

2025/2026



# ANNUAL PERFORMANCE PLAN 1 APRIL 2025 – 31 MARCH 2026

## **Foreword by Executive Authority**

The Competition Tribunal's 2025/26 Annual Performance Plan (APP) contains a set of outputs and targets aimed at realising the vision of the Tribunal's governing legislation and utilising these regulations to empower a larger number of South Africans to contribute towards our shared prosperity.

Part of the Tribunal's job is to strike the right balance between competition considerations and public interest considerations, to help grow the economy and to transform it.

The scope of the outputs in the Tribunal's APP collectively still encompasses the dtic's ongoing efforts to support industrialisation and to promote jobs and rising incomes; drive transformation; and build a capable state to ensure improved impact of public policies. Additionally, it aligns with the three Medium-Term Development Plan (MTDP) priorities introduced in the 2025/26 APP.

As part of the broader strategy to drive economic growth and transformation, key focus areas have been identified to accelerate progress. These include expediting the implementation of industrial policies, particularly through sector-focused master plans. Strengthening the manufacturing sector by encouraging local procurement and increasing exports is a priority, as it will reduce dependency on imports and bolster domestic production.

A strong emphasis is also placed on advancing Broad-Based Black Economic Empowerment (B-BBEE) to ensure meaningful economic inclusion and address policy gaps that may hinder transformation efforts.

Therefore, the work of the Tribunal in contributing towards the creation of a conducive environment for sustained growth is of great consequence.

I wish to thank the management and governance structures for the work done and wish them well in executing the APP and aligning their work to government's overall programmes and priorities within their statutory mandate.

The 2025/26 APP is hereby submitted in accordance with the Revised Framework on Strategic and Annual Performance Plans.

**Mr Parks Tau, MP**

Minister of Trade, Industry, and Competition



## **Foreword by Deputy Minister**

The 2025/26 Annual Performance Plan of the Competition Tribunal is a vital tool towards advancing South Africa's economic transformation agenda. Through its mandate, the Tribunal plays a key role in ensuring that competition policies are not only effective but also aligned with national priorities aimed at fostering industrial growth, job creation, and economic transformation. The work of the Tribunal directly supports the broader objectives of the dtic, reinforcing the government's commitment to building a more dynamic and equitable economy which will deliver the much-needed empowerment to our people.

A key priority for the dtic in the year ahead is the accelerated implementation of industrial policies, particularly through sector-specific master plans that drive economic development. The Tribunal contributes to this by ensuring that anti-competitive behaviour does not hinder industrialisation efforts, and that competition regulation supports sustainable economic expansion. Similarly, as we work towards strengthening local manufacturing, enhancing localisation, and promoting exports, the Tribunal's role in maintaining a competitive and inclusive market environment is crucial in encouraging domestic investment and fostering business growth.

Economic transformation, growth, and employment, remain central in our focus as a country. The Tribunal's consideration of public interest factors in merger evaluations and competition cases is an important mechanism for promoting transformation and ensuring that economic benefits are broadly shared.

Good governance and leadership stability across dtic and its entities, including the Tribunal, are essential for effective policy implementation. The Tribunal's continued commitment to not only the achievement of consecutive clean audits but also maintaining transparent and accountable governance practices contributes to the collective efforts towards building a capable state.

The implementation of this APP will further strengthen the impact of the dtic's strategic priorities by deepening collaboration among its entities and stakeholders. I commend the leadership and staff of the Tribunal for their dedication to this mandate and look forward to seeing continued progress in advancing competition regulation as a driver of economic transformation.

Thank you.

**Zuko Godlimpi, MP**

Deputy Minister of Trade, Industry, and Competition

## **Foreword by Accounting Authority**

This Annual Performance Plan (APP) is the first of our APP based on the Competition Tribunal's (Tribunal) five-year strategy for the period 2025-2030. It is a critical roadmap that aligns our strategic objectives with actionable initiatives to ensure that the Tribunal continues to fulfil its mandate effectively and efficiently. This also neatly coincides with the commencement of the 7th administration and aligns with its priorities of inclusive growth, reduced poverty and a capable state.

As we embark on this implementation phase, we remain steadfast in our commitment to fostering inclusive and competitive markets, economic transformation, and adjudicative excellence. The evolving economic landscape and legislative amendments to the Competition Act in 2018 necessitate a Tribunal that is agile, well-resourced, and equipped with the necessary expertise to handle increasingly complex competition matters. Our key priorities for the year include enhancing adjudicative efficiency, strengthening institutional capacity, and leveraging digital transformation to improve case management systems.

In response to the increasing caseload and complexity of matters before the Tribunal, we will continue to build internal capacity, ensuring that we have the requisite human and financial resources to sustain our operations. The enhancement of our case management system remains a focal point, with technological advancements aimed at improving efficiency, transparency, and accessibility. Additionally, we are implementing a robust knowledge management framework to preserve institutional knowledge and facilitate informed decision-making.

As we plan for the year ahead, we are mindful of the historic of cases that exist both as a product of the pandemic and capacity constraints at the Tribunal. Our aim remains to promote inclusive, and competitive markets for all South Africans. This plan sets the direction for the Tribunal as we work to overcome persistent market concentration that underpinned the need for the amendments in 2018 and enable an inclusive economy. We remain dedicated, in our approach to adjudication to ensuring that South Africa's economy remains robust, competitive, and inclusive.

The core outcome of the Tribunal is to adjudicate in favour of inclusive participation in markets and competitive conduct by market participants, for a transformed national economy. This outcome stands on two pillars. The first of which is Sound, Efficient and Responsive Adjudication. While the volume and complexity in the cases have increased over time, the

Tribunal's resources, particularly our human capital and budgets, have remained relatively the same. For example, in its first full financial year after inception (2000/01), the Tribunal decided 50 cases, with a complement of 10 Tribunal members. In the previous financial year (2023/2024), cases decided by the Tribunal was 171 (242% increase), with a complement of six Tribunal members. Our staff complement in 2015 was 26 and during the current financial year is 30.

The targets set in respect of the first outcome (Sound, Efficient and Responsive Adjudication) are therefore based on inter alia the volume of cases and available resources. Increasing the number of full-time members from two currently to six will significantly improve efficiencies.

The second pillar of our outcomes is governance. The Tribunal strives to be transparent in conducting its affairs, accountable for its actions and sustainable in its operations. To this end, the APP reflects a R67.74 million expenditure budget (including capital) over the period 2025/2026, of which the largest spend (72.51%) is on staff. Through prudent financial management, procurement and employment practices the Tribunal adheres to sound governance. The ARC provides independent oversight to the Accounting Authority and further ensures compliance inter alia with the Public Finance Management Act.

The Tribunal's R67.75 million revenue budget is comprised 64.16% of funding from the dtic and 32.99% from the merger filing fees administered by the Competition Commission. Over the MTEF period, management is committed to continue with the achievement of clean audit outcomes.

The Annual Performance Plan provides for a scorecard of key performance indicators which are linked to staff members' individual performance contracts. The APP sets 21 targets towards the achievement of its two strategic outcomes, Sound, Effective and Efficient Decisions; and Transparent, Accountable and Sustainable Entity. Seven targets relate to the first strategic outcome, Sound, Efficient and Responsive Adjudication, and 14 targets relate to the second outcome, Transparent, Accountable and Sustainable Entity. Performance against these targets is monitored and reported quarterly to **the dtic** and National Treasury, and in the Annual Report.

We remain committed to fostering inclusive and competitive markets, through transparent and excellent adjudication.

## Official sign-off

It is hereby certified that this Annual Performance Plan of the Competition Tribunal for the period 1<sup>st</sup> April 2025 to 31<sup>st</sup> March 2026 was:

- i) Developed by the management of the Competition Tribunal under the guidance of the Accounting Authority – Ms. Mondo Mazwai.
- ii) Prepared in line with the Competition Tribunal's Draft Strategic Plan for the five-year period 2025/2026 – 2030/2031.
- iii) Accurately reflects the performance targets the Competition Tribunal will endeavour to achieve over the 2025/2026 financial year.

**Sherylee Moonsamy**

Signature:  \_\_\_\_\_

**Chief Financial Officer - Competition Tribunal**

Date \_\_\_\_\_

**Ratshi Maphwanya**

Signature: \_\_\_\_\_

**Chief Operating Officer - Competition Tribunal**

Date \_\_\_\_\_

**Mondo Mazwai**

Signature :  \_\_\_\_\_

**Chairperson – Competition Tribunal**

Date \_\_\_\_\_

**Approved by:**

**Mr Parks Tau, MP**

Signature:  \_\_\_\_\_

**Minister Trade, Industry and Competition**

**Executive Authority of the Competition Tribunal**

Date \_\_\_\_\_

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## Abbreviations and Acronyms

AfCFTA	African Continental Free Trade Area
AG	Auditor-General
APP	Annual performance plan
BBBEE	Broad-based black economic empowerment
Commission	Competition Commission
Competition Act	Competition Act 89 of 1998
CAC	Competition Appeal Court
COVID-19	Coronavirus Disease 2019
<b>the dtic</b>	Department of Trade, Industry and Competition
ERRP	Economic Reconstruction and Recovery Plan
EME	Exempted Micro Enterprise
ENE	Estimates of National Expenditure
ESKOM	Electricity Supply Commission, SA's electricity public utility
GNU	Government of National Unity
HDIs	Historically Disadvantage Individuals
HR Management	Human Resource Management
ICASA	Independent Communications Authority of South Africa
ICN	International Competition Network
ICT	Information and communications technology
IEAP	Integrated Economic Action Plan
IT	Information technology
Minister	Minister of Trade, Industry and Competition
MTEF	Medium Term Expenditure Framework
NDP	National Development Plan
NGO	non-government organisation
OECD	Organisation for Economic Co-operation and Development
PFMA	Public Finance Management Act
PPEs	Personal Protective Equipment
PWDs	Persons With Disability
RMC	Risk Management Committee
SADC	Southern African Development Community
SCM	Supply Chain Management
SMME	Small, medium, and micro-sized enterprise
TID	Technical indicator description

Tribunal  
WTO

Competition Tribunal  
World Trade Organisation

## **PART A: OUR MANDATE**

### **1. Constitutional Mandate**

The Competition Tribunal's constitutional mandate is contained in Section 34 of The Constitution of the Republic of South Africa, 1996 which states that "Everyone has the right to have any dispute that can be resolved by the application of law decided in a fair public hearing before a court or, where appropriate, another independent and impartial tribunal and forum."

In 1999, the Competition Act 89 of 1998 (the Act) was promulgated, thereby establishing a Competition Commission (Commission), the Competition Tribunal (Tribunal), and a Competition Appeal Court (CAC). The Competition Tribunal is responsible for the adjudication of matters pertaining to restrictive practices, abuse of a dominant position and mergers.

In 2019, the amendments to the Act came into force. The amendments ushered in new provisions to strengthen the competition authorities in addressing persistently high levels of economic concentration and lack of inclusivity, to open up access to markets for small businesses to participate equitably in the economy.

### **2. Legislative Mandate**

The Tribunal is an independent and impartial body with jurisdiction throughout South Africa. It is required to perform its functions without fear, favour or prejudice, subject only to the Constitution, the law, and its legislated mandate.

The Tribunal's purpose 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.

### 3. Alignment to Government Policy Outcomes

The Tribunal is one of three institutions established in terms of the Act alongside the Commission and the CAC. In the implementation of its mandate, the Tribunal is guided by the priorities set out in the National Development Plan (NDP) 2030 at a broad level. The NDP was adopted in 2012 and sets out the long-term vision for the country and provides a broad strategic framework to guide government choices and actions required to transform the economy and society.

The NDP five-year implementation plan has been developed in order to advance and guide planning that is responsive to the attainment of NDP priorities. It allows for the co-ordination and alignment of priorities across spheres of government.

Following the elections in May 2024, a GNU was created which then formed the 7th administration. From the NDP priorities arose the 7th administration's Medium Term Development Plan (MTDP) strategic priorities and focus areas, which are:

- (i) Drive inclusive growth and job creation.
- (ii) Reduce poverty reduction and tackle the high cost of living; and
- (iii) Build a capable, ethical and developmental state

With this, the dtic introduced four core outcomes, setting a unified focus for all programs and entities within the dtic group. The goal was to concentrate efforts on top priorities across the group, enhance internal coordination, direct resources to critical areas, and improve execution efficiency by leveraging all entities within dtic. These core outcomes are:

- (i) **Reindustrialisation** to drive industrial growth, attract investments, enhance local industries, and increase exports, particularly in processed critical minerals.
- (ii) **Job creation** with focus on job creation for youth, women, and disadvantaged groups, and train 500,000 unemployed youth in high-demand sectors.
- (iii) **Transformation** to ensure economic empowerment programs benefit marginalized groups, reducing inequality and improving quality of life.
- (iv) **Capable state** to enhance the impact of public policies.

These four outcomes remain key priorities under the 7th Administration, aligned with the MTDP's vision for (i) inclusive growth and job creation, (ii) poverty reduction and strengthening of the social wage, and (iii) the establishment of a capable, ethical, and developmental state.

In response to the above priorities, the 'Blue Sky' (Growth Path) strategy was developed by dtic focusing on the key challenges/constraints of the South African economy and direct interventions to achieve GDP growth of 3.6% by 2029. These included, but not limited to, reducing administrative costs such as electricity and transport, access to capital, red tape reduction, omnibus regulations, strategic market access, workforce readiness and skills and market concentration and economic inclusion.

The four tables that follow provide an alignment matrix between the Tribunal outcomes and the MTDP priorities, dtic outcomes, NDP priorities and Blue-Sky strategy, respectively.

The Tribunal has aligned its two strategic outcomes, namely: **Sound, Efficient and Responsive Adjudication**; and **Transparent, Accountable and Sustainable Entity**, within the legal mandate of the entity, to dtic outcomes as mentioned in the tables below.

**Table 1: Alignment of Tribunal outcomes with the dtic's Joint/Integrated Outputs**

dtic's Joint/Integrated outputs <sup>1</sup>	Tribunal Outcomes	Tribunal Outcome Statement
<b>1. Re-industrialisation</b> – opportunities to grow the domestic market through localisation, sector partnerships (Masterplans), Green economy initiatives, investment expansion/promotion, African and Global exports.	<b>Sound, Efficient and Responsive Adjudication</b>	Through Sound, Efficient and Responsive Adjudication of matters across key sectors of the economy, the Tribunal contributes to the outcomes of industrialisation and economic transformation of <b>the dtic</b> (e.g. through the assessment of competition and public interest considerations in mergers, as appropriate).
<b>2. Job creation</b> – opportunities to expand jobs in key sectors through dtic's industrial development and economic interventions, improved employability and skills of the unemployed youth and marginalised communities, growth of SMMEs and creation of green jobs in sustainable industries.		
<b>3. Transformation</b> - opportunities to promote BBBEE, worker empowerment, addressing economic concentration and SME promotion.		
<b>4. Capable State</b> - initiatives to build entity staff and governance capacity, participate in the shared services of <b>the dtic</b> and undertake internal business processes improvements.	<b>Sound, Efficient and Responsive Adjudication</b>	Through Sound, Efficient and Responsive Adjudication of matters, the Tribunal aligns ethically through open and transparent communication of all case reasons including press releases and aligns capability to sound, consistent and responsive adjudication of all matters.
	<b>Transparent, Accountable and Sustainable entity</b>	Through Transparent Accountable, and Sustainable Entity, the Tribunal contributes through the ability to attract skilled and competent Tribunal staff, in-depth training practices, sound governance processes and efficient handling of cases.

<sup>1</sup>Linking of **the dtic's** outcomes to the NDP.

The Tribunal has aligned its two strategic outcomes, namely: **Sound, Efficient and Responsive Adjudication**; and **Transparent, Accountable and Sustainable Entity**, within the legal mandate of the entity, to NDP priorities as mentioned in the tables below.

**Table 2: Alignment of the Tribunal's outcomes with the NDP's outcomes**

NDP Outcome Number	NDP Outcomes	Tribunal Outcome	Tribunal Outcome statement
<b>NDP Outcome 1</b>	Economic transformation and job creation	<b>Sound, Efficient and Responsive Adjudication</b> ;	Through Sound, Efficient and Responsive Adjudication of matters across all sectors of the economy, the Tribunal contributes to the outcomes of economic transformation and employment creation by the NDP and the dtic, more specifically in mergers.
<b>NDP Outcome 2</b>	Education, skills and health		Through Sound, Efficient and Responsive Adjudication of matters in these sectors the Tribunal contributes to the NDP outcomes.
<b>NDP Outcome 6</b>	A capable, ethical and developmental state	<b>Transparent, Accountable and Sustainable Entity</b>	Through transparent, accountable, and sustainable entity, the Tribunal contributes to a capable, ethical and developmental state.
<b>NDP Outcome 7</b>	A better Africa and World	<b>Sound, Efficient and Responsive Adjudication</b> ;	Sound, Efficient and Responsive Adjudication and engagements in various forums (international, regional and local) on competition law and policy, as appropriate

The Tribunal has aligned its two strategic outcomes, namely: **Sound, Efficient and Responsive Adjudication**; and **Transparent, Accountable and Sustainable Entity**, within the legal mandate of the entity, to MTDP priorities as mentioned in the tables below.

**Table 3: Alignment to MTDP Priorities**

MTDP Strategic Priorities	MTDP Outcomes	Tribunal Outcomes	Tribunal Outcome Statement
<b>Strategic Priority 1</b> Drive inclusive growth and job creation.	Increased employment and work opportunities	<b>Sound, Efficient and Responsive Adjudication</b>	Through Sound, Efficient and Responsive Adjudication of matters across key sectors of the economy, the Tribunal contributes to the MTDP priority of inclusive growth and job creation as well as poverty reduction and tackling the high cost of living (e.g. through the assessment of competition and public interest considerations in mergers).
	Enabling environment for investment and improved competitiveness through structural reforms		
	Economic transformation and equitable inclusion of women, youth and persons with disabilities for a just society		
<b>Strategic Priority 2</b> Reduce poverty reduction and tackle the high cost of living	Reduced poverty and improved livelihoods	<b>Sound, Efficient and Responsive Adjudication</b>	
<b>Strategic Priority 3</b> Build a capable, ethical and developmental state	Combat priority offenses (economic, organised crime and corruption)	<b>Sound, Efficient and Responsive Adjudication</b>	Through Sound, Efficient and Responsive Adjudication of matters, the Tribunal aligns ethically through open and transparent communication of all case reasons including press releases and aligns capability to sound, consistent and responsive adjudication of all matters.
	Improved governance and performance of public entities	<b>Transparent, Accountable and Sustainable entity</b>	Through Transparent Accountable, and Sustainable Entity, the Tribunal contributes through the ability to attract skilled and competent Tribunal staff, in-depth training practices, sound governance processes and efficient handling of cases.
	An ethical, capable and professional public service		



The Tribunal has aligned its two strategic outcomes, namely: **Sound, Efficient and Responsive Adjudication**; and **Transparent, Accountable and Sustainable Entity**, within the legal mandate of the entity, to the Blue Sky dtic strategy as mentioned in the table below.

