholder Engagements	
Indicator title	Number of media engagements (media statements and radio activities)
<b>Short definition</b>	<p>Release twelve (12) media statements in newspapers to create awareness of the services provided by the CT to the public and stakeholders by end of the year</p> <p>Participate in twelve (12) radio activities to create awareness and educate the public about services of the Companies Tribunal</p> <p><i>Release means to publish in newspaper(s) or online media</i></p> <p><i>Activities means interviews/advertisement or live reads</i></p>
<b>Purpose/importance</b>	To create awareness and educate the public about services of CT and promote a positive corporate image
<b>Source/collection of data</b>	<p>Media statements or advertorial</p> <p>Shared drive</p> <p>Radio clip or advertorial or letter from radio station confirming that the interview or advert took place.</p>
<b>Method of calculation</b>	Manual counting of media statements or advertorials and radio clip or letters from radio stations.
<b>Data limitations</b>	Lack of resources (Human and Capital)
<b>Type of indicator</b>	Quantitative – Output
<b>Calculation type</b>	Cumulative
<b>Reporting cycle</b>	Quarterly
<b>New indicator</b>	No, continuous from previous year

<b>Desired performance</b>	Public awareness, accessibility and stakeholder management
<b>Indicator responsibility</b>	Head Communications and Marketing

<b>Output 5.3: Leadership Excellence: Seminar</b>	
<b>Indicator title</b>	<b>Number of mid-year and end of year seminars held</b>
<b>Definition</b>	The Number of seminars to be held for the Tribunal annually
<b>Source of data</b>	Host a seminar on a research topic <i>Host means organize and present/ collaborate/ partner</i>
<b>Method of calculation or assessment</b>	Simple count
<b>Means of verification</b>	Recordings of the seminar
<b>Assumptions</b>	Clarity of the recording
<b>Disaggregation of beneficiaries (where applicable)</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Reporting cycle</b>	Bi-annually
<b>Desired performance</b>	2 annually
<b>Indicator responsibility</b>	Head: Communications & Marketing