**Table 4: Alignment to dtic Blue Sky strategy**

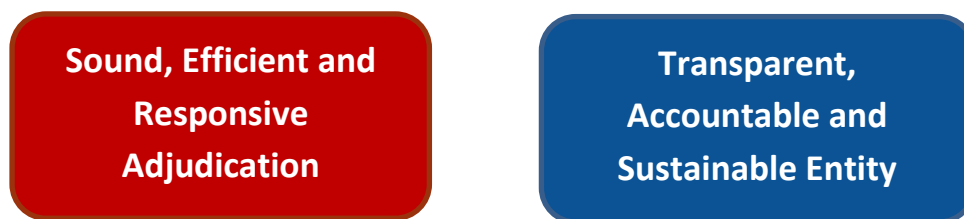
Blue Sky Interventions	Blue Sky Outcomes	Tribunal Outcomes	Tribunal Outcome Statement
<b>Process and policy instruments</b> Optimisation, harmonisation, digitisation, and integration to improve service delivery and operational efficiency.	A fully integrated and digitised management system enrolled to track and monitor operations efficiency.	<b>Transparent, Accountable and Sustainable entity</b>	The Tribunal will seek to improve its knowledge management through the modernisation of the Tribunal's systems, focusing on leveraging technology to enhance efficiency, streamline workflows, and improve case management processes. This includes upgrading the Case Management System (CMS) with advanced functionalities such as automation, real-time case tracking, enhanced document management, and improved data security.
	Continuous improvement of business processes to increase productivity and reduce inefficiencies across operations.	<b>Transparent, Accountable and Sustainable entity</b>	Timeous payment of suppliers
		<b>Sound, Efficient and Responsive Adjudication</b>	Reduction of turn-around times and improved efficiencies in completing matters
<b>Mergers</b> Reduction of Turnaround Time for Investment Approval Optimise Regulation Processes	Accelerate the approval process for mergers by reducing delays and enhancing the speed of business integration.		

## 4. Institutional strategies

The Tribunal has jurisdiction over competition matters across all sectors of the economy and adjudicates each case on its merits. It is a specialist adjudicative body whose function is to hear and decide competition cases. It is an administrative court of first instance for competition matters. Being a quasi-judicial body, it is a creature of statute and deals only with matters that it is ceased with.

The Tribunal, however, aligns its outcomes with those of the NDP, MTDP priorities, **the dtic** policy imperatives and the three regrouped overarching joint/integrated **dtic** outputs (Industrialisation, Transformation and a Capable State) in the identified sectors, within the confines of its mandate as set out in the Competition Act.

The two outcomes of the Tribunal are set out below and reflect the strategic requirements of the core and secretariat functions of the Tribunal.



*Figure 1 Competition Tribunal Outcomes*

The Tribunal has aligned its two strategic outcomes, namely: **Sound, Efficient and Responsive Adjudication**; and **Transparent, Accountable and Sustainable Entity**, within the legal mandate of the entity, to government policy outcomes as mentioned above.

## 5. Recent Court Rulings and their implications

There have been no recent court rulings by higher courts which may impact the work of the Tribunal.

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

### **6. Situational Analysis**

#### **6.1. Strategic focus**

The quasi-judicial nature of the Tribunal precludes the Tribunal from setting pro-active outcomes or embarking on specific interventions which target any particular sector or emphasise any specific criterion in its decision-making. However, as discussed above, in adjudicating matters that are brought before it, the Tribunal can align its outcomes with those of the NDP and the dtic's MTDP within the confines of the Act.

The Tribunal's core business and therefore its strategic focus is the adjudication of mergers and prohibited practice cases brought before it either by the Commission or directly by aggrieved parties, or in some instances by higher courts.

Upon a matter being referred to it, the Tribunal will initiate proceedings to consider the matter in terms of the Competition Act and Rules and may:

- a) authorise a merger, with or without conditions, or prohibit a merger.
- b) adjudicate in relation to any conduct prohibited in terms of the Competition Act by determining whether prohibited conduct has occurred, and if so, impose a remedy provided for in the Competition Act.
- c) hear appeals against decisions of the Commission in market inquiries, and in intermediate and small mergers; and
- d) grant an order for costs.

The Tribunal is required to expeditiously decide on the matters brought before it. All Tribunal hearings are public, and written reasons are provided for all decisions and orders of the Tribunal. The Competition Act and Rules prescribe time frames for the issuing of orders and decisions which must be adhered to by the Tribunal.

The Tribunal's decisions have the same legal weight as judgments of the High Court and may be taken on appeal to the CAC and the Constitutional Court.

The Tribunal is enjoined to retain its independence and impartiality in the exercise of its powers and in carrying out its duties.

Whilst the adjudicative process remains the main strategic focus, the Tribunal also places emphasis on other key areas of administration namely:

- Governance, risk, audit and compliance,
- Capacity building, and
- Effective financial management and reporting.

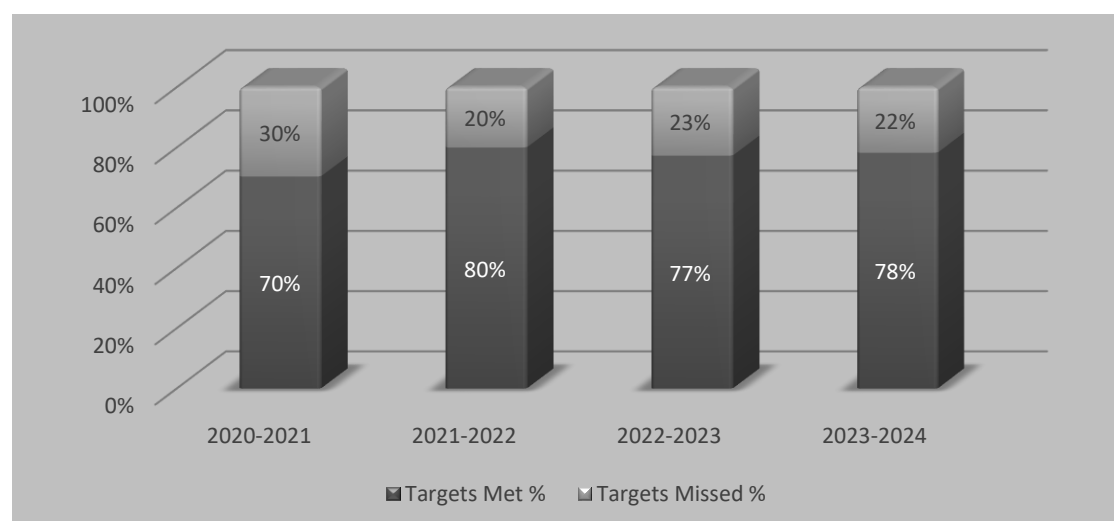
In addition, the Tribunal strives to be an accessible institution and to ensure that the public remains informed about the Competition Act and the Tribunal's functions and activities.

All upcoming hearings and decisions of the Tribunal are communicated to the media and all of the Tribunal's decisions can be accessed by the general public from the Tribunal's website or its offices.

## 6.2. Performance overview

The Tribunal has consistently performed at a high level within its resource constraints. The figure below reflects the Tribunal's performance against applicable targets over the preceding strategic planning period (i.e. 2020-2021 to 2024-2025<sup>2</sup>). Apart from the 2020/2021 (which was heavily influenced by the Covid-19 pandemic), the Tribunal has consistently met more than 75% of its targets.

**Figure 2: Competition Tribunal Performance Against Applicable Targets (2020/2021-2023/2024)**



*Source: Competition Tribunal Annual Reports*

<sup>2</sup> The performance data for the 2024/2025 financial years was not yet available at the time of writing

The Tribunal has generally performed well in getting merger cases set down and decided within the statutory timelines. The Tribunal's performance in completing reasons in opposed cases and in hearing prohibited practice cases (cartels, vertical agreements and abuse of dominance) of longer duration (more than two weeks) is an area of improvement and the Tribunal is taking steps to improve this. These include strengthening case management through the appointment of more senior Case Managers who support Tribunal members and the appointment of additional Tribunal members. Getting the appropriate gearing of the ratio between full-time and part-time members who hear cases will increase efficacy of the Tribunal. The Tribunal is engaging with the dtic on a continuous basis for the appointment of full-time and part-time members.

### **6.3. Tribunal Case Load**

Although demand for the services of the Tribunal over the past 25 years has increased significantly, the number of cases still fluctuate year-on-year. Fewer cases heard overall does not, however, translate into less work. By their nature, small/intermediate merger considerations are contested and therefore more complex. Similarly, interim relief applications are complex and contested as jurisprudence under the amendments evolves. Hearings, on their own, involve scrutinising large volumes of documentation and require intensive preparation, proceeded by lengthy amounts of time in the courtroom. The assessment of the cases cannot be measured quantitatively (in numbers) but require a qualitative assessment.

The table below provides details regarding matters heard over the past five years and the current case load for the Tribunal respectively.

**Table 5: Matters heard 2019/2020 to 2024/2025**

Type of case	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25 <sup>3</sup>
<b>Large merger</b>	86	66	86	99	87	93
<b>Intermediate/ small merger</b>	1	2	1	1	5	0
<b>Complaints from the Commission</b>	9	4	6	4	1	0
<b>Consent order/ settlement agreement</b>	27	63	30	19	22	14
<b>Complaints from third parties</b>	0	0	0	1	0	0
<b>Interim relief</b>	3	1	2	2	7	3
<b>Interlocutory/ procedural matters</b>	28	16	34	73	28	28
<b>Total</b>	<b>154</b>	<b>152</b>	<b>159</b>	<b>199</b>	<b>150</b>	<b>138*</b>

\* This excludes the matters pending before the Tribunal which is 228 matters as of December 2024 as illustrated in Table 8 below. Of the 228 total, some are not ready for hearing, some are in settlement discussions with the parties, and some are dormant (no activity for more than six months).

The Tribunal is enjoined to conduct its hearings in accordance with the principles of natural justice which means affording all the parties an opportunity to access the record, to request discovery of documents, to file their papers including filing factual witness statements and economic expert witness statements before hearing the matter. These processes take time and are in the nature of legal proceedings.

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<sup>3</sup> For nine months ending 31 December 2025.

Cases are received by the Tribunal through formal referrals from the Commission, applications from parties, or matters initiated in terms of the Act. Upon receipt, each case undergoes an initial review by Registry to ensure compliance with procedural requirements before being officially registered. Thereafter, the Chairperson assigns the case to a panel of three members, ensuring that at least one legally trained member is included.

For each matter, a timetable is set that makes provision for: interested third parties who wish to intervene, to do so; other interlocutory matters raised by parties and discovery processes; the filing of factual and expert witness statements; and hearing dates. Hearing dates depend, inter alia, on the availability of all parties, including panel member availability and the parties' legal representatives and economic experts.

The Tribunal hears matters as expeditiously as possible in accordance with the principles of natural justice. Mergers that raise very complex competition and public interest issues take longer to adjudicate due inter alia to intervention applications by interested third parties and complexity of cases. The Tribunal must balance the interests of workers, owners and consumers to the benefit all South Africans, as the Competition Act enjoins it to do.

The table below reflects the case roll as of December 2024 by type of case.

**Table 6: Current roll of cases as of December 2024 (by type of case)**

Case Type	On roll from 01 April 2024	Received	No of matters set down	Number heard	Withdrawn/ settled/ abandoned/ removed from roll	Orders issued <sup>4</sup>	Reasons issued	On roll at the end of Dec 2024 <sup>5</sup>
<b>Mergers</b>	16	78	79	81	2	81	79	<b>12</b>
<b>Complaint Referrals</b>	131	3	0	0	8	0	0	<b>115</b>
<b>Consent orders/ Settlement agreements</b>	6	6	0	7	0	9	0	<b>4</b>
<b>Interim Reliefs</b>	15	8	0	2	7	1	2	<b>12</b>
<b>Interlocutory/ Procedural Matters</b>	133	16	0	17	24	19	6	<b>85</b>
<b>Totals</b>	<b>301</b>	<b>81</b>	<b>58</b>	<b>84</b>	<b>34</b>	<b>86</b>	<b>69</b>	<b>228</b>

Over the past few years, the Tribunal focused its efforts on finalising historic cases while also prioritising newer cases that come in (primarily mergers which are time sensitive). The historic cases are primarily attributable to disruptions caused by the COVID-19 pandemic, during which many cases were put on hold due inter alia to the prioritisation of COVID related cases and mergers. This was further exacerbated by the increase in volume and complexity of new cases. Post-pandemic economic recovery efforts and heightened regulatory scrutiny resulted in a surge of complaint referrals, merger reviews, and interlocutory applications. These cases often involve intricate legal and economic analyses, requiring extensive deliberation and longer time periods to adjudicate.

<sup>4</sup> Cases with orders issued are included in the roll if the reasons are still pending, except for consent orders in which generally no reasons are issued.

<sup>5</sup> Including dormant cases.



As indicated in the table above, complaint referrals and interlocutory procedures represents 88% of the total case load.

Prohibited practices constitute the bulk of the pending cases. Prohibited practice matters take longer to prosecute and decide due to, *inter alia*, the complexity of the legal and economic issues they raise as well as their adversarial nature. These cases require lengthy and time-consuming hearings, that together with the current limited number of panel members, results in no other cases being heard during this period.

The Tribunal hearing calendar for the new financial year (April 2025 to March 2026) is already full of hearings of long duration (more than two weeks) through to December 2025. This includes both mergers (contested) and prohibited practices. As previously indicated, a panel is constituted by three members (one of which must be a lawyer). While part-time members are generally able to assist with shorter hearings, they are often unavailable to sit in matters that require longer hearings, due to obligations in their full-time employment, increasing the number of full-time members from two currently to six will improve the Tribunal's efficiencies.

By addressing these systemic inefficiencies and investing in capacity-building initiatives, the Tribunal aims to reduce the caseload while adapting its processes to manage the anticipated increase in caseload and complexity.

#### **6.4. Policy Environment**

South Africa is a member of the African Continental Free Trade Area (AfCFTA), which started trading on 1 January 2021. The main objectives of AfCFTA are to create a single continental market for goods and services, with free movement of business, persons and investments.

On 19 February 2023, the AU Assembly of Heads of State and Government adopted three new protocols to the AfCFTA Agreement – on investment, on intellectual property rights (IPR), and on competition policy.

The protocol on competition policy establishes the AfCFTA Competition Authority, which will function as an autonomous body with powers to administer and enforce provisions of the Protocol and decide on any undertakings, including approving mergers. The Protocol also establishes the AfCFTA Competition Tribunal as an autonomous body to decide on appeals from the decisions of the AfCFTA Competition Authority. The rules governing the functioning of the Tribunal are to be determined by the Council of Ministers in the future.

It is not anticipated that this will have an impact on the Tribunal in the short to medium term. The Tribunal however intends to keep abreast of developments and where appropriate, may participate in relevant forums.

### **6.5. Public policy and participation**

The general approach of the Tribunal is to encourage participation of interested parties in its proceedings. This allows for less powerful parties to have access to justice and articulate their interests and maximizes the information available to the Tribunal. In the cases to date the Tribunal has had representation from competitors, customers, franchisees, trade unions, industry associations, government department/entities and non-government organisations (NGO's).

The Competition Act also allows for the Minister of Trade, Industry and Competition to make representations on public interest grounds in merger transactions. The amendments grant the Minister the right to appeal the Tribunal's decisions where previously the Minister's right was limited to review.

### **6.6. Stakeholder Profile**

Numerous stakeholders may be impacted by the Competition Act. The Tribunal maintains effective relationships with key stakeholders with the aim of promoting consumer welfare of all South Africans.

The Tribunal's external stakeholders may be categorised as follows:

- a) Stakeholders with whom the Tribunal has direct contact in the course of fulfilling its functions. These include:
  - The Commission which refers and prosecutes cases before the Tribunal.
  - Complainants, respondents, interested third parties, expert witnesses and their legal representatives who participate in or have a direct interest in a case before the Tribunal. These may be local or international businesses, trade unions, the Minister of Trade, Industry and Competition, consumers, legal firms, or any other affected individual or organization.
- b) Stakeholders with whom the Tribunal may not be in direct contact but who are affected by the Tribunal's decisions. These include consumers, competitors, customers, and suppliers of firms directly affected by Tribunal decisions.
- c) Sector-specific regulators who enjoy concurrent jurisdiction with the competition authorities, such as the Independent Communications Authority of South Africa (ICASA).

- d) Stakeholders to whom the Tribunal is accountable with respect to its functions. These include the dtic, Parliament, the Minister Trade, Industry and Competition, National Treasury and the Auditor-General (AG).
- e) Stakeholders who act as reputational agents in providing policy and peer feedback on the standard and quality of work in the Tribunal. These include the media/journalists/editors, the financial press, academics, the judiciary, other competition agencies, the Organisation for Economic Co-operation and Development (OECD), the World Trade Organisation (WTO), Southern African Development Community (SADC), the International Competition Network (ICN) and others.
- f) Government stakeholders that the Tribunal may interact with, for example other government departments, state-owned entities, the Reserve Bank, and Parliament.

## 6.7. Strategic Planning Process

The strategic planning process calendar which includes meetings, strategic sessions and consultations that were held with regard to the development of a strategic plan and annual performance plan aligned to the recently approved framework and guidelines for strategic planning issued by the Department of Planning, Monitoring and Evaluation (DPME), are detailed in the table below:

**Table 7: Strategic planning process calendar**

Date	Meeting	Participants	Outcome of meeting
09 October 2024	Tribunal's Operations Committee Meeting (OPCOM)	Chief Operating Officer, Head of Registry, Head of Case Management, Head of Finance, IT Administrator, HR Manager, Communications Manager.	Review of the APP for the 2025/2026 financial year.
30 October 2024	30 October 2024	<ul style="list-style-type: none"> <li>• Century Academy</li> <li>• Tribunal Chairperson</li> <li>• Two Tribunal members (one full-time and one part-time member)</li> <li>• Acting COO/CFO</li> <li>• Head of Case Management</li> <li>• Head of Registry</li> <li>• Head of Finance</li> <li>• Human Resources Officer</li> <li>• IT Officer</li> <li>• Communications Officer</li> </ul>	Strategic review and planning workshops
31 October 2024	Submission of draft APP 2025/2026 to <b>the dtic</b> for comments.		
31 January 2025	Submission of draft APP 2025/2026 to <b>the dtic</b>		

## 7. External environmental analysis

Understanding the external environment in strategic planning is essential for anticipating challenges, seizing opportunities, and making informed decisions. The PESTEL analysis is a common strategic tool used by organisations in trying to map out the external environment. The meetings and workshops held regarding the development of the Tribunal's MTDP strategic plan aligned to the recently approved framework and guidelines for strategic planning issued by the Department of Performance Monitoring and Evaluation (DPME). The table below reflects the Tribunal's PESTEL analysis.

**Table 8: PESTEL Analysis**

FACTOR	ITEMS
<b>Political Factors</b>	<ul style="list-style-type: none"> <li>• International <ul style="list-style-type: none"> <li>○ Increased nationalism and political polarisation</li> <li>○ Global inflationary increases</li> <li>○ 2060 Africa Sustainability goals</li> <li>○ Trade agreements and the impact on exports and imports, including AfCFTA</li> <li>○ Growth of BRICS</li> <li>○ Growth of the African Union</li> <li>○ Role of international bodies, such as the UN, WHO, etc</li> <li>○ 17 Sustainable Development Goals</li> </ul> </li> <li>• National <ul style="list-style-type: none"> <li>○ Ongoing effects of state capture</li> <li>○ Change in department administration</li> <li>○ Policy uncertainty</li> <li>○ Lack of social accord e.g., unions vs business</li> </ul> </li> </ul>
<b>Economic Factors</b>	<ul style="list-style-type: none"> <li>• National government at the precipice of a sovereign debt crisis</li> <li>• Fluctuating merger activity.</li> <li>• Rising unemployment</li> <li>• Fiscal constraints</li> <li>• Poor economic growth</li> <li>• Cost of living crises</li> <li>• Energy crisis</li> </ul>

FACTOR	ITEMS
<b>Social Factors</b>	<ul style="list-style-type: none"> <li>• Public perception – poor understanding of what we do</li> <li>• Digital divide – it excludes many people, particularly low income and rural areas</li> <li>• Inequality</li> </ul>
<b>Technological Factors</b>	<ul style="list-style-type: none"> <li>• Cyber security remains a global risk</li> <li>• Costs of implementing new technology</li> <li>• Impact of Artificial Intelligence on a global scale in all sectors and the economy</li> </ul>
<b>Environmental Factors</b>	<ul style="list-style-type: none"> <li>• Environmental degradation and climate change</li> <li>• Natural disasters e.g., floods</li> <li>• The shift to renewable energy</li> </ul>
<b>Legal Factors</b>	<ul style="list-style-type: none"> <li>• Amendments to the Competition Act</li> <li>• Increased regulation and compliance</li> <li>• International developments in competition law</li> <li>• High stakes, litigious behaviour</li> <li>• Regulator Prioritisation</li> </ul>

A few of the pertinent factors from the Pestel analysis are considered in more detail below:

### Global Inflationary Increases

Global inflation has surged in recent years due to various factors, including supply chain disruptions, rising energy prices, and geopolitical tensions. According to data from the International Monetary Fund, global average consumer price index (“CPI”) reached an almost 30-year high in 2022.<sup>6</sup> The global average CPI increase was 8.6% in 2022, levels not seen since the mid-1990s. The pre-Covid-19 global average CPI increase was below 4% (i.e. 3.6% (2018), 3.5% (2019) and 3.3% (2020)). The trend was similar in South Africa with the increase in CPI reaching a high of 7.8% in July 2022.<sup>7</sup> Inflation has subsided somewhat in the past 12 months with a lower reported CPI increase for October 2024 of 2.8%. Food inflation has also increased steadily over the past five years reaching a high point in March 2023 at 14%. Although food price inflation has decreased somewhat over the past 2 years, reaching lows of

<sup>6</sup> See data from the IMF available at <https://www.imf.org/external/datamapper/PCPIPCH@WEO/WEOWORLD>

<sup>7</sup> See data from Stats SA available at [https://www.statssa.gov.za/?page\\_id=735&id=3](https://www.statssa.gov.za/?page_id=735&id=3)

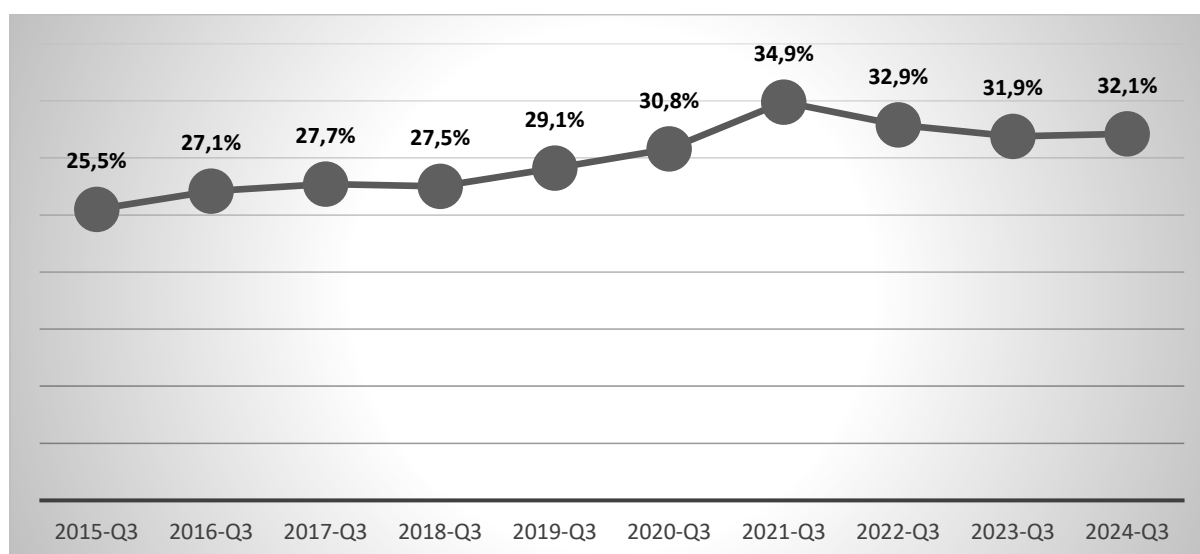
2.5% in December 2024, the increase in cost of living for poor South Africans who spend a disproportionate percentage of their income on food is largely irreversible.

For the Tribunal, this inflationary environment affects both consumers and businesses, as costs for goods and services increase, reducing disposable income and heightening sensitivity to pricing and market fairness. The Tribunal may see a rise in cases related to consolidation (through mergers), price-fixing, anti-competitive pricing strategies, and monopolistic behaviour as businesses attempt to offset higher costs, underscoring the need for vigilance in protecting consumers and fostering competitive markets.

### Rising Unemployment

According to data from Statistics South Africa, the unemployment rate for the period July – September 2024 was 32.1%.<sup>8</sup> As shown below, South Africa has experienced extended periods of high unemployment.

**Figure 3: Unemployment Rate (Q3 2015 to Q3 2024)**



Source: Stats SA

High unemployment in South Africa exacerbates economic hardships, limits consumer spending, and reduces market participation, especially in lower-income demographics. High unemployment rates can lead to market stagnation, as demand decreases and businesses struggle to sustain growth, particularly small and medium enterprises (SMEs). For the Tribunal, there's a growing responsibility to ensure that larger companies do not use their

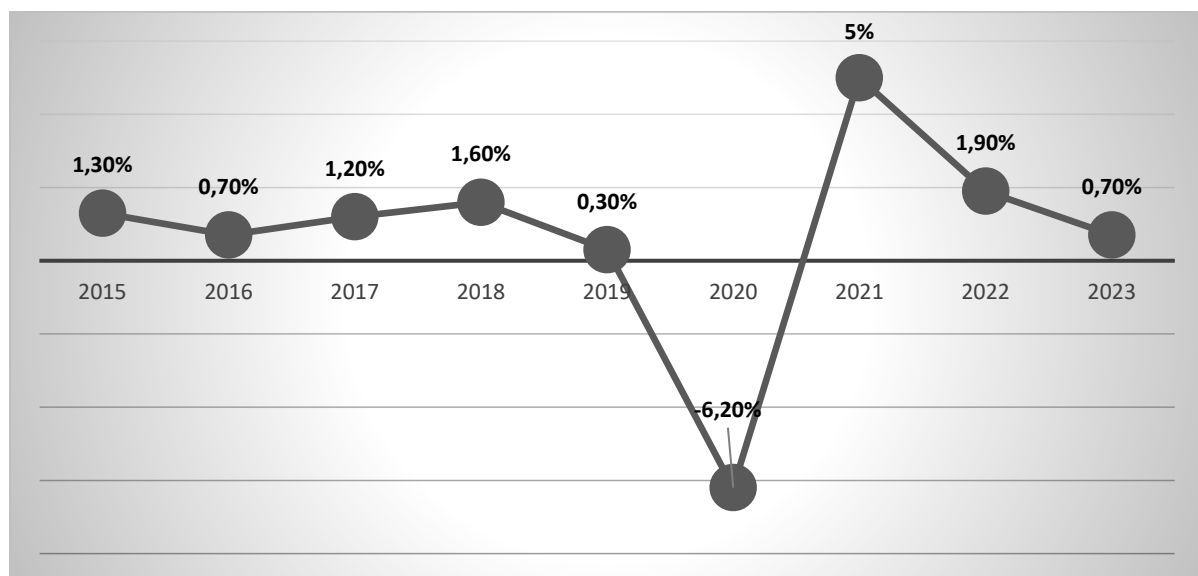
<sup>8</sup> See Stats SA Quarterly Labour Force Survey Quarter 3: 2024. Available at <https://www.statssa.gov.za/publications/P0211/P02113rdQuarter2024.pdf>

market power to stifle smaller competitors, preserving market diversity and opportunity for economic inclusivity, which is crucial in a country with rising joblessness. Further, in periods of high unemployment, it becomes even more important that the Tribunal fully consider the impact of mergers on employment in line with section 12A(3)(b) of the Act on a case-by-case basis

### Poor Economic Growth

South Africa's economy does not appear to be on track to achieve its ambitious growth targets set out in the NDP. According to the NDP, one of the country's economic objectives is for real GDP to increase by 2.7 by 2030, which would require an average annual GDP growth of 5.4% over this period. GDP growth over the past decade has largely been sluggish. Between 2015 and 2023, ignoring the unique decline and recovery during and shortly after the Covid-19 pandemic (i.e. 2020 and 2021), South Africa has not achieved GDP growth exceeding 2%.

**Figure 4: SA GDP Growth (2014-2023)**



*Source: World Bank*

South Africa's slow economic growth impacts overall productivity, business profitability, and investment attractiveness. This sluggish growth limits business expansion and often leads to market consolidation, where larger firms acquire smaller ones, potentially reducing competition. For the Tribunal, poor economic growth requires a balanced approach to competition law, supporting consolidation that fosters efficiency while preventing market dominance that could stifle innovation and market access for smaller businesses. By promoting competition, the Tribunal can help stimulate economic activity and innovation across sectors.



## **Impact of Artificial Intelligence (AI) on a Global Scale**

Artificial Intelligence (AI) is transforming industries by automating tasks, analysing vast datasets, and optimising operations, bringing both benefits and challenges. In terms of competition, AI has the potential to disrupt traditional business models, shift workforce needs, and create new monopolies in data ownership and technology. Importantly, AI is changing the way markets operate and how business decisions are taken; in certain instances, humans are being almost completely removed from the decision-making process. This means the Tribunal will explore ways to be more efficient in our processes over the medium-term period. Furthermore, the Tribunal may in the long term have to acquire human capital beyond the skills generally required for competition regulation to adequately address the impact of these technologies on markets.

## **Climate Change**

Climate change is driving businesses and industries worldwide toward sustainability, as governments, investors, and consumers increasingly prioritise environmental responsibility. This shift impacts competition, as companies that adopt sustainable practices may gain a competitive advantage or face increased costs for compliance. The Tribunal may need to consider how green policies affect market structures and competition, particularly regarding the carbon-intensive sectors undergoing transitions. Supporting competition while promoting sustainability aligns with both economic and environmental goals, crucial for a resilient South African economy.

## **Regulator Prioritisation**

Notwithstanding its inability to target specific sectors or workstream, the Tribunal is also cognisant of the fact that its work is largely determined inter alia by the Commission's priorities. The work prioritised by the Commission will eventually culminate in referrals or appeals before the Tribunal. For this reason, the Tribunal pays attention to the Commission's prioritisation framework. These sectors include:

- Agriculture, Food and Agro processing
- ICT and Digital Markets
- Energy
- Transport and Automotive
- Construction Services, Property and Infrastructure
- Banking and Financial Services
- Manufacturing

- Healthcare

## 8. Internal environmental analysis

### 8.1. SWOT Analysis

The narrative provided below provides a description of some of the more important issues that were identified as part of a detailed root cause analysis and SWOT analysis performed by the Tribunal during its strategic planning process. A SWOT analysis is a strategic tool for evaluating an organisation's internal environment, including its resource capabilities and deficiencies.

The Tribunal's internal strengths and weaknesses, together with the external opportunities and threats referenced earlier, were evaluated to provide a basis for re-aligning, re-prioritising and refining the Tribunal's goals and objectives. Table 6 below highlights the SWOT analysis conducted for the Tribunal.

**Table 9: Internal environment - SWOT analysis**

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>• Specialised expertise</li> <li>• Legislative backing</li> <li>• Transparency and independence</li> <li>• Contribution to economic growth</li> <li>• Precedent-setting role</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of members</li> <li>• Resource constraints – budget and capacity</li> <li>• Prolonged Adjudication processes – opportunity costs with other matters when members are engaged in long hearings</li> <li>• Knowledge Management</li> <li>• Limited outreach and awareness</li> <li>• Dependence on other institutions</li> <li>• Technology gaps</li> </ul>
Opportunities	Threats

<ul style="list-style-type: none"> <li>• Technological integration</li> <li>• Increased collaboration with international bodies</li> <li>• Public education and outreach programs</li> <li>• Policy advocacy and law reforms</li> </ul>	<ul style="list-style-type: none"> <li>• Political and external pressures</li> <li>• Evolving market dynamics</li> <li>• Backlog and case load</li> <li>• Reputation management</li> <li>• Global economic uncertainty</li> </ul>
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## 8.2. Tribunal Structure

### i. Tribunal Chairperson

The Chairperson of the Tribunal is the Accounting Authority of the Competition Tribunal. The Chairperson therefore has “hands on” involvement in the day-to-day management of the Tribunal which is consistent with the Chairperson’s responsibility as accounting authority of the institution and is consistent with her powers in terms of the Competition Act. Certain responsibilities have been delegated to the Chief Operating Officer and Divisional Heads. The Chairperson retains ultimate accountability in terms of the PFMA.

The organogram in **Annexure A** illustrates the current structure of the organisation.

**Annexure B and C** details the names and positions held by Tribunal employees and provide some statistics pertaining to the profile of the secretariat. 81% of the current employees are black with 66% being female. Currently the Tribunal does not employ any persons with disabilities.

### ii. Tribunal members

The Competition Act mandates that Tribunal members collectively represent a broad section of South Africa’s population and possess expertise in competition law, economics, commerce, industry, or public affairs. Tribunal members, appointed by the President for five-year terms, adjudicate cases of significant economic and public interest, with panels requiring at least one legally trained member. The amended Act increased the number of Tribunal members from 11 to 15 in anticipation of a growing workload, allowing the Minister to appoint acting part-time members.

Currently, the Tribunal has two full-time members (the Chairperson and one other member), four part-time members. To enhance efficiency, the Tribunal requires at least six full-time members. Vacancies have led to delays, and financial constraints further threaten its ability to fill critical roles. To address these risks, the Tribunal has undertaken an organisational review and requested approval to retain a R9 million surplus to fund capacity expansion has been approved by National Treasury.

The majority of the 2023/24 allocation of retention surplus will be towards member appointments. The budget for the appointment of members was mostly impacted by the budget reductions imposed in 2023/24 over the medium-term period and there is currently insufficient budget for the appointment of members. As an interim measure, the surplus retention will be used until additional budget is provided.

### **iii. Tribunal Secretariat**

The Tribunal's secretariat provides administrative and operational support within the Tribunal. The revised structure recommends increasing a Tribunal staff complement from 35 to 68 positions in total, which as previously stated will be filled over a three-year period. The Tribunal intends to fill these positions in a phased manner over the MTEF period. In the prior financial year, the Tribunal prioritised 10 positions, of which five have since been filled. Subsequently, National Treasury issued cost containment guidelines in September 2023, which included a moratorium on the filling of positions and delayed the ability of the Tribunal to fill the prioritised positions.

The Tribunal organogram currently provides for the following five divisions as expanded on below:

- The Office of the Chief Operating Officer
- The Finance and SCM Division
- The Case Management Division
- Registry
- The Corporate Services Division

#### ***Office of the Chief Operating Officer***

The Office of the COO plays a critical role in overseeing the operational strategy of the Competition Tribunal. It ensures that all activities align with the Tribunal's strategic goals and promotes efficiency across the organisation. The COO's office coordinates the functions of various divisions, monitors performance, and drives the implementation of key initiatives to achieve the Tribunal's objectives.

### ***Finance and SCM***

The Finance and Supply Chain Management (SCM) division is led by the CFO and is responsible for the Tribunal's financial planning, budgeting, and procurement functions. It ensures compliance with relevant legislation and regulations, manages the allocation of resources efficiently, and oversees transparent and effective procurement processes to support the Tribunal's operational needs.

### ***Case Management***

The Case Management Division focuses on the seamless handling of cases, from initial filings to final adjudication. It ensures that cases are processed efficiently and transparently, enabling the Tribunal to deliver consistent and timely outcomes. This division works closely with other departments to manage workflows and provide the necessary support for the adjudication process.

### ***Registry***

The Registry serves as the central hub for case-related documentation and communication. It maintains accurate records, facilitates the submission of legal filings, and ensures smooth communication between the Tribunal and external stakeholders. The Registry's meticulous record-keeping is essential for ensuring transparency and accountability in the Tribunal's processes.

### ***Corporate Services***

The Corporate Services Division provides essential administrative and support services to enable the Tribunal to function effectively. This includes managing human resources, IT systems, facilities, and other operational support functions. By ensuring that the necessary infrastructure and resources are in place, Corporate Services plays a vital role in supporting the Tribunal's mission.

## **iv. Capacity Development**

The Tribunal is committed to capacity building and recognises that proactive steps need to be taken to train and develop staff given the significant skills gap in South Africa. This is consistent with maximizing the human resource potential of all employees, which is necessary to ensure efficiency and performance excellence.

Training includes in-house and on the job training with respect to the case management system and is undertaken to aid staff with the development of experience and skills in the area of competition law and economics.

External training service providers are utilized for specialised training courses. Furthermore, exposure to international best practice in competition law and policy is facilitated through attendance at international conferences/workshops, and visits by international experts.

Tribunal members in particular need to keep abreast of the extensive international case law in the field as well as legal and economic analysis in academic and practitioner journals in order to be able to perform their duties adequately. With the recent recruitment process undertaken by dtic to appoint full-time members, it is even more imperative that a robust training process is initiated.

Inducting new Tribunal members is critical to ensure they understand the Tribunal's processes and the legal-economic principles required for complex case evaluations. Familiarity with these foundations enables members to handle intricate market analyses confidently, ensuring consistent, inclusive, and transparent decision-making. Effective onboarding also allows new members to contribute meaningfully from the start, reinforcing the Tribunal's role in promoting competitive markets amid local and global economic challenges.

The Tribunal facilitates this process by identifying the training needs of the Tribunal members and continues to facilitate the attendance of Tribunal members at international meetings/conferences (like International Competition Network (ICN) conference/working groups, and the OECD Competition Committee meetings).

These meetings provide the Tribunal members with a forum to benchmark their work and to keep up to date with aspects of competition, economics and law. The budget provides for representation at these conferences and forums.

Full time Tribunal members will continue to lecture university students and will remain active in international bodies such as the ICN. The Tribunal co-founded the ICN, a network of competition authorities from across the world, with the aim of building. The network now comprises of over 100 jurisdictions, from 14 at inception.

Since 2006 the Tribunal and the Commission have been observer members of the Competition Committee of the OECD, a body at the international cutting edge of new developments in competition law and policy. The budget provides for attendance on an annual basis at two of these meetings.

## **v. Personnel**

The Tribunal is committed to transformation, especially achieving employment equity at the workplace. The Tribunal values diversity and adheres to the constitutional principles of equality and non-discrimination in all its policies, procedures and activities. These principles are

adhered to with respect to the recruitment and selection of staff and human resource development.

As can be seen in the organisational structure attached as **Annexure A**, the Tribunal has a fairly flat structure, with limited hierarchy of positions to which professional staff can aspire. However, some mechanisms have been developed in order to ensure the retention of skilled staff and to provide some career progression albeit limited.

Finding experienced staff members in the highly specialised field of competition law and economics remains a challenge since the private sector tends to offer more attractive salaries than what the Tribunal can afford. However, the opportunities presented by being able to work closely with Tribunal members and gain valuable knowledge and experience from a regulatory perspective, assist in attracting staff members of a high quality to the Tribunal.

#### **vi. Internship**

The Tribunal is a small organisation and is therefore limited in its ability to offer a substantial number of internships. Despite this, the Tribunal has been able to prioritise the opportunity for two interns via its graduate internship programme in the Case Management division and one intern in Human resource management. The Tribunal will continue, subject to the availability of budget, to use the internship programme to provide short-term employment opportunities to unemployed youth which exposes them to valuable work experience.

## **9. FINAL MTEF SUBMISSION**

### **9.1. Financial requirements and resources**

The Tribunal's expenditure requirements (inclusive of capital expenditure) over the Medium-Term Expenditure Framework (2025/2026 – 2027/2028) is estimated to be **R208.2m**. The Tribunal has budgeted to fund this from the three revenue sources:

- National Treasury and **the dtic** approved grant funding of **R132.7m**.
- Expected filing fee revenue of **R69.46m**; and
- Interest in cash holdings of **R6.00m**.

In recent years the grant allocated has grown at approximately the rate of inflation as opposed to changes in the Tribunal's operational requirements and additional obligations in line with the 2019 amendments to the Competition Act.

### 9.1.1. Filing fees

In terms of a Memorandum of Understanding between the Commission and the Tribunal, the Tribunal receives 30% of all fees filed with the Commission for large mergers and 5% of the fees filed for intermediate mergers.

As indicated throughout this document there is significant uncertainty regarding both the volume of mergers and the value of the filing fees expected by the Commission. So, while the MTEF budget is drawn, using the Commissions estimates as a basis, it is possible that we may need to reconsider the budget in the next financial year.

Regarding the above, the Tribunal's funding model would need to be revised due to the uncertainty of the filing fees and the increased operational requirements of the Tribunal.

**Table 10 Summary of the Budget estimates over the MTEF period**

CATEGORY	ADJUSTED 2024/2025	2025/2026	2026/2027	2027/2028	TOTAL
<b>REVENUE</b>					
FILING FEES	21,046,708	23,154,599	23,154,599	23,154,599	<b>69,463,797</b>
GRANT	40,159,000	42,599,000	44,049,000	46,041,000	<b>132,689,000</b>
OTHER INCOME	-				<b>-</b>
INTEREST RECEIVED	2,000,000	2,000,000	2,000,000	2,000,000	<b>6,000,000</b>
<b>TOTAL REVENUE</b>	<b>63,205,708</b>	<b>67,753,599</b>	<b>69,203,599</b>	<b>71,195,599</b>	<b>208,152,797</b>

**Annexure D** provides a graphical representation of the historic funding and expenditure pertaining to the Tribunal's activities. **Annexure E** reflects the Statement of Financial Performance over the MTEF period included in the ENE submitted in July 2024. **Annexure F** contains a summarized version of the Tribunal's budgetary requirements over the three-year planning period (from 2025/2026 to 2027/2028 budget). **Annexure G** provides the details of the 2025/2026 budget.

### 9.1.2. Budgeting

As indicated earlier the Tribunal, being an adjudicative body, is reactive as opposed to proactive in terms of the cases brought before it. This in turn means that management is unable to accurately predict the number of cases to be heard on an annual basis.



Budgeting accurately therefore is not possible as many of the line items are based on an estimated number of cases for the financial year. In addition, the Tribunal makes provision for legal fees, as it is possible that particular cases may require the Tribunal to seek legal opinion. Both these factors mean that, inevitably, variances in actual expenditure as opposed to budgeted expenditure arise. The trend over the last five years has been towards actual expenditure being more closely equated to the budget and resulting in smaller variances (as illustrated in the table 9 below) and the Tribunal strives for this trend to continue.

In the 2023/24 financial year, National Treasury had instructed national departments, and the entities to apply more stringent measures to reduce the government spending, improve spending efficiencies and maintain a sustainable fiscal framework. This had resulted in an immediate reduction of the Tribunal's grant allocation for the 2023/24 to the 2026/27 financial year.

A reduction of the Tribunal's budget by R4.3 million in the 2023/24 financial year coupled with a further reduction in our budget by R15.4 million over the MTEF period translated to a reduction of 10% to 12% overall to the Tribunal's budget. This reduction had a substantial impact on the ability of the Tribunal to deliver on its mandate. 72% of the Tribunal's costs are on personnel. There is a need for more resources and capacity. The nature of the Tribunal's work is human capital intensive.

The reduction in the budget means that the Tribunal will not be able to fill critical vacancies in the Tribunal as planned and budgeted for, but it also means that we will not be able to sustain the costs of those new employees that have already been appointed in line with the proviso as stated above.

Furthermore, the reductions in budget deferred some of the critical initiatives that the Tribunal had identified for this period, such as the capacitation and growth of the organisation as per the organisational review and identifying additional office space.

From a funding perspective, the Tribunal receives about 60% of its funding from government grants and 40% from filing fees. Filing fees generated are not always in direct correlation to the activity levels of the Tribunal and are therefore unpredictable. In the past, other than the budget reductions imposed, the grant allocation has increased based on inflationary rates and not as per our operational requirements.

The above funding constraints together with the budget reductions further impact the ability of the Tribunal to meet its mandate effectively and efficiently at a time when the effects of the amendments to the Act are now manifesting in real cases.

**Table 11 Expenditure against budget for the period 2019/2020 to 2023/2024**

Year	Actual expenditure incl. of capital expenditure (in R'm)	Budget (in R'm)	% Budget spent	% Budget underspend/ overspend
2019/2020	R49.30	R59.75	82.51%	17.49% underspend
2020/2021	R46.40	R50.24	92.34%	8% underspend
2021/2022	R45.29	R57.52	78.73%	21% underspend
2022/2023	R61.91	R59.69	103.73%	4% overspend
2023/2024	R67.87	R58.80	115.43%	15% overspend

## **PART C: MEASURING OUR PERFORMANCE**

### **10. Institutional Programme Performance Information**

The Tribunal is aiming to achieve 21 outputs aligned over the 2025/2026 financial year.

#### **10.1. Outcomes, Outputs, Performance Indicators and Targets**

In this section we identify the outputs that will assist the Tribunal to achieve its stated outcomes in each of the Tribunal's focus areas, namely Sound, Efficient and Responsive Adjudication and Transparent, Accountable and Sustainable Entity. Indicators to measure the performance/achievement of the outputs against agreed targets are given. Where applicable annual targets are cascaded down to quarterly targets. If the target is applicable in 2025/2026 or was applicable in prior years, performance against these targets is reflected in the matrix. If the indicator is new but there is existing information regarding the prior performance against the indicator, it is also reflected in the matrix (even if it is not an audited outcome).

### 10.1.1. Adjudication

**Table 12: Outcomes / outputs / indicators / targets related to adjudication**

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFOR- MANCE	MTEF PERIOD TARGETS		
			2021/22	2022/23	2023/24		2024/25	2025/26	2026/27
Sound, Efficient and Responsive Adjudication	1. Effective case management procedures to ensure hearings are set down within legislated timeframes.	Percentage of mergers scheduled for a hearing or pre-hearing within 10 business days of filing.	92% (large) 100% (intermediate/ small)	90%	94%	90%	92%	92%	92%

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFOR- MANCE	MTEF PERIOD TARGETS		
			2021/22	2022/23	2023/24		2024/25	2025/26	2026/27
Sound, Efficient and Responsive Adjudication	2. Effective and timeous issuing of orders and reasons	Percentage of merger <u>orders</u> issued to parties within 10 business days following conclusion of the hearing <sup>9</sup> .	100% (large) 100% (intermediate/ small)	100%	100%	90%	92%	92%	92%
		Percentage of <u>reasons</u> for mergers issued to parties within 20 business	92% (large) 0% (intermediate/ small)	88%	81%	75%	80%	80%	80%

<sup>9</sup> Output indicators for large, intermediate and small merger orders have been combined. Actual performance (on an uncombined basis) in prior years has been provided. The hearing is considered concluded after information (if any) is submitted, post the hearing.

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFOR- MANCE	MTEF PERIOD TARGETS		
			2021/22	2022/23	2023/24		2024/25	2025/26	2026/27
		days of order being issued. <sup>10</sup>							
		<u>Percentage of Reasons</u> <sup>11</sup> for prohibited practice cases issued to parties within 120 business	No reasons issued (simple) 0% (complex) No reasons issued (very complex)	0%	25%	65%	70%	70%	70%

<sup>10</sup> Output indicators for large, intermediate and small merger reasons have been combined. Actual performance (on an uncombined basis) in prior years has been provided.

<sup>11</sup> In exceptional cases an order may be issued before reasons but in most instances orders and reasons are issued simultaneously and therefore reasons date is taken as the indicator. Furthermore, the target has been adjusted to accommodate the approximate cases that fall into this category.

<sup>6</sup> Prohibited practice cases, classified as simple, complex and very complex has been combined.

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFOR- MANCE	MTEF PERIOD TARGETS		
			2021/22	2022/23	2023/24		2024/25	2025/26	2026/27
		days following the conclusion of the hearing. <sup>6</sup>							
Sound, Efficient and Responsive Adjudication	3. Effective and timeous issuing of orders, and reasons	Percentage of procedural matter <sup>12</sup> <u>orders</u> issued to parties within 45 business days of following conclusion of a hearing.	84%	57%	40%	65%	70%	70%	70%

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<sup>7</sup> Not all procedural/interlocutory matters require reasons to be issued.

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2021/22	2022/23	2023/24		2025/26	2026/27	2027/28
		Percentage of <u>orders</u> for consent orders and settlement agreements issued to parties within 10 business days following conclusion of a hearing.	97%	100%	100%	90%	95%	95%	95%
		Percentage of <u>reasons</u> in interim relief matters issued to	No reasons issued	0%	33%	65%	70%	70%	70%

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFOR- MANCE	MTEF PERIOD TARGETS		
			2021/22	2022/23	2023/24		2024/25	2025/26	2026/27
		parties within 30 business days following conclusion of a hearing.							

Adjudication represents the core business of the Tribunal. The Competition Act provides for the Tribunal to regulate two broad areas of competition, mergers and acquisitions on the one hand and prohibited practices on the other.

Outcomes, outputs, indicators and targets for this focus area are indicated in matrix format in the tables that follow. These have been aligned with **the dtic's** joint/integrated outcomes of Delivery/Capable State, Industrialisation and Economic Transformation within the ambit of the Competition Act, which in turn align with the NDP and ERRP.



**Table 13: Outcomes / outputs/ Indicators/targets related to adjudications**

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
Percentage of mergers scheduled for a hearing or pre-hearing within 10 business days of filing.	92%	92%	92%	92%	92%
Percentage of merger orders issued to parties within 10 business days following conclusion of the hearing. <sup>13</sup>	92%	92%	92%	92%	92%
Percentage of reasons for mergers issued to parties within 20 business days of order being issued.	80%	80%	80%	80%	80%
Percentage of reasons for prohibited practice cases are issued to parties within 120 business days following conclusion of the hearing	70%	70%	70%	70%	70%
Percentage of procedural matter <sup>14</sup> orders issued to parties within 45 business days following conclusion of the hearing.	70%	70%	70%	70%	70%
Percentage of orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing	95%	95%	95%	95%	95%
Percentage of reasons in interim relief matters issued to parties within 30 business days following conclusion of the hearing.	70%	70%	70%	70%	70%

<sup>13</sup> The hearing is considered concluded after information (if any) is submitted, post the hearing.

<sup>14</sup> Not all procedural/interlocutory matters require reasons to be issued.

### 10.1.2. Communication

The purpose of this focus area within the Tribunal is to provide a focussed process to create and enhance awareness of the work of the Tribunal. The outcomes, outputs, indicators and targets are detailed in matrix format in Table 12 below.

**Table 14: Outcomes / outputs / indicators / targets related to communication**

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
Transparent, Accountable and Sustainable Tribunal	Effective communication and information sharing	Percentage of press releases of final merger decisions issued within 3 business days of the order date and after finalisation of confidentiality claims.	77%	99%	100%	90%	90%	90%	90%
		Percentage of press releases of prohibited practice decisions issued within 3 business days of the	0%	100%	100%	90%	90%	90%	90%

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
		order date and after finalisation of confidentiality claims.							

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
Percentage of 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%	90%
Percentage of 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%	90%

### 10.1.3. Governance

The main purpose of governance as a focus area/function within the Tribunal is to ensure that the entity is managed in a sound, accountable and transparent way. The focus area/function is also responsible for compliance with statutory requirements.

**Table 15: Outcome / output / indicator / target related to governance**

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFOR- MANCE	MTEF PERIOD TARGETS		
			2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
Transparent, Accountable and Sustainable Tribunal	Sound governance	Percentage of prior financial year audit findings (internal and external) resolved in terms of agreed timelines with auditors	100%	100%	100%	100%	100%	100%	100%
		Audit Outcome	Unqualified audit opinion	Unqualified audit opinion	Unqualified audit opinion	Unqualified audit opinion	Unqualified audit opinion	Unqualified audit opinion	Unqualified audit opinion

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
Percentage of prior financial year audit findings (internal and external) resolved in terms of agreed timelines with the auditors.	100%	100%	100%	100%	100%
Audit Outcome	Unqualified audit opinion	N/A	Unqualified audit opinion	N/A	N/A

#### 10.1.4. Financial management

The purpose of the financial management function/focus area is to ensure the optimal management of financial resource allocation and utilisation. The function is also responsible for ensuring compliance with financial reporting requirements.

**Table 16: Outcome / Output / Indicator / Targets Related to Financial Management**

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2021/22	2022/23	2023/24		2025/26	2026/27	2027/28
<b>Transparent, Accountable and Sustainable Tribunal</b>	<b>1. Effective financial management</b>	Percentage of expenditure against budget	90%	96%	112%	90%	90%	90%	90%
	<b>2. Effective financial management</b>	Percentage of supplier invoices paid within 20 days	New indicator			90%	90%	90%	90%

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
		from date of acceptance.							
	<b>3. Transformation in procurement practices</b>	Percentage of expenditure on B-BBEE suppliers	New indicator	97,15% of expenditure spent on suppliers between the B-BBEE levels 1-4, 22,32% of which was on women, youth or PWDs	98.66% of expenditure spent on suppliers between the B-BBEE levels 1-4, 42% of which will be on women, youth or PWDs	98% of expenditure spent on suppliers between the B-BBEE levels 1-4 20% of which will be on women, youth or PWDs.	100% of expenditure spent on suppliers based on the B-BBEE levels 1-4, 20% of which will be on women, youth or PWDs.	100% of expenditure spent on suppliers based on the B-BBEE levels 1-4, 20% of which will be on women, youth or PWDs.	100% of expenditure spent on suppliers based on the B-BBEE levels 1-4, 20% of which will be on women, youth or PWDs.

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2021/22	2022/23	2023/24		2025/26	2026/27	2027/28
	<b>4. Transformation in procurement practices</b>	Percentage of expenditure on EME suppliers	New Indicator	New Indicator	55.41% of expenditure on suppliers that are classified as EME suppliers	30% of expenditure on suppliers that are classified as EME suppliers	30% of expenditure on suppliers that are classified as EME suppliers	30% of expenditure on suppliers that are classified as EME suppliers	30% of expenditure on suppliers that are classified as EME suppliers

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
Percentage of expenditure against budget	90%	90%	90%	90%	90%
Percentage of supplier invoices paid within 20 days	90%	90%	90%	90%	90%

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
from date of acceptance.					
Percentage of expenditure on B-BBEE suppliers	100% of expenditure spent on suppliers based on the B-BBEE Levels 1-4, 20% of which will be on women, youth or PWDs	100% of expenditure spent on suppliers based on the B-BBEE Levels 1-4, 20% of which will be on women, youth or PWDs	100% of expenditure spent on suppliers based on the B-BBEE Levels 1-4, 20% of which will be on women, youth or PWDs	100% of expenditure spent on suppliers based on the B-BBEE Levels 1-4, 20% of which will be on women, youth or PWDs	100% of expenditure spent on suppliers based on the B-BBEE Levels 1-4, 20% of which will be on women, youth or PWDs
Percentage of expenditure on EME suppliers	30% of expenditure on suppliers that are classified as EME suppliers	30% of expenditure on suppliers that are classified as EME suppliers	30% of expenditure on suppliers that are classified as EME suppliers	30% of expenditure on suppliers that are classified as EME suppliers	30% of expenditure on suppliers that are classified as EME suppliers

#### 10.1.5. Transformation, human capacity development and training

The purpose of the transformation, human capacity development and training function/focus area is to ensure that the Tribunal effectively leverages employee skills by recruiting, retaining and development of high-quality performing people in terms of the Employment Equity plan, in line with **the dtic's** joint/integrated outputs of a Transparent, Accountable and Sustainable Tribunal. The outcome/output/indicators/targets associated with this function/focus area are illustrated in matrix format in Table 15 below.



**Table 17: Outcomes / outputs / indicators / targets related to human capacity development and training**

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2021/22	2022/23	2023/24		2025/26	2026/27	2027/28
<b>Transparent, Accountable and Sustainable Tribunal</b>	Transformation, Capacity development, retention and training	Percentage of staff retention <sup>15</sup>	27%	90%	90%	80%	80%	80%	80%
		Percentage of staff training expenditure against total employee costs	New Indicator		2%	2%	2%	2%	2%
		Number of capacity building workshops for Case Managers and Tribunal members.	New Indicator			One annual capacity building workshop	One annual capacity building workshop	One annual capacity building workshop	One annual capacity building workshop

<sup>15</sup> Output indicator of staff turnover has been changed to staff retention.

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
		Number of interns provided with opportunities within the Tribunal	2	2	2	2	2	2	2
		Percentage of employment equity representation of employees from the designated groups	New indicator		85%	75%	75%	75%	75%

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
Percentage of staff retention	80%	80%	80%	80%	80%
Percentage of staff training expenditure against total employee costs	2%	2%	2%	2%	2%
Number of capacity building workshops for Case Managers and Tribunal members.	One annual capacity building workshop	N/A	N/A	N/A	One annual capacity building workshop
Number of interns provided with opportunities within the Tribunal	Two Interns	2	2	2	2

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
Percentage of employment equity representation of employees from the designated groups	75%	75%	75%	75%	75%

### 10.1.6. Improved knowledge management

The Tribunal will seek to improve its knowledge management through the modernisation of the Tribunal's systems, focusing on leveraging technology to enhance efficiency, streamline workflows, and improve case management processes. This includes upgrading the Case Management System (CMS) with advanced functionalities such as automation, real-time case tracking, enhanced document management, and improved data security. These technological improvements will ensure seamless access to information, facilitate better reporting, and support knowledge management, ultimately strengthening the Tribunal's operational capabilities.

**Table 18: Outcomes / outputs / indicators / targets related to modernisation and technological improvements**

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
<b>Transparent, Accountable and Sustainable Tribunal</b>	Improved knowledge management	Enhancement of case management system	New indicator				Feasibility study conducted on current CMS system and requirements	Service provider appointed to upgrade CMS system	Full implementation of an enhanced CMS with improved automation, real-time case tracking, advanced analytics, and user-friendly interfaces.

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
Enhancement of case management system	Feasibility study conducted on current CMS system and requirements	N/A	N/A	N/A	Feasibility study conducted on current CMS system and requirements

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

The two outcomes identified in the Strategic Plan enable the Tribunal to operate within its mandate as a credible institution within the public sector and pursue its commitment to keep the public informed. Seven outputs have been identified that will enable the Tribunal to achieve these two outcomes. In turn we have identified 21 indicators linked to these outputs that are measured quarterly and annually.

The scorecards reflected under paragraph 8.1 above reflect the specific outcomes, the outputs aligned to each outcome, output indicators and targets assigned for the three-year period. Where possible it also reflects performance in the prior periods and the estimated performance for 2024/2025.

The targets set by the Tribunal against the outcomes and outputs related to the adjudicative process in particular are generally constant over the three-year period as the Tribunal is a service organisation providing a constant level of service to its clients.

Targets have been set at less than 100% as non-performance is not always attributable to the Tribunal but sometimes due to the request of the parties who may have valid reasons for the delays. In addition, the complexity of matters may result in delays in the issuing of reasons. In attaining the outcomes and the output indicators the Tribunal identified, a number of strategic interventions will be implemented over the MTEF period.

To achieve “**Sound, Efficient and Responsive Adjudication**” the following interventions may be implemented:

- Compile regular case updates on significant developments within the Competition Act.
- Conduct bi-weekly case management meetings.
- Maintain a process whereby Case Managers check files regularly.
- Continuous development and improvement of a practice whereby Case Managers play a stronger oversight role in the whole case management process.
- Conduct regular training sessions; and
- Improve the case management system for ease of search and reporting functionality.

The Tribunal aims to be a “**Transparent, Accountable and Sustainable Entity**” and in order to achieve that the following interventions may be implemented:

- Review effectiveness of communication with various stakeholders.

- Establish mechanisms or processes for knowledge transfer.
- Review and enhance the employee performance management system.
- Conduct a skills and competency audit that informs the training and capacity development plan.
- Development, adherence and regular reporting against an annual institutional procurement plan.
- Periodic institutional benchmarking against similar institutions or professions.
- Conduct quarterly performance review workshops before finalising and submitting the quarterly reports.
- Review and update the employee and Tribunal member induction process.
- Investigate and conclude a financial model for the Tribunal with **the dtic** and National Treasury.
- Development and implement a competency evaluation framework.
- Implement skills development and HR retention strategy and plan; and
- Conduct an internal climate survey.

## 11. Financial considerations and the 2024/2025 budget

### 11.1. Expenditure Estimates

A final detailed one-year budget for the **2025/2026** year is included in **Annexure G**.

As stated in the Strategic Plan, the Tribunal is an adjudicative body and hence is reactive in terms of the cases brought before it. It is therefore not possible to accurately predict the number of cases to be heard annually. This means that budgeting accurately becomes difficult as many of the line items are based on an estimated number of cases to be heard in that year. The net result is that variances in actual expenditure, as opposed to budgeted expenditure, do arise.

In drafting the 2025/2026 final budget, the Tribunal has considered the main assumptions listed below. The Tribunal's budget is an operational budget and is not programme or project driven. 73% of the budget is allocated to personnel expenses (excluding fees payable to part-time Tribunal members).

The main assumptions made in drafting the 2025/2026 budget are as follows:

- i) The budgets included in the ENE were drawn based on the average consumer price index (CPI) of 4%.
- ii) The leasing fee payable to **the dtic** is in line with the 2024/2025 actual costs.
- iii) Cost of living increase for all Tribunal staff has been based on the average CPI.
- iv) Part-time member expenditure is based on a daily rate of R9 000.00 + CPI for 7 part-time members for hearing days (actual and preparation days) and retainer costs equivalent to 10 days per member, annually. The daily rate has not been increased in the past 10 years and a request to revisit this will be progressed with the dtic.

Table 16 below illustrates the Tribunal's budget allocation across the various expenditure categories for both the current and the next financial year.



**Table 19 Percentage budget allocation across category expenditure for 2024/2025 and 2025/26 financial years**

CATEGORY	2024/2025	2024/2025 % of Total Expenditure	2025/2026	2025/2026 % of Total Expenditure
<b>EXPENDITURE</b>				
PERSONNEL	44,641,090	71%	49,362,435	73%
PT TRIBUNAL MEMBERS	4,000,000	6%	4,000,000	6%
TRAINING	1,000,000	2%	500,000	1%
CONFERENCE/SEMINARS	297,190	0%	111,580	0%
SHARED SERVICES CCSA	814,792	1%	849,013	1%
FACILITY FEE/LEASE	5,539,532	9%	5,816,509	9%
CONSULTING	90,587	0%	94,419	0%
LEGAL FEES	56,617	0%	59,012	0%
TRANSCRIPTION SERVICES	900,000	1%	940,320	1%
AUDIT EXPENSES	1,300,000	2%	1,358,370	2%
RECRUIT COSTS	41,006	0%	42,740	0%
ADMIN EXPENSES	855,288	1%	891,466	1%
DEPRECIATION	576,370	1%	600,750	1%
AMORTISATION	410,594	1%	427,962	1%
IT EXPENSES	2,500,000	4%	2,500,000	4%
REPAIRS/MAINTENANCE	32,641	0%	34,022	0%
APPEALS COURT	150,000	0%	165,000	0%
CAPITAL EXPENDITURE	-		-	-
<b>TOTAL EXPENDITURE</b>	<b>63,205,708</b>	<b>100%</b>	<b>67,753,599</b>	<b>100%</b>

**73%** of the Tribunal’s 2025/2026 budget will be spent on personnel expenses which includes full time member costs. If fees paid to the part-time Tribunal members are included in this category, this increases to **79%**. “Shared service fee” refers to the payments made to the Commission for shared services (in terms of a Memorandum of Understanding), accounting for **1%** of the budget.

Costs associated with audits (internal, external audit fees and audit committee expenses) account for **3%** of the budget while administrative expenses account for **1%** of the budgeted expenditure.

## 11.2. Relating Expenditure Estimates to Outcomes and Outputs

The Tribunal, being an adjudicative body that responds to matters brought before it, is not project or programme driven and for this reason the budget is primarily an operational/administrative budget.

The Tribunal's strategic outcomes and associated outputs relate primarily to its mandate and core business but also include strategic outcomes and outputs related to oversight and financial management.

Table 18 below indicates the allocation of the annual budget across the two outcomes. The Tribunal has managed to allocate **79.37%** of the annual budget across the two outcomes.

**Table 20: Budget allocation by outcome**

Outcome	Budget R'000	% of budget
Sound, Efficient and Responsive Adjudication	40,836	60.27%
Accountable, transparent and sustainable entity	12,938	19.10%
<b>Total</b>	<b>53,774</b>	<b>79.37%</b>

The remaining **20.63%** of the budget is distributed as follows:

- Administrative costs: 20.41%
- Capital expenditure: 0%
- Appeal Court costs: 0.22%

## 11.3. Reconciling targets with the budget and MTEF

As indicated above the Tribunal has allocated 79.37% of its budget against the stated strategic outcomes. In addition, the budget is further divided by output with linkages to the six identified focus areas as illustrated in table 19 below.

**Table 21: Budget allocation by focus areas, output and outcome**

FOCUS AREA	OUTPUTS	BUDGET
Sound, Efficient and Responsive Adjudication	Effective and timeous issuing of orders and reasons	32,062,844
	Effective case management procedures to ensure hearings are set down within legislated timeframes	8,773,185
Communication	Effective communication and information sharing	2,647,544
Business Process, Governance, Financial Management, Human Resources	Effective record management	1,966,195
	Sound governance	2,507,991
	Effective financial management	4,012,743
	Capacity development, retention and training	1,803,766
Other expenses	Administration (incl. depreciation)	13,829,332
	Capital Expenditure	0
	Competition Appeal Court	150,000
<b>TOTAL BUDGET</b>		<b>67,753,600</b>

At present, the adjudication and case management costs include the total salaries of the full-time Tribunal members and all Case Managers/researchers and registry staff despite the fact that they may perform functions that are not specifically case related.

The Tribunal's electronic case management system (CMS), currently in operation, enables it to extract data related to the cost of hearings and thereby determine, to some extent, the ratio between case and non-case related work. Over time, the Tribunal will investigate this issue further in order to arrive at a more accurate costing of the Tribunal's core business. The Tribunal will, on a quarterly basis, report on progress with regards to the achievement of targets and costs to **the dtic**, National Treasury and to other stakeholders.

#### **11.4. The Competition Appeal Court**

The Competition Act set up a triad of institutions (the Commission, the Tribunal and the CAC) with exclusive jurisdiction over competition matters (specifically, chapters 2 and 3 of the Competition Act).

The CAC is a specialised division of the High Court comprising at least 3 Judges, each of whom must be a Judge of the High Court. The CAC may review or consider an appeal arising from any Tribunal decision.

CAC Judges are appointed by the President, on the advice of the Judicial Services Commission. The tenure of office, remuneration and terms and conditions of service of a Judge of the High Court is not affected by his/her appointment to the CAC. The Registrar of the Tribunal (and CAC) liaises with the Judicial Services Commission over the appointment of CAC Judges and is responsible for the training function of the Judges. The Tribunal secretariat provides the registry function for the CAC and the registrar of the Tribunal acts as the Registrar of the CAC.

At present the Tribunal includes the CAC as a line item in its budget and is responsible for the financing of administrative aspects of the CAC, excluding for personnel expenses. As is the case with the Tribunal, it is difficult to predict the number of appeals that may be lodged against Tribunal decisions and as a result budgeting becomes difficult and variances do occur. All expenditure associated with training or overseas travel has been reduced as some CAC hearings will take place online. The budget is therefore R 150,000.

*Table 22 Percentage CAC budget allocation across expenditure categories*

<b>CATEGORY</b>	<b>2025/2026 BUDGET</b>
Local travel	20%
Administrative expenses	70%
Conferences attendance and overseas travel	0%
High Court meetings/training	10%
<b>Total</b>	<b>100%</b>

## PART D: TECHNICAL INDICATOR DESCRIPTORS (TID)

### 12. Technical Indicator descriptors by focus area

#### 12.1. Adjudication

Outcome	
Sound, Efficient and Responsive Adjudication	
<b>1. Indicator Title</b>	Percentage of mergers scheduled for a hearing or pre-hearing within 10 business days of filing.
<b>Definition</b>	This performance indicator measures the efficiency of the Tribunal in scheduling a pre-hearing date or hearing date for mergers within the stipulated timeframe.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>➤ Merger referral documents received by the Tribunal.</li> <li>➤ Request for consideration received by the Tribunal.</li> <li>➤ Set down notices issued by the Tribunal.</li> <li>➤ Any correspondence and notices received and issued between the Tribunal, the Commission and parties.</li> <li>➤ CMS reports.</li> <li>➤ QlikView reports (reporting tool placed on top of CMS) that reflect turnaround times.</li> <li>➤ Hearing calendar.</li> <li>➤ Transcriptions.</li> </ul>
<b>Method of Calculation/ Assessment</b>	<p>The method of calculation is a percentage calculated as follows:</p> <p>Percentage of mergers set down for the beginning of a hearing or a pre-hearing within 10 business days of the filing of a merger referral = <math>(a/b) \times 100</math>,</p> <p>were</p> <p>a = total number of mergers set down for the beginning of a hearing or pre-hearing within 10 business days</p> <p>b = total number of mergers set down.</p>

Outcome	Sound, Efficient and Responsive Adjudication
	<p>In terms of the Rules of the Tribunal, the time period for scheduling a prehearing may be extended to a period of 10 business days by the Chairperson, and a further extension may be granted subject to agreement with the parties. In those cases where such an extension has been granted, the extended period will be used in the calculation.</p>
<b>Means of Verification</b>	<ul style="list-style-type: none"> <li>➤ Workflows built into CMS either prevents further updating or alerts the user if case data is missing.</li> <li>➤ The Registry Administrator extracts monthly reports from QlikView and maintains a file that contains source documents.</li> <li>➤ Data reflected on QlikView (originally captured on CMS), and source document reviewed to verify data against source document and ensure accuracy.</li> <li>➤ Registry Administrator will contact official required to input missing data or make corrections on CMS.</li> <li>➤ Errors and corrections that affect prior period reporting are communicated to Registrar/COO via email.</li> <li>➤ File reviewed by Registrar on a monthly basis and signed off as proof of review.</li> <li>➤ Registry Administrator completes the performance information report quarterly using QlikView reports as the basis for data collection.</li> </ul> <p>Same process as above followed annually thus providing further opportunity to review monthly information and quarterly reports.</p> <ul style="list-style-type: none"> <li>➤ Performance Information reports are reviewed and verified by Registrar and COO and signed off by Registrar as proof of review.</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>➤ The Tribunal has the financial resources and the capacity to perform its adjudicative function.</li> <li>➤ There will be no substantial changes to the Tribunal's mandate or the Competition Act that will impact on stipulated timeframes and targets.</li> <li>➤ Tribunal has aligned to <b>the dtic</b>'s joint/integrated outputs relating to delivery/capable State, industrialisation and transformation in consideration of competition and public interest issues in mergers.</li> <li>➤ That the Tribunal maintains systems, processes and procedures that facilitate the target being achieved.</li> </ul>

Outcome		Sound, Efficient and Responsive Adjudication			
		➤ Those parties and counsel are available. Time periods are subject to the availability of the parties and counsel and may be extended depending on the circumstances of each case.			
Disaggregation of Beneficiaries (where applicable)		• N/A			
Spatial Transformation (where applicable)		• N/A			
Calculation Type		• Percentage			
Reporting Cycle		• Quarterly and annually			
Desired performance		The aim of the Tribunal is to meet or exceed the 85% target that has been set.			
Indicator Responsibility		➤ Data collection, filing/archiving collected data – Registry Administrator ➤ Data extraction – Registry Administrator Verification of accuracy and completeness of extracted and captured information - First level – Registry Administrator, Second level – Registrar (monthly/quarterly and annually), Third level - COO (quarterly and annually)			
Baseline		2020/21	2021/22	2022/23	2023/24*
*Estimated performance		97%/0%	80%/65%	90%	85%
Annual Targets		2024/25	2025/26	2026/27	2027/28
		85%	92%	92%	92%

Outcome		Sound, Efficient and Responsive Adjudication			
2. Indicator Title		Percentage of merger orders issued to parties within 10 business days following conclusion of the hearing			
Definition		This performance indicator measures the efficiency of the Tribunal in issuing decisions for mergers. Tribunal's decisions are contained in an "order".			
Source of data		➤ Orders issued by the Tribunal to merger parties.			

Outcome	Sound, Efficient and Responsive Adjudication
	<ul style="list-style-type: none"> <li>➤ Any correspondence and notices received and issued between the Tribunal, the Commission and parties.</li> <li>➤ Case Management System (electronic case management system run by the Tribunal hereinafter referred to as CMS) reports.</li> <li>➤ QlikView reports (reporting tool placed on top of CMS) that reflect turnaround times.</li> <li>➤ Hearing calendar.</li> <li>➤ Press releases referring to decisions made by the Tribunal.</li> <li>➤ Transcriptions.</li> </ul>
<b>Method of Calculation / Assessment</b>	<p>The method of calculation is a percentage, and it is calculated as follows:</p> <p>Percentage of merger orders issued within ten business days following conclusion of the hearing = <math>(a/b) \times 100</math>,</p> <p>Where:</p> <p>a = total number of orders for mergers issued within ten business days of the last hearing date</p> <p>b = total number of orders for mergers issued.</p> <p>Calculated as at the date of the last information received by the Tribunal.</p>
<b>Means of Verification</b>	<ul style="list-style-type: none"> <li>➤ Workflows built into CMS either prevents further updating or sends alerts if case data is missing.</li> <li>➤ The Registry Administrator extracts monthly reports from QlikView and maintains a file that contains source documents.</li> <li>➤ Data reflected on QlikView (originally captured on CMS), and source document reviewed to verify data against source document and ensure accuracy.</li> <li>➤ Registry Administrator will contact the staff member required to input missing data or make corrections on CMS.</li> <li>➤ Errors and corrections that affect prior period reporting are communicated to the Registrar/COO via email.</li> <li>➤ File reviewed by Registrar on a monthly basis and signed off as proof of review.</li> <li>➤ Quarterly Registry Administrator completes the performance information report using QlikView reports as the basis for data collection.</li> <li>➤ The same processes explained above are followed annually thus providing further opportunity to review monthly information and reports.</li> </ul>



Outcome	Sound, Efficient and Responsive Adjudication
	<ul style="list-style-type: none"> <li>➤ Performance Information reports are reviewed and verified by Registrar and COO and signed off by Registrar as proof of review.</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>➤ The Tribunal has the financial resources and the capacity to perform its adjudicative function. There will be no substantial changes to the Tribunal's mandate or the Competition Act that will impact on stipulated timeframes and targets.</li> <li>➤ The Tribunal has aligned to <b>the dtic's</b> joint/integrated outputs relating to delivery/capable State, industrialisation and transformation in consideration of competition and public interest issues in mergers.</li> <li>➤ The Tribunal maintains systems, processes and procedures that facilitate the target being achieved.</li> <li>➤ That all information is received on conclusion of the physical (or virtual) hearings</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation Type</b>	Percentage
<b>Reporting Cycle</b>	Quarterly and annually
<b>Desired performance</b>	The aim of the Tribunal is to meet the 85% target that has been set.
<b>Indicator Responsibility</b>	<ul style="list-style-type: none"> <li>➤ Data collection, filing/archiving collected data – Registry Administrator</li> <li>➤ Data extraction – Registry Administrator</li> <li>➤ Verification of accuracy and completeness of extracted and captured information - First level – Registry Administrator, Second level – Registrar (monthly/quarterly and annually), Third level - COO (only quarterly and annually)</li> </ul>

Outcome Sound, Efficient and Responsive Adjudication				
Baseline	2020/21	2021/22	2022/23	2023/24*
*Estimated performance	100%/100%	95%/70%	100%	85%
Annual Targets	2024/25	2025/26	2026/27	2027/28
	85%	92%	92%	92%

Outcome Sound, Efficient and Responsive Adjudication	
<b>3. Indicator Title</b>	Percentage of reasons for mergers issued to parties within 20 business days of order being issued.
<b>Definition</b>	This performance indicator measures the efficiency of the Tribunal in issuing reasons for the decisions (through an order) it makes within stipulated time frames
<b>Source of data</b>	<ul style="list-style-type: none"> <li>➤ Reasons issued by the Tribunal.</li> <li>➤ Orders issued by the Tribunal.</li> <li>➤ Official correspondence and notices received and issued by the Tribunal.</li> <li>➤ CMS reports.</li> <li>➤ QlikView reports (reporting tool placed on top of CMS) that reflects turnaround times.</li> <li>➤ Hearing calendar.</li> <li>➤ Transcriptions.</li> </ul>
<b>Method of Calculation / Assessment</b>	<p>The method of calculation used is a percentage and the percentage is calculated as follows:</p> <p>Percentage of reasons for mergers issued to parties within 20 business days = <math>(a/b) \times 100</math>,</p> <p>Where:</p> <p>a = total number of reasons for mergers issued to parties within 20 business days of the date the order was issued,</p> <p>b = total number of reasons for mergers issued.</p>
<b>Means of Verification</b>	<ul style="list-style-type: none"> <li>➤ Workflows built into CMS either prevents further updating or sends alerts if case data is missing.</li> </ul>

Outcome	Sound, Efficient and Responsive Adjudication
	<ul style="list-style-type: none"> <li>➤ The Registry Administrator extracts monthly reports from QlikView and maintains a file that contains source documents.</li> <li>➤ Data reflected on QlikView (originally captured on CMS), and source document reviewed to verify data against source document and ensure accuracy.</li> <li>➤ Registry Administrator will contact official required to input missing data or make corrections on CMS.</li> <li>➤ Errors and corrections that affect prior period reporting are communicated to Registrar/COO via email.</li> <li>➤ File reviewed by Registrar on monthly basis and signed off as proof of review.</li> <li>➤ Quarterly Registry Administrator completes the performance information report using QlikView reports as the basis for data collection.</li> <li>➤ The same processes explained above are followed annually thus providing further opportunity to review monthly information and reports.</li> <li>➤ Performance Information reports are reviewed and verified by Registrar and COO and signed off by Registrar as proof of review.</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>➤ The Tribunal has the financial resources and the capacity to perform its adjudicative function.</li> <li>➤ There will be no substantial changes to the Tribunal's mandate or the Competition Act that will impact on stipulated timeframes and targets.</li> <li>➤ The Tribunal has aligned to <b>the dtic's</b> joint/integrated outputs relating to delivery/capable State, industrialisation and transformation in consideration of competition and public interest issues in mergers.</li> <li>➤ That the Tribunal maintains systems, processes and procedures that facilitate the target being achieved.</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A

Outcome	Sound, Efficient and Responsive Adjudication			
Spatial Transformation (where applicable)	N/A			
Calculation Type	Percentage			
Reporting Cycle	Quarterly and annually			
Desired performance	The aim of the Tribunal is to meet the target that has been set.			
Indicator Responsibility	<div>➤ Data collection, filing/archiving collected data – Registry Administrator</div> <div>➤ Data extraction – Registry staff</div> <div>Verification of accuracy and completeness of extracted and captured information - First level – Registry Administrator, Second level – Registrar (monthly/quarterly and annually), Third level - COO (only quarterly and annually).</div>			
Baseline	2020/21	2021/22	2022/23	2023/24*
*Estimated performance	72%/100%	70%/50%	75%	88%
Annual Targets	2024/25	2025/26	2026/27	2027/28
	75%	80%	80%	80%

Outcome	Sound, Efficient and Responsive Adjudication
4. Indicator Title	Percentage of reasons <sup>1318</sup> for prohibited practice cases issued to parties within 120 business days following conclusion of the hearing.
Definition	This performance indicator measures the efficiency of the Tribunal in issuing reasons for prohibited practice cases in the stipulated timeframes.
Source of data	➤ Reasons in prohibited practice cases issued to parties.

<sup>13</sup> In exceptional cases an order may be issued before reasons but in most instances orders and reasons are issued simultaneously and therefore reasons date is taken as the indicator.

Outcome	Sound, Efficient and Responsive Adjudication
	<ul style="list-style-type: none"> <li>➤ CMS reports.</li> <li>➤ QlikView reports (reporting tool placed on top of CMS) that reflect turnaround times.</li> <li>➤ Press releases.</li> <li>➤ Hearing calendar.</li> <li>➤ Transcriptions.</li> </ul>
<b>Method of Calculation / Assessment</b>	<p>The method of calculation is a percentage and is calculated as follows:  Percentage of reasons for prohibited practices issued within 120 business days of last hearing date= <math>(a/b) \times 100</math>,  Where:  a = total number of reasons for prohibited practices issued within 120 business days following conclusion of the hearing,  b = total number of reasons for prohibited practices issued.  In calculating the percentage, public holidays and the period between 15 December and 5 January of the following year is not considered.</p>
<b>Means of Verification</b>	<ul style="list-style-type: none"> <li>➤ Workflows built into CMS either prevents further updating or sends alerts if case data is missing.</li> <li>➤ The Registry Administrator extracts monthly reports from QlikView and maintains a file that contains source documents.</li> <li>➤ Data reflected on QlikView (originally captured on CMS), and source document reviewed to verify data against source document and ensure accuracy.</li> <li>➤ Registry Administrator will contact the staff member required to input missing data or make corrections on CMS.</li> <li>➤ Errors and corrections that affect prior period reporting are communicated to Registrar/COO via email.</li> <li>➤ File reviewed by Registrar on monthly basis and signed off as proof of review.</li> <li>➤ Quarterly Registry Administrator completes the performance information report using QlikView reports as the basis for data collection.</li> <li>➤ The processes explained above are followed annually thus providing further opportunity to review monthly information and quarterly reports.</li> </ul>

Outcome		Sound, Efficient and Responsive Adjudication			
		➤ Performance Information reports are reviewed and verified by Registrar and COO and signed off by Registrar as proof of review.			
<b>Assumptions</b>		➤ The Tribunal has the financial resources and the capacity to perform its adjudicative function. ➤ There will be no substantial changes to the Tribunal's mandate or the Competition Act that will impact on stipulated timeframes and targets. ➤ That the Tribunal maintains systems, processes and procedures that facilitate the target being achieved. ➤ The Tribunal has aligned to <b>the dtic's</b> joint/integrated outputs relating to delivery/capable State, industrialisation and transformation in consideration of complaints, where applicable.			
<b>Disaggregation of Beneficiaries (where applicable)</b>		N/A			
<b>Spatial Transformation (where applicable)</b>		N/A			
<b>Calculation Type</b>		Percentage			
<b>Reporting Cycle</b>		Quarterly and annually			
<b>Desired performance</b>		The aim of the Tribunal is to meet the target that has been set.			
<b>Indicator Responsibility</b>		➤ Data collection, filing/archiving collected data – Registry Administrator ➤ Data extraction – Registry Administrator ➤ Verification of accuracy and completeness of extracted and captured information - First level – Registry Administrator, Second level – Registrar (monthly/quarterly and annually), Third level - COO (only quarterly and annually)			
<b>Baseline</b> <b>*Estimated performance</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24*</b>	
	No reasons issued/0%/67%	75%/65%/65%	0%	75%	
<b>Annual Targets</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>	
	65%	70%	70%	70%	

Outcome	
Sound, Efficient and Responsive Adjudication	
<b>5. Indicator Title</b>	Percentage of procedural matter <sup>14 19</sup> orders issued to parties within 45 business days following conclusion of the hearing.
<b>Definition</b>	This performance indicator measures the efficiency of the Tribunal in issuing orders for procedural matters within the stipulated timeframes.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>➤ Orders in procedural matters issued to parties.</li> <li>➤ CMS reports.</li> <li>➤ QlikView reports (reporting tool placed on top of CMS) that reflect turnaround times.</li> <li>➤ Hearings calendar.</li> <li>➤ Transcriptions.</li> </ul>
<b>Method of Calculation / Assessment</b>	<p>The method of calculation used is a percentage and it is calculated as follows:</p> <p>Percentage of procedural matters orders issued to parties within 45 days of the last hearing date = <math>(a/b) \times 100</math>,</p> <p>Where</p> <p>a = total number of orders for procedural matters issued within 45 business days following conclusion of the hearing.</p> <p>b = total number of orders for procedural matters issued.</p> <p>In calculating the percentage, public holidays and the period between 15 December and 5 January of the following year is not considered.</p>
<b>Means of Verification</b>	<ul style="list-style-type: none"> <li>➤ Workflows built into CMS either prevents further updating or sends alerts if case data is missing.</li> <li>➤ The Registry Administrator extracts monthly reports from QlikView and maintains a file that contains source documents.</li> <li>➤ Data reflected on QlikView (originally captured on CMS), and source document reviewed to verify data against source document and ensure accuracy.</li> <li>➤ Registry Administrator will contact official required to input missing data or make corrections on CMS.</li> <li>➤ Errors and corrections that affect prior period reporting are communicated to Registrar/COO via email.</li> <li>➤ File reviewed by Registrar on monthly basis and signed off as proof of review.</li> </ul>

<sup>14</sup>While we refer to procedural matters they include interlocutory applications.

Outcome		Sound, Efficient and Responsive Adjudication			
		<ul style="list-style-type: none"> <li>➤ Quarterly Registry Administrator completes the performance information report using QlikView reports as the basis for data collection. Same process as above followed annually thus providing further opportunity to review monthly information and quarterly reports.</li> <li>Performance Information reports are reviewed and verified by Registrar and COO and signed off by Registrar as proof of review.</li> </ul>			
<b>Assumptions</b>		<ul style="list-style-type: none"> <li>➤ The Tribunal has the financial resources and the capacity to perform its adjudicative function.</li> <li>➤ There will be no substantial changes to the Tribunal's mandate or the Competition Act that will impact on stipulated timeframes and targets.</li> <li>➤ That the Tribunal maintains systems, processes and procedures that facilitate the target being achieved.</li> </ul>			
<b>Disaggregation of Beneficiaries (where applicable)</b>		N/A			
<b>Spatial Transformation (where applicable)</b>		N/A			
<b>Calculation Type</b>		Percentage			
<b>Reporting Cycle</b>		Quarterly and annually			
<b>Desired performance</b>		The aim of the Tribunal is to meet the target that has been set.			
<b>Indicator Responsibility</b>		<ul style="list-style-type: none"> <li>➤ Data collection, filing/archiving collected data – Registry Administrator</li> <li>➤ Data extraction – Registry Administrator</li> <li>➤ Verification of accuracy and completeness of extracted and captured information - First level – Registry Administrator, Second level – Registrar (monthly/quarterly and annually), Third level - COO (only quarterly and annually)</li> </ul>			
<b>Baseline</b>		<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24*</b>
<b>*Estimated performance</b>		90%	65%	57%	65%



Outcome Sound, Efficient and Responsive Adjudication				
Annual Targets	2024/25	2025/26	2026/27	2027/28
	65%	70%	70%	70%

Outcome Sound, Efficient and Responsive Adjudication	
<b>6. Indicator Title</b>	Percentage of orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing.
<b>Definition</b>	This performance indicator measures the efficiency of the Tribunal in issuing orders for consent orders and settlement agreements in the stipulated timeframes.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>➤ Consent order or settlement agreement issued by the Tribunal.</li> <li>➤ Any correspondence and notices received and issued between the Tribunal, the Commission and parties.</li> <li>➤ CMS reports.</li> <li>➤ QlikView reports (reporting tool placed on top of CMS) that reflect turnaround times.</li> <li>➤ Hearings calendar.</li> <li>➤ Press releases.</li> <li>➤ Transcriptions.</li> </ul>
<b>Method of Calculation / Assessment</b>	<p>The method of calculation is a percentage and is calculated as follows:</p> <p>Percentage of orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing= <math>(a/b) \times 100</math>,</p> <p>Where:</p> <p>a = total number of orders for consent orders and settlement agreements issued within 10 business days following conclusion of the hearing,</p> <p>b = total number of orders for consent orders and settlement agreements issued.</p>

Outcome	Sound, Efficient and Responsive Adjudication
	In calculating the percentage, public holidays and the period between 15 December and 5 January of the following year is not considered.
<b>Means of Verification</b>	<ul style="list-style-type: none"> <li>➤ Workflows built into CMS either prevents further updating or sends alerts if case data is missing.</li> <li>➤ The Registry Administrator extracts monthly reports from QlikView and maintains a file that contains source documents.</li> <li>➤ Data reflected on QlikView (originally captured on CMS), and source document reviewed to verify data against source document and ensure accuracy.</li> <li>➤ Registry Administrator will contact staff member required to input missing data or make corrections on CMS.</li> <li>➤ Errors and corrections that affect prior period reporting are communicated to Registrar/COO via email.</li> <li>➤ File reviewed by Registrar on monthly basis and signed off as proof of review.</li> <li>➤ Quarterly Registry Administrator completes the performance information report using QlikView reports as the basis for data collection. Same process as above followed annually thus providing further opportunity to review monthly information and quarterly reports.</li> <li>➤ Performance Information reports are reviewed and verified by Registrar and COO and signed off by Registrar as proof of review.</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>➤ The Tribunal has the financial resources and the capacity to perform its adjudicative function.</li> <li>➤ There will be no substantial changes to the Tribunal's mandate or the Competition Act that will impact on stipulated timeframes and targets.</li> <li>➤ That the Tribunal maintains systems, processes and procedures that facilitate the target being achieved.</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation Type</b>	Percentage

Outcome Sound, Efficient and Responsive Adjudication				
Reporting Cycle	Quarterly and annually			
Desired performance	The aim of the Tribunal is to meet or exceed the target that has been set.			
Indicator Responsibility	<ul style="list-style-type: none"> <li>➤ Data collection, filing/archiving collected data – Registry Administrator</li> <li>➤ Data extraction – Registry Administrator</li> <li>➤ Verification of accuracy and completeness of extracted and captured information - First level – Registry Administrator, Second level – Registrar (monthly/quarterly and annually), Third level - COO (only quarterly and annually)</li> </ul>			
Baseline	2020/21	2021/22	2022/23	2023/24*
*Estimated performance	92%	75%	75%	100%
Annual Targets	2024/25	2025/26	2026/27	2027/28
	80%	95%	95%	95%

Outcome Sound, Efficient and Responsive Adjudication	
7. Indicator Title	Percentage of reasons in interim relief matters issued to parties within 30 business days following the conclusion of the hearing.
Definition	This performance indicator measures the efficiency of the Tribunal in issuing reasons in interim relief matters to parties within stipulated timeframes.
Source of data	<ul style="list-style-type: none"> <li>➤ Reasons issued for interim relief cases.</li> <li>➤ Any correspondence and notices received and issued between the Tribunal, the Commission and parties.</li> <li>➤ CMS reports.</li> <li>➤ QlikView reports (reporting tool placed on top of CMS) that reflect turnaround times.</li> <li>➤ Hearing calendar.</li> <li>➤ Press releases.</li> </ul>

Outcome	Sound, Efficient and Responsive Adjudication
	➤ Transcriptions.
<b>Method of Calculation / Assessment</b>	<p>The method of calculation is a percentage and is calculated as follows:</p> <p>Percentage of reasons for interim relief issued to parties within 30 business days following conclusion of the hearing = <math>(a/b) \times 100</math>,</p> <p>Where:</p> <p>a = total number of reasons in interim relief issued to parties within 30 business days following conclusion of the hearing,</p> <p>b = total number of reasons for interim relief issued to parties.</p> <p>In calculating the percentage, public holidays and the period between 15 December and 5 January of the following year is not considered.</p>
<b>Means of Verification</b>	<ul style="list-style-type: none"> <li>➤ Workflows built into CMS either prevents further updating or sends alerts if case data is missing.</li> <li>➤ The Registry Administrator extracts monthly reports from QlikView and maintains a file that contains source documents.</li> <li>➤ Data reflected on QlikView (originally captured on CMS), and source document reviewed to verify data against source document and ensure accuracy.</li> <li>➤ Registry Administrator will contact staff member required to input missing data or make corrections on CMS.</li> <li>➤ Errors and corrections that affect prior period reporting are communicated to Registrar/COO via email.</li> <li>➤ File reviewed by Registrar on monthly basis and signed off as proof of review.</li> <li>➤ Quarterly Registry Administrator completes the performance information report using QlikView reports as the basis for data collection. Same process as above followed annually thus providing further opportunity to review monthly information and quarterly reports.</li> <li>➤ Performance Information reports are reviewed and verified by Registrar and COO and signed off by Registrar as proof of review.</li> </ul>
<b>Assumptions</b>	➤ The Tribunal has the financial resources and the capacity to perform its adjudicative function.

Outcome		Sound, Efficient and Responsive Adjudication			
	<ul style="list-style-type: none"><li>➤ There will be no substantial changes to the Tribunal’s mandate or the Competition Act that will impact on stipulated timeframes and targets.</li><li>➤ The Tribunal has aligned to <b>the dtic</b>’s joint/integrated outputs.</li><li>➤ That the Tribunal maintains systems, processes and procedures that facilitate the target being achieved.</li></ul>				
Disaggregation of Beneficiaries (where applicable)	N/A				
Spatial Transformation (where applicable)	N/A				
Calculation Type	Percentage				
Reporting Cycle	Quarterly and annually				
Desired performance	The aim of the Tribunal is to meet the target that has been set.				
Indicator Responsibility	<ul style="list-style-type: none"><li>➤ Data collection, filing/archiving collected data – Registry Administrator</li><li>➤ Data extraction – Registry Administrator</li><li>➤ Verification of accuracy and completeness of extracted and captured information - First level – Registry Administrator, Second level – Registrar (monthly/quarterly and annually), Third level - COO (only quarterly and annually).</li></ul>				
Baseline *Estimated performance	2020/21	2021/22	2022/23	2023/24*	
	0%	65%	0%	65%	
Annual Targets	2024/25	2025/26	2026/27		2027/28
	65%	70%	70%		70%

## 12.2. Communication

Outcome	
Transparent, Accountable and Sustainable Entity	
<b>8. Indicator Title</b>	Percentage press releases of final merger decisions issued within 3 business days of order date and after finalization of confidentiality claims.
<b>Definition</b>	This indicator measures the percentage of final merger decisions for which a press release was issued during the financial year per quarter and cumulatively for the year to date
<b>Source of data</b>	<ul style="list-style-type: none"> <li>➤ Press releases issued by the Communications Manager</li> <li>➤ Large merger orders issued by the Tribunal.</li> <li>➤ Any correspondence between the Communications Manager and stakeholders</li> <li>➤ Information from Mailchimp, the electronic database through which press releases are issued.</li> <li>➤ Case Management System (electronic case management system run by the Tribunal hereinafter referred to as CMS) reports.</li> <li>➤ QlikView reports (reporting tool placed on top of CMS) that reflect turnaround times.</li> <li>➤ Tribunal press release lists</li> </ul>
<b>Method of Calculation / Assessment</b>	<p>Percentage final merger decisions in which a press release is issued by the Tribunal = <math>(a/b) \times 100</math></p> <p>Where:</p> <p>a = total number of final merger decision press releases issued during the delivery period,</p> <p>b = total number of final merger decisions issued during the delivery period.</p>
<b>Means of Verification</b>	<ul style="list-style-type: none"> <li>➤ Quarterly Communications Reports</li> <li>➤ extracts quarterly reports from QlikView.</li> <li>➤ Data reflected on QlikView (originally captured on CMS), and source document reviewed to verify data against source document and ensure accuracy.</li> <li>➤ Registry Administrator will contact staff member required to input missing data or make corrections on CMS.</li> <li>➤ Errors and corrections that affect prior period reporting are communicated to Registrar/COO via email.</li> <li>➤ Quarterly Communications Reports reviewed by COO on quarterly basis and signed off as proof of review.</li> </ul>

Outcome <b>Transparent, Accountable and Sustainable Entity</b>				
	<ul style="list-style-type: none"> <li>➤ Quarterly Communications Manager and Registry Administrator complete the performance information report using QlikView reports as the basis for data collection. Same process as above followed annually thus providing further opportunity to review quarterly information.</li> <li>➤ Performance Information reports and Quarterly Communications Reports reviewed and verified by COO and signed off as proof of review.</li> <li>➤ One file maintained for an entire financial year and therefore no risk of duplication of source documents which can lead to inaccuracies in data capturing. In addition, same source documents are used for quarterly and annual review.</li> </ul>			
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>➤ Tribunal has the necessary financial resources and capabilities.</li> <li>➤ Confidentiality claims by parties have been resolved.</li> </ul>			
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A			
<b>Spatial Transformation (where applicable)</b>	N/A			
<b>Calculation Type</b>	Percentage			
<b>Reporting Cycle</b>	Quarterly and annually			
<b>Desired performance</b>	The target is met or exceeded			
<b>Indicator Responsibility</b>	Communications Manager			
<b>Baseline</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24*</b>
<b>*Estimated performance</b>	90%	77%	99%	90%
<b>Annual Targets</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>

Outcome	Transparent, Accountable and Sustainable Entity			
	90%	90%	90%	90%

Outcome	Transparent, Accountable and Sustainable Entity			
<b>9. Indicator Title</b>	Percentage press releases of prohibited practice decisions issued within 3 business days of order date and after finalization of confidentiality claims.			
<b>Definition</b>	This indicator measures the percentage of final prohibited practice decisions for which a press release was issued during the financial year.			
<b>Source of data</b>	<ul style="list-style-type: none"> <li>➤ Press releases issued by the Communications Manager.</li> <li>➤ Prohibited practice orders issued by the Tribunal.</li> <li>➤ Any correspondence between the Communications Manager and stakeholders.</li> <li>➤ Information from Mailchimp, the electronic database through which press releases are issued.</li> <li>➤ Case Management System (electronic case management system run by the Tribunal hereinafter referred to as CMS) reports.</li> <li>➤ QlikView reports (reporting tool placed on top of CMS) that reflect turnaround times.</li> <li>➤ Tribunal press release lists.</li> </ul>			
<b>Method of Calculation/ Assessment</b>	<p>Percentage of press releases issued for final prohibited practice decisions issued by the Tribunal = <math>(a/b) \times 100</math></p> <p>Where:</p> <p>a = total number of final prohibited practice decision press releases issued during the delivery period,</p> <p>b = total number of final prohibited practice decisions issued during the delivery period.</p>			
<b>Means of Verification</b>	<ul style="list-style-type: none"> <li>➤ Quarterly Communications Reports</li> <li>➤ extracts quarterly reports from QlikView.</li> </ul>			



Outcome	Transparent, Accountable and Sustainable Entity
	<ul style="list-style-type: none"> <li>➤ Data reflected on QlikView (originally captured on CMS), and source document reviewed to verify data against source document and ensure accuracy.</li> <li>➤ Registry Administrator will contact the staff member required to input missing data or make corrections on CMS.</li> <li>➤ Errors and corrections that affect prior period reporting are communicated to Registrar/COO via email.</li> <li>➤ Quarterly Communications Reports reviewed by COO on quarterly basis and signed off as proof of review.</li> <li>➤ Quarterly Communications Manager and Registry Administrator complete the performance information report using QlikView reports as the basis for data collection. Same process as above followed annually thus providing further opportunity to review quarterly information.</li> <li>➤ Performance Information reports and Quarterly Communications Reports reviewed and verified by COO and signed off as proof of review.</li> <li>➤ One file maintained for an entire financial year and therefore no risk of duplication of source documents which can lead to inaccuracies in data capturing. In addition, same source documents are used for quarterly and annual review.</li> </ul>
<b>Assumptions</b>	The Tribunal has been issuing press releases for final merger decisions for many years within stipulated timeframes and therefore if all systems, processes and procedures are maintained the outcome will be achieved, pending the finalisation of confidentiality claims.
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation Type</b>	Percentage
<b>Reporting Cycle</b>	Quarterly and annually
<b>Desired performance</b>	The target is met or exceeded

Outcome Transparent, Accountable and Sustainable Entity				
Indicator Responsibility	Communications Manager			
Baseline	2020/21	2021/22	2022/23	2023/24*
*Estimated performance	71%	0%	100%	90%
Annual Targets	2024/25	2025/26	2026/27	2027/28
	90%	90%	90%	90%

### 12.3. Governance

Outcome Transparent, Accountable and Sustainable Entity	
10. Indicator Title	Percentage of prior financial year audit (internal and external) findings resolved in terms of agreed timelines with auditors.
Definition	The Tribunal will report on the number of audit findings made in the prior year and then report on the number resolved in terms of the agreed timelines with auditors.
Source of data	<ul style="list-style-type: none"> <li>➤ Internal and external audit reports.</li> <li>➤ Follow up audits.</li> <li>➤ Internal and external audit findings tracker.</li> </ul>
Method of Calculation / Assessment	<p>Percentage of prior financial year audit findings resolved = <math>(a/b) \times 100</math>,</p> <p>Where:</p> <p>a = total number of internal and external audit findings in the current financial year,</p> <p>b = total number of internal and external audit findings made in the prior financial year.</p>

Outcome      Transparent, Accountable and Sustainable Entity				
<b>Means of Verification</b>	<ul style="list-style-type: none"> <li>➤ Audit trackers maintained by the Tribunal verify progress made against audit findings.</li> <li>➤ Follow up audit conducted annually by internal audit tests the documented action and indicates the number of prior period internal audit findings resolved.</li> <li>➤ External audit in management report documents resolution of prior year audit findings.</li> </ul>			
<b>Assumptions</b>	The Tribunal has required processes in place to evaluate resolution of audit findings and progress is addressed in external/internal audits			
<b>Disaggregation of Beneficiaries (where applicable).</b>	N/A			
<b>Spatial Transformation (where applicable)</b>	N/A			
<b>Calculation Type</b>	Percentage			
<b>Reporting Cycle</b>	Quarterly and annually			
<b>Desired performance</b>	To have 100% resolution of internal and external audit findings.			
<b>Indicator Responsibility</b>	CFO and COO			
<b>Baseline *Estimated performance</b>	<b>2021/22</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24*</b>
	100%	100%	100%	100%
<b>Annual Targets</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>

Outcome	Transparent, Accountable and Sustainable Entity			
	100%	100%	100%	100%

Outcome	Transparent, Accountable and Sustainable Entity			
<b>11. Indicator Title</b>	Audit Outcome.			
<b>Definition</b>	This performance indicator measures the extent to which the Tribunal has adequate and effective controls in order to avoid material findings.			
<b>Source of data</b>	<ul style="list-style-type: none"> <li>➤ Findings reflected in internal and external audit reports.</li> <li>➤ Procurement documentation (RFQ's/RFP's)</li> </ul>			
<b>Method of Calculation / Assessment</b>	Target not calculated. Qualitative statement but value of material findings will be reflected			
<b>Means of Verification</b>	<ul style="list-style-type: none"> <li>➤ Value can be verified in GL in Pastel accounting system.</li> <li>➤ Final audit report by Auditor-General.</li> </ul>			
<b>Assumptions</b>	All applicable policies and procedures will be followed in order to prevent findings of this nature.			
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A			
<b>Spatial Transformation (where applicable)</b>	N/A			
<b>Calculation Type</b>	Target is not calculated but the value of material findings can be determined.			
<b>Reporting Cycle</b>	Annual			
<b>Desired performance</b>	To meet the target			
<b>Indicator Responsibility</b>	Procurement Officer, Head of Finance, CFO and COO			
<b>Baseline</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24*</b>

Outcome Transparent, Accountable and Sustainable Entity				
*Estimated performance	No findings	No findings	No findings	Unqualified audit opinion
Annual Targets	2024/25	2025/26	2026/27	2027/28
	Unqualified audit opinion	Unqualified audit opinion	Unqualified audit opinion	Unqualified audit opinion

## 12.4. Financial management

Outcome Transparent, Accountable and Sustainable Entity	
12. Indicator Title	Percentage of expenditure against budget.
Definition	Actual expenditure against budget is measured. It may not be possible to spend 100% of the budget (given factors outside the Tribunal's control, e.g. The budget is based on an estimate of case load. This, however, provides guidance for future budget preparation and focus areas.
Source of data	<ul style="list-style-type: none"> <li>➤ Approved budget</li> <li>➤ Expenditure against budget</li> <li>➤ Pastel accounting system</li> </ul>
Method of Calculation / Assessment	<p>Actual expenditure for the financial year expressed as a percentage of approved annual budget = <math>(a/b) \times 100</math></p> <p>Were</p> <p>a = actual expenditure incurred for the financial year under review,</p> <p>b = approved budget for the financial year under review,</p> <p>It can be expressed inclusive of capital expenditure and exclusive of capital expenditure.</p>
Means of Verification	<ul style="list-style-type: none"> <li>➤ Monthly, quarterly and annual financial statements that reflect both expenditure and approved budget.</li> <li>➤ Pastel accounting system contains all figures that are captured into the financial system.</li> </ul>
Assumptions	<ul style="list-style-type: none"> <li>➤ The Tribunal has, in the past, not spent its entire budget and therefore does not anticipate a 100% spend.</li> <li>➤ Accurate calculation is dependent on a system and processes that are accurate and updated regularly</li> </ul>

Outcome	Transparent, Accountable and Sustainable Entity				
Disaggregation of Beneficiaries (where applicable)	N/A.				
Spatial Transformation (where applicable)	N/A.				
Calculation Type	Percentage.				
Reporting Cycle	Quarterly and annually				
Desired performance	To meet or exceed the target but not to be more than 100% of budget				
Indicator Responsibility	Head of Finance and CFO				
Baseline	2020/21	2021/22	2022/23	2023/24*	
*Estimated performance	-9 %	-10%	-10%	90%	
Annual Targets	2024/25	2025/26	2026/27	2027/28	
	90%	90%	90%	90%	

Outcome	Transparent, Accountable and Sustainable Entity				
13. Indicator Title	Percentage of supplier invoices paid within 20 days from date of receipt/acceptance.				
Definition	Percentage of supplier invoices paid within 20 days from date of receipt/acceptance. The purpose of the indicator is to ensure an efficient supply chain service which does not disadvantage the service providers, most importantly the SMEs and HDPs.				
Source of data	<ul style="list-style-type: none"> <li>➤ Invoice listing</li> <li>➤ Proof of payment</li> </ul>				
Method of Calculation / Assessment	Number of invoices paid within 20 days from receipt or acceptance/total number of invoices for the financial year = (a/b) x 100				

Outcome	Transparent, Accountable and Sustainable Entity				
	Were a = Number of invoices paid within 20 days from receipt/acceptance, b = total number of invoices for financial year.				
Means of Verification	➤ Monthly, quarterly and invoice listings reflecting dates received/accepted. ➤ Approved bank batches/statements with proof of payments				
Assumptions	➤ Invoices are correct and confirmed that goods were received, or services were rendered satisfactorily. ➤ Accurate calculation is dependent on a system and processes that are accurate and updated regularly				
Disaggregation of Beneficiaries (where applicable)	N/A.				
Spatial Transformation (where applicable)	N/A.				
Calculation Type	Percentage.				
Reporting Cycle	Quarterly and annually				
Desired performance	100%				
Indicator Responsibility	Head of Finance and CFO				
Baseline	2020/21		2021/22	2022/23	2023/24
*Estimated performance	New indicator		New indicator	New indicator	New indicator
Annual Targets	2024/25	2025/26		2026/27	2027/28
	90%	90%		90%	90%

Outcome		Transparent, Accountable and Sustainable Entity	
14. Indicator Title		Percentage of expenditure on B-BBEE suppliers	

Outcome	Transparent, Accountable and Sustainable Entity			
<b>Definition</b>	100% of expenditure spent on suppliers based on the B-BBEE levels 1-4, excluding dtic office rental, 20% of which will be on women, youth or PWDs.			
<b>Source of data</b>	Quarterly reports compiled by the Finance Division			
<b>Method of Calculation / Assessment</b>	<p>Actual expenditure on B-BBEE suppliers for the financial year multiplied by the relevant BBBEE level, expressed as a percentage of total expenditure on suppliers= <math>[(axb)/c] \times 100</math></p> <p>Where</p> <p>a = actual expenditure on B-BBEE suppliers incurred for the financial year under review,</p> <p>b = BBBEE level percentage of supplier as per certificate/CSD,</p> <p>c = total expenditure on suppliers incurred for the financial year (excl. government departments expenditure).</p> <p>It can be expressed inclusive of capital expenditure and exclusive of capital expenditure.</p>			
<b>Means of Verification</b>	Quarterly reports send to <b>the dtic</b>			
<b>Assumptions</b>	➤ The Finance Division to collect and analyse the relevant data and complete the quarterly report.			
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A			
<b>Spatial Transformation (where applicable)</b>	N/A			
<b>Calculation Type</b>	Percentage			
<b>Reporting Cycle</b>	Quarterly and annually			
<b>Desired performance</b>	To meet the target			
<b>Indicator Responsibility</b>	CFO, COO			
<b>Baseline</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>



Outcome Transparent, Accountable and Sustainable Entity				
*Estimated performance		4 Quarterly reports sent to <b>the dtic</b>		80% of expenditure spent on suppliers between the B-BBEE levels 1-4, excluding dtic office rental, 20% of which will be on women, youth or PWDs.
Annual Targets	2024/25	2025/26	2026/27	2027/28
	100% of expenditure spent on suppliers based on the B-BBEE levels 1-4, excluding dtic office rental, 20% of which will be on women, youth or PWDs.			

Outcome Transparent, Accountable and Sustainable Entity	
15. Indicator Title	Percentage of expenditure on EME suppliers.
Definition	30% of expenditure spent on suppliers that are classified as EME enterprises, excluding dtic office rental.
Source of data	Quarterly reports compiled by the Finance Division
Method of Calculation / Assessment	<ul style="list-style-type: none"> <li>Actual expenditure on EME suppliers for the financial year expressed as a percentage of total expenditure on suppliers= (a/b) x 100</li> </ul> <p>Were</p> <p>a = actual expenditure on EME suppliers incurred for the financial year under review,</p> <p>b = total expenditure on suppliers incurred for the financial year,</p> <p>Can be expressed inclusive of capital expenditure and exclusive of capital expenditure.</p> <ul style="list-style-type: none"> <li>Measured at end of quarter and annually</li> </ul>
Means of Verification	Quarterly reports send to <b>the dtic</b>
Assumptions	➤ The Finance Division to collect and analyse the relevant data and complete the quarterly report.

Outcome	Transparent, Accountable and Sustainable Entity				
Disaggregation of Beneficiaries (where applicable)	N/A				
Spatial Transformation (where applicable)	N/A				
Calculation Type	Percentage				
Reporting Cycle	Quarterly and annually				
Desired performance	To meet the target				
Indicator Responsibility	CFO, COO				
Baseline *Estimated performance	2020/21	2021/22	2022/23	2023/24*	
	New indicator	New indicator	New indicator	30% of the expenditure is spent on suppliers that are classified as EME suppliers.	
Annual Targets	2024/25	2025/2026	2026/27	2027/28	
	30% of expenditure is spent on suppliers that are classified as EME suppliers.				
	30% of the expenditure is spent on suppliers that are classified as EME suppliers.				

## 12.5. Transformation, Human capital development and training

Outcome Transparent, Accountable and Sustainable Entity	
<b>16. Indicator Title</b>	Percentage of staff retention.
<b>Definition</b>	Monitoring that the retention rate remains at an acceptable level (the target) and therefore ensures that the Tribunal is adequately capacitated to provide technical and administrative support to the adjudication process.
<b>Source of data</b>	<ul style="list-style-type: none"> <li>➤ Tribunal's payroll system</li> <li>➤ Summary reports compiled by the HR Manager</li> </ul>
<b>Method of Calculation / Assessment</b>	<p>Percentage of staff = <math>(a/b) \times 100</math></p> <p>Where:</p> <p>a = total headcount of existing full-time staff at start of quarter</p> <p>b = total headcount of full-time staff at end of quarter</p> <ul style="list-style-type: none"> <li>• Measured at end of quarter and year to date</li> </ul>
<b>Means of Verification</b>	<ul style="list-style-type: none"> <li>➤ Head count of full-time staff vs funded posts</li> <li>➤ Compensation of employee's budget</li> <li>➤ Approved structure</li> <li>➤ Summary reports by the HR Manager</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>➤ The Tribunal has sufficient budget allocated for the funded secretariat positions.</li> <li>➤ That optimal capacity exists through a low vacancy rate.</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A

Outcome	Transparent, Accountable and Sustainable Entity				
Calculation Type	Non-Cumulative (simple count)				
Reporting Cycle	Measured quarterly but report annually against target.				
Desired performance	To meet and not exceed the retention rate				
Indicator Responsibility	HR Manager				
Baseline	2020/21	2021/22	2022/23	2023/24*	
*Estimated performance	19.23%	12%	90%	80%	
Annual Targets	2024/25	2025/26		2026/27	2027/28
	80%	80%		80%	80%

Outcome	Transparent, Accountable and Sustainable Entity				
17. Indicator Title	Percentage of staff training expenditure against total employee costs.				
Definition	The indicator measures the employee training expenditure as a percentage of total employee costs.				
Source of data	<ul style="list-style-type: none"> <li>➤ Tribunal's payroll system</li> <li>➤ Summary reports compiled by the HR Manager</li> <li>➤ Quarterly reports compiled by the Finance Division</li> </ul>				
Method of Calculation / Assessment	<ul style="list-style-type: none"> <li>• Percentage of training expenditure = <math>(a/b) \times 100</math></li> </ul> <p>Where:</p> <p>a = total training expenditure incurred for the quarter</p> <p>b = total employee cost expenditure incurred for the quarter</p> <p>Measured at end of quarter and annually</p>				
Means of Verification	➤ Quarterly reports send to the dtic				
Assumptions	➤ The Finance Division to collect and analyse the relevant data and complete the quarterly report.				

Outcome	Transparent, Accountable and Sustainable Entity				
Disaggregation of Beneficiaries (where applicable)	N/A				
Spatial Transformation (where applicable)	N/A				
Calculation Type	Numerical				
Reporting Cycle	Quarterly and annually				
Desired performance	To meet the target				
Indicator Responsibility	COO				
Baseline	2020/21		2021/22	2022/23	2023/24*
*Estimated performance	New indicator		New indicator	New indicator	2%
Annual Targets	2024/25	2025/26		2026/27	2027/28
	2%	2%		2%	2%

Outcome	Transparent, Accountable and Sustainable Entity		
18. Indicator Title	Number of capacity building workshops for Case Managers and Tribunal members.		
Definition	This performance indicates whether a capacity building workshop is held whereby Case Managers and Tribunal members receive the requisite training and focus on international trends in Competition law to expand their skills and increase their level of competency in their specific field.		
Source of data	<div>➤ HR summary report compiled by HR Manager</div> <div>➤ Training report completed by staff attending the workshop</div>		

Outcome	Transparent, Accountable and Sustainable Entity			
Method of Calculation / Assessment	Simple count			
Means of Verification	➤ Training reports completed by delegates. ➤ Tribunal accounting system reflects transactions pertaining to conference attendance. ➤ Attendance register			
Assumptions	➤ The field of competition law is wide, complex and constantly evolving. Tribunal members and staff must be kept abreast of national and international developments in competition law and economics. ➤ Assumption that there are skilled and competent facilitators with knowledge of case law. ➤ Assumption that there are sufficient financial resources for the Tribunal to host such a workshop and cover all expected costs			
Disaggregation of Beneficiaries (where applicable)	N/A			
Spatial Transformation (where applicable)	N/A			
Calculation Type	Non-cumulative (simple count)			
Reporting Cycle	Quarterly and annually			
Desired performance	To meet the required target			
Indicator Responsibility	Head of Case Management			
Baseline	2020/21	2021/22	2022/23	2023/24*
*Estimated performance	Removed due to COVID-19	100%	One annual	One annual capacity building workshop

Outcome Transparent, Accountable and Sustainable Entity				
			capacity building workshop	
Annual Targets	2024/25	2025/26	2026/27	2026/27
	One annual capacity building workshop	One annual capacity building workshop	One annual capacity building workshop	One annual capacity building workshop

Outcome Transparent, Accountable and Sustainable Entity	
19. Indicator Title	Number of interns provided with opportunities within the Tribunal
Definition	This performance indicator measures the extent to which the Tribunal has provided work opportunities to at least two interns for the financial year.
Source of data	<ul style="list-style-type: none"> <li>➤ Payroll system</li> <li>➤ HR summary reports compiled by the HR Manager</li> </ul>
Method of Calculation / Assessment	Simple head count
Means of Verification	<ul style="list-style-type: none"> <li>➤ Actual head count</li> <li>➤ Signed offer and appointment letters.</li> <li>➤ Signed contracts.</li> <li>➤ Personnel expenditure against budget</li> </ul>

Outcome	Transparent, Accountable and Sustainable Entity			
Assumptions	<div>➤ Assumption that the candidates applying for the positions met the internship requirements.</div> <div>➤ Assumption that the Tribunal has financial resources to employ these interns.</div> <div>➤ Assumption that there is the required space and technological resources required to employ these interns</div>			
Disaggregation of Beneficiaries (where applicable)	N/A			
Spatial Transformation (where applicable)	N/A			
Calculation Type	Non-cumulative (simple count)			
Reporting Cycle	Measured Quarterly and Annually against target			
Desired performance	To meet the required target			
Indicator Responsibility	HR Manager			
Baseline	2020/21	2021/22	2022/23	2023/24*
*Estimated performance	2	2	2	2
Annual Targets	2024/25	2025/26	2026/27	2027/28
	2	2	2	2

Outcome	Transparent, Accountable and Sustainable Entity
20. Indicator Title	Percentage of employment equity representation of employees from the designated groups
Definition	Maintain 75% of employment equity representation of employees from the designated groups.
Source of data	➤ Quarterly HR reports compiled by the HR Manager



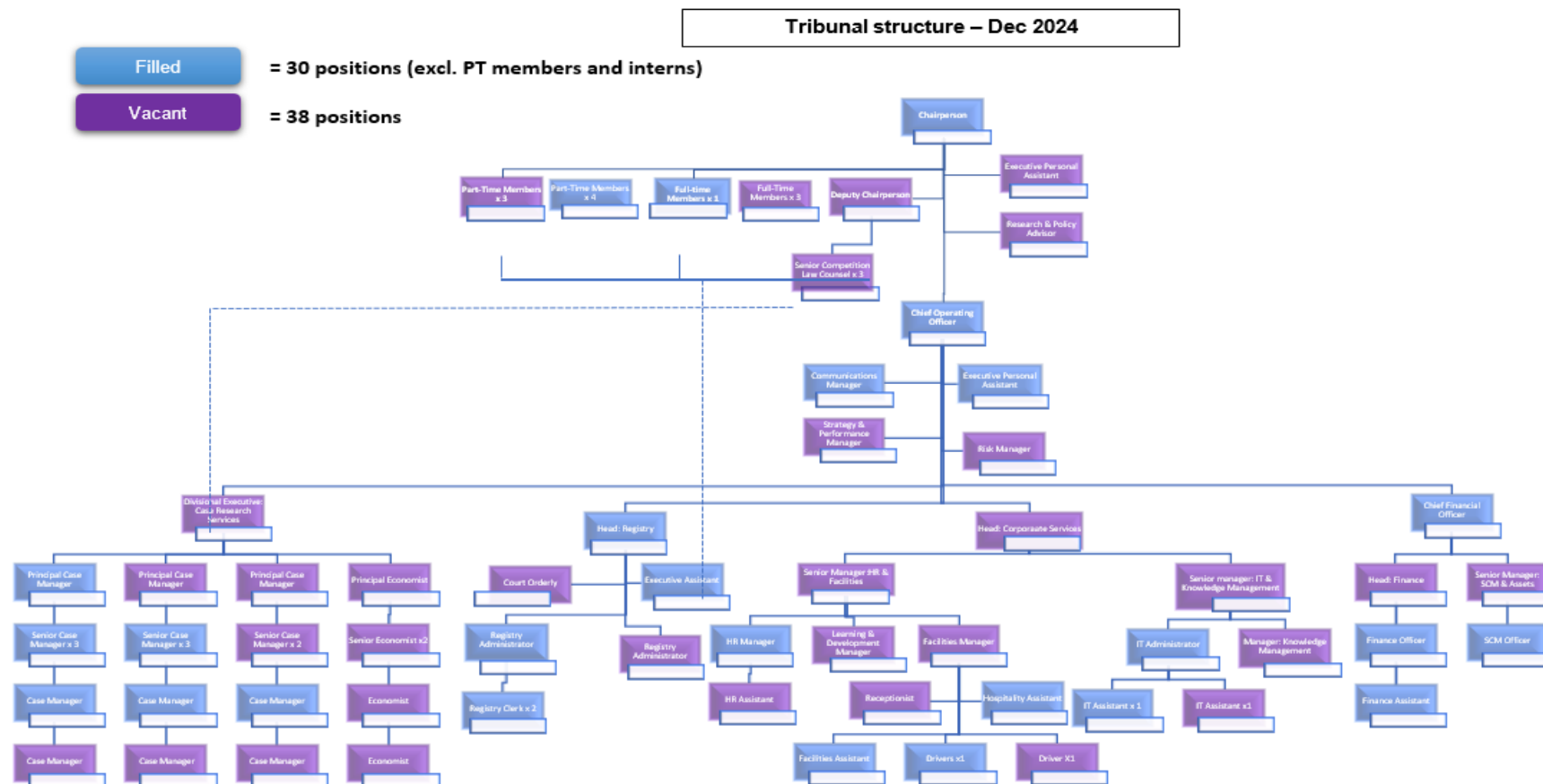
Outcome		Transparent, Accountable and Sustainable Entity			
Method of Calculation / Assessment	<ul style="list-style-type: none"><li>Percentage of employment equity representation of employees from designated groups = (a/b) x 100</li></ul> Where: a = total number of employees represented from designated groups for the quarter b = total number of employees for the quarter Measured at end of quarter and annually				
Means of Verification	➤ Quarterly reports completed and submitted to <b>the dtic</b> .				
Assumptions	➤ HR Manager collects and analyses the data and compiles a quarterly report.				
Disaggregation of Beneficiaries (where applicable)	N/A				
Spatial Transformation (where applicable)	N/A				
Calculation Type	Percentage				
Reporting Cycle	Quarterly report to <b>the dtic</b> but reported on annually.				
Desired performance	To meet the required target				
Indicator Responsibility	HR Manager, COO				
Baseline	2020/21	2021/22	2022/23	2023/24*	
*Estimated performance	New indicator	1 report	85%	75%	
Annual Targets	2024/25	2025/26	2026/27	2026/27	
	75%	75%	75%	75%	

## 12.6. Improved Knowledge Management

Outcome	Transparent, Accountable and Sustainable Entity
<b>21. Indicator Title</b>	Enhancement of case management system
<b>Definition</b>	<p>This indicator measures the progress and effectiveness of improvements made to the Tribunal's Case Management System (CMS) to enhance case processing efficiency, data integrity, and user experience.</p> <p>The enhancement of the CMS is crucial for streamlining case management workflows, reducing case turnaround times, improving transparency, and ensuring seamless tracking of cases from initiation to resolution. It supports the Tribunal's broader strategic goals of digital transformation and operational efficiency.</p>
<b>Source of data</b>	➤ Completed feasibility study on CMS system
<b>Method of Calculation / Assessment</b>	Quantitative
<b>Means of Verification</b>	➤ Completed feasibility study report
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>➤ Availability of budget and resources for system upgrades</li> <li>➤ Successful integration with existing IT infrastructure</li> <li>➤ Timely stakeholder engagement and training</li> </ul>
<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
<b>Spatial Transformation (where applicable)</b>	N/A
<b>Calculation Type</b>	Not applicable
<b>Reporting Cycle</b>	Annual
<b>Desired performance</b>	Target met

Outcome	Transparent, Accountable and Sustainable Entity				
Indicator Responsibility	COO and IT Manager				
Baseline	2020/21	2021/22	2022/23	2023/24*	
*Estimated performance	New indicator				
Annual Targets	2024/25		2025/26	2026/27	2027/28
	New indicator		Feasibility study conducted on current case management system and requirements	Service provider appointed to upgrade case management system	Full implementation of an enhanced CMS with improved automation, real-time case tracking, advanced analytics, and user-friendly interfaces.

## Annexure A: Structural Organogram<sup>16</sup>



## **Annexure B: Members of the Competition Tribunal**

### ***Chairperson***

- Mondo Mazwai (BJuris, LLB), from 2013 to 31 July 2029 (second term as Chairperson)

### ***Deputy Chairperson***

- Vacant

### ***Full-time Members***

- Andreas Wessels (BCom, BCom Hons, MCom (Economics)), from 01 August 2024 to 31 July 2029 (fourth term as full-time Member)
- Vacant- 3 x Members

### ***Part-time Members***

- Andiswa Ndoni (BProc, LLB, Post Graduate Diploma Business Management, Cert-Corporate Governance) from 01 August 2009 to 31 July 2024 (third term)
- Imraan Valodia (BCom Hons, MSc, DEcon) from 01 January 2013 to 31 January 2028 (second term)
- Thando Vilakazi (BSc, MCom, PhD) from 01 August 2019 to 31 July 2029 (first term)
- Geoff Budlender from 01 January 2023 to 15 March 2025 (second term)

## **Annexure C: Competition Tribunal Secretariat**

### ***Office of the Chairperson***

- 1) Vacant – Research & Policy Advisor (New)
- 2) Vacant - Executive Personal Assistant (New)
- 3) Vacant – Special Competition Law Counsel
- 4) Vacant - Special Competition Law Counsel (New)

### ***Office of the COO***

- 1) Ratshi Maphwanya - Chief Operating Officer
- 2) Lufuno Ramaru - Executive Administrator (Chairperson, COO)
- 3) Gillian de Gouveia- Communications Manager
- 4) Vacant – Strategy & Performance Officer (New)
- 5) Governance, Compliance and Risk Manager (New)

### ***Case Management***

- 1) Jabulani Ngobeni - Head of Case Management
- 2) Vacant - Principal Case Manager - Legal (New)
- 3) Vacant – Principal Case Manager – Economist (New)
- 4) Nomakhosi Mthethwa-Motsa - Senior Case Manager
- 5) Princess Ka-Siboto - Senior Case Manager
- 6) Moleboheng Mhlathi– Senior Case Manager (New)
- 7) Bobedi Seleke – Senior Case Manager
- 8) Juliana Munyembate – Senior Case Manager
- 9) Matshidiso Tseki – Senior Case Manager
- 10) Ofentse Motshudi – Case Manager
- 11) Sinethemba Mbeki – Case Manager
- 12) Tarryn Simpson-Case Manager
- 13) Vacant - Economist

### ***Registry***

- 1) Tebogo Mputle- Head: Registry
- 2) Sibongile Moshoeshe- Registry Administrator
- 3) Themba Chauke- Registry Clerk
- 4) Nkuli Mpepuka- Executive Assistant
- 5) Cyriel Mpaketsane- Registry Assistant
- 6) Vacant – Court Orderly

### **Corporate Services**

- 1) Vacant – Head: Corporate Services
- 2) Vacant – Senior Manager: IT & Knowledge Management (New)
- 3) Bellah Kekana - Human Resources Manager
- 4) Sabinah Monareng - Facilities and Support Services Assistant
- 5) Maggie Mkhonto - Hospitality Assistant
- 6) Enos Sekhabi – Driver
- 7) Vacant – Receptionist (New)
- 8) Colin Venter - IT Support and Network Administrator
- 9) Rendani Neswiswi - IT Assistant

### **Finance**

- 1) Sherylee Moonsamy – Chief Financial Officer
- 2) Vacant- Head: Finance
- 3) Tumelo Kekana - Financial Officer
- 4) Ongezwa Dlulane- Financial Assistant
- 5) Patricia Froude- Procurement Officer

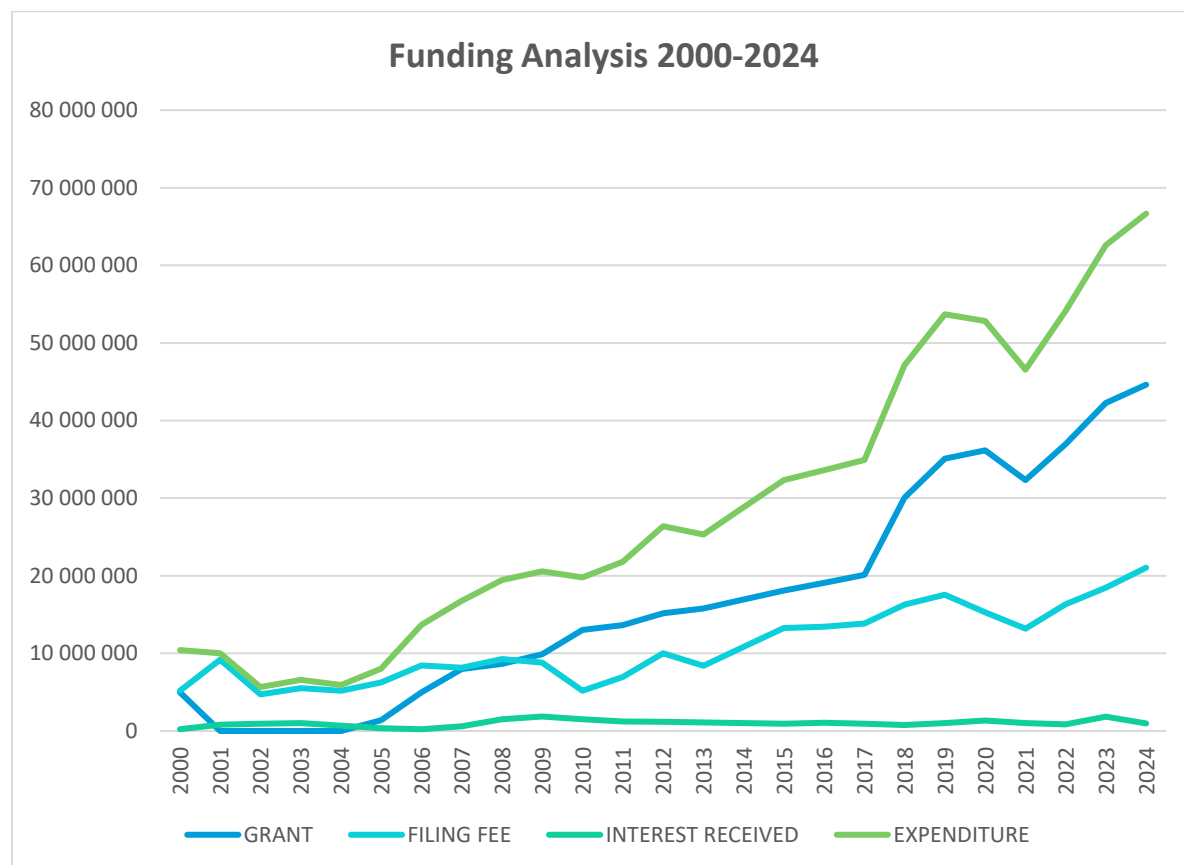
The approved organisational structure of 68 positions as reflected in **Annexure A** above will be phased in over the MTEF, and ten of the new positions was prioritised in 2024/25 financial year as reflected in the divisional staff list above, of which five were filled. The rest of the positions will be filled in the outer years in line with the availability of funding.

### **Gender and Race Composition – full-time staff**

Gender	Black	White	Coloured	Asian	Total	Percentage
Male	9	2	0	0	11	34%
Female	17	2	1	1	21	66%
Total	26	4	1	1	32	100%
Percentage	81%	13%	3%	3%	100%	

## Annexure D: Historical Representation of Expenditure and Funding

Figure 5 Representation of the Tribunal historical funding and expenditure





## Annexure E: Statement of Financial Performance – MTEF July 2024

Statement of financial performance				Approved budget	Average growth rate (%)	Expenditure/total: Average (%)	Medium-term estimate			Average growth rate (%)	Expenditure/total: Average (%)
Audited outcome	Audited outcome	Audited outcome					2025/26	2026/27	2027/28		
R thousand	2021/22	2022/23	2023/24	2024/25	2021/22-2024/25					2024/25 - 2027/28	
<b>Revenue</b>											
<b>Tax revenue</b>	–	–	–	–	–	–	–	–	–	–	–
<b>Non-tax revenue</b>	17,151	20,358	18,288	23,047	10.4%	33.2%	25,155	25,155	25,155	3.0%	36.3%
Sale of goods and services other than capital assets	16,310	18,472	15,461	21,047	8.9%	30.0%	23,155	23,155	23,155	3.2%	33.4%
Sales of goods and services produced by entity	16,310	18,472	15,461	21,047	8.9%	30.0%	23,155	23,155	23,155	3.2%	33.4%
of which:											
Administrative fees	16,310	18,472	15,461	21,047	8.9%	30.0%	23,155	23,155	23,155	3.2%	33.4%
Sales by market establishment	–	–	–	–	–	–	–	–	–	–	–
Other sales	–	–	–	–	–	–	–	–	–	–	–
Sales of scrap, waste, arms and other used current goods	–	–	–	–	–	–	–	–	–	–	–
Other non-tax revenue	841	1,886	2,827	2,000	33.5%	3.2%	2,000	2,000	2,000	–	3.0%
<b>Transfers received</b>	36,970	42,286	38,433	40,159	2.8%	66.8%	42,599	44,049	46,041	4.7%	63.7%
<b>Total revenue</b>	54,121	62,644	56,721	63,206	5.3%	100.0%	67,754	69,204	71,196	4.0%	100.0%
<b>Expenses</b>											
<b>Current expenses</b>	45,240	61,156	65,978	63,206	11.8%	100.0%	67,754	69,204	71,196	4.0%	100.0%
Compensation of employees	29,535	37,824	41,082	43,456	13.7%	64.5%	49,246	48,840	50,800	5.3%	70.8%
Goods and services	14,722	22,377	23,898	18,711	8.3%	33.7%	17,425	19,232	19,218	0.9%	27.5%
Depreciation	972	907	947	987	0.5%	1.7%	1,029	1,075	1,118	4.2%	1.6%
Interest, dividends and rent on land	11	48	50	52	67.9%	0.1%	54	57	60	4.8%	0.1%
<b>Transfers and subsidies</b>	–	–	–	–	–	–	–	–	–	–	–
<b>Total expenses</b>	45,240	61,156	65,978	63,206	11.8%	100.0%	67,754	69,204	71,196	4.0%	100.0%
<b>Surplus/(Deficit)</b>	8,881	1,488	(9,257)	–	-100.0%		–	–	–	–	

## Annexure F: Summarised Three-Year Budget 2025/2026 – 2027/2028

CATEGORY	ADJUSTED 2024/2025	2025/2026	2026/2027	2027/2028	TOTAL
<b>REVENUE</b>					
FILING FEES	21,046,708	23,154,599	23,154,599	23,154,599	69,463,797
GRANT	40,159,000	42,599,000	44,049,000	46,041,000	132,689,000
OTHER INCOME	-				-
INTEREST RECEIVED	2,000,000	2,000,000	2,000,000	2,000,000	6,000,000
<b>TOTAL REVENUE</b>	<b>63,205,708</b>	<b>67,753,599</b>	<b>69,203,599</b>	<b>71,195,599</b>	<b>208,152,797</b>
<b>EXPENDITURE</b>					
PERSONNEL	44,641,090	49,362,435	50,854,519	51,998,747	152,215,700
PT TRIBUNAL MEMBERS	4,000,000	4,000,000	4,000,000	4,000,000	12,000,000
TRAINING	1,000,000	500,000	500,000	500,000	1,500,000
CONFERENCE/SEMINARS	297,190	111,580	126,579	142,212	380,372
SHARED SERVICES CCSA	814,792	849,013	884,927	922,359	2,656,299
FACILITY FEE/LEASE	5,539,532	5,816,509	5,522,454	6,107,334	17,446,296
CONSULTING	90,587	94,419	98,413	102,576	295,409
LEGAL FEES	56,617	59,012	61,508	64,110	184,630
TRANSCRIPTION SERVICES	900,000	940,320	982,446	1,026,460	2,949,226
AUDIT EXPENSES	1,300,000	1,358,370	1,419,361	1,483,090	4,260,821
RECRUIT COSTS	41,006	42,740	44,548	46,432	133,720
ADMIN EXPENSES	855,288	891,466	929,175	968,480	2,789,121
DEPRECIATION	576,370	600,750	626,162	652,649	1,879,561
AMORTISATION	410,594	427,962	446,065	464,934	1,338,961
IT EXPENSES	2,500,000	2,500,000	2,500,000	2,500,001	7,500,001
REPAIRS/MAINTENANCE	32,641	34,022	35,461	36,961	106,445
APPEALS COURT	150,000	165,000	171,980	179,254	516,234
CAPITAL EXPENDITURE	-	-	-	-	-
<b>TOTAL EXPENDITURE</b>	<b>63,205,708</b>	<b>67,753,599</b>	<b>69,203,599</b>	<b>71,195,599</b>	<b>208,152,796</b>
<b>SHORTFALL</b>	<b>0</b>	<b>(0)</b>	<b>0</b>	<b>(0)</b>	<b>-</b>

## Annexure G: Detailed One Year Budget – 2025/2026

CATEGORY	2025/2026	2025/2026 % of Total Expenditure
<b>EXPENDITURE</b>		
PERSONNEL	49,362,435	73%
PT TRIBUNAL MEMBERS	4,000,000	6%
TRAINING	500,000	1%
CONFERENCE/SEMINARS	111,580	0%
SHARED SERVICES CCSA	849,013	1%
FACILITY FEE/LEASE	5,816,509	9%
CONSULTING	94,419	0%
LEGAL FEES	59,012	0%
TRANSCRIPTION SERVICES	940,320	1%
AUDIT EXPENSES	1,358,370	2%
RECRUIT COSTS	42,740	0%
ADMIN EXPENSES	891,466	1%
DEPRECIATION	600,750	1%
AMORTISATION	427,962	1%
IT EXPENSES	2,500,000	4%
REPAIRS/MAINTENANCE	34,022	0%
APPEALS COURT	165,000	0%
CAPITAL EXPENDITURE	-	-
<b>TOTAL EXPENDITURE</b>	<b>67,753,599</b>	<b>100%</b>

*\*Expected expenditure in year one*