



## REVISED DRAFT ANNUAL PERFORMANCE PLAN

2024/25

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## THE MINISTER'S FOREWORD

The Public Finance Management Act requires that every public entity prepare a Strategic Plan setting out the **overall strategy for the five years covering the state's Medium-Term Strategic Framework**. An Annual Performance Plan is also prepared annually, converting the overall strategy into key annual targets. These two Plans are then submitted to the Executive Authority for approval, and budgets are aligned with them.

This is the **NCT's 2024-2025 Annual Performance Plan**. I have requested that all entity Strategic Plans and Annual Performance Plans align with the Medium-Term Development Plan, which contributes to the dtic and its GDP growth strategy and transformation work.

**I accordingly endorse the NCT's Annual Performance Plan.**

I thank the management for their work and wish them well in executing the Annual Performance Plan and **aligning their work with the government's overall programmes and priorities.**



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



## ACCOUNTING AUTHORITY'S STATEMENT

### Introduction

The Tribunal was established in terms of the National Credit Act to adjudicate applications and referrals in terms of the Act. The introduction of the Consumer Protection Act subsequently increased the **NCT's** mandate. The President of South Africa formally established the NCT in September 2006 by appointing independent Tribunal members, including a chairperson.

### Legislative mandate

**The NCT strives to implement its legislative mandate to promote equity and fairness in South Africa's consumer and credit markets through flexible, efficient, and sustainable resource solutions, and support services.**

### Covid pandemic

Like the world over, when developing its Strategic Plan for the 2020-2025 period the NCT never envisaged that the COVID pandemic that **peaked in 2020/21 would dramatically impact the world, particularly people's personal and corporate relationships. Nevertheless, the NCT's history of agility and adaptation enabled it to** continue its operations without meaningful interruption.

### Information technology and communication infrastructure and development

In the modern world, no organisation is likely to obtain excellence without aggressively pursuing its information



technology and communication offerings. For many organisations, it will be the difference between success and failure. Consequently, the NCT will continue to build digital and face-to-face interfaces that are positive, productive, intelligent, and responsive to our stakeholders' needs. Our digital strategies will harvest the opportunities brought about by an evolving economy, including using artificial intelligence and data analytics to consistently increase the value delivered to our country, its consumers, credit providers, debt counsellors, and suppliers of goods and services.

## Finance

The NCT has not incurred irregular or fruitless expenditures and is proud to have achieved 11 uninterrupted clean audits. The NCT managed to contain expenditures within the constrained state grant allocations. It adopted austerity measures and continued to deliver services to its stakeholders despite a significant budget reduction of R7.6 million in the 2020/21 financial year and the recent reduction of R1.6 million in the 2023/24 financial year.

## Human resources

**The NCT's employees are its most important asset.** The NCT is aggressively building an internal culture based on the constitutional right to dignity where each individual employee matters, their presence matters, what they do matters and what they have to offer the NCT matters. We encourage them to work with freedom and flair because it provides them with the space to make their very best contribution to the NCT and its stakeholders. The NCT will continue to strengthen its internal relationships as an enabler to achieving great things within its mandate.

## Achievement of targets and change

As an engine for delivering a capable state, the NCT is set to achieve all its targets by the end of the current five-year period. However, the NCT is aware that change is inevitable. Albert Einstein told the world that **“the only way that we grow is if we change. The only way that we can change is if we learn. The only way we can learn is if we are exposed.”** In embracing change, the NCT continually strives to improve. We consistently plan and develop our systems, internal resources, and capabilities that increase our efficiency and quantitative and qualitative outputs. Some of these measures include increasing stakeholder engagement and building our public profile. It also means doing things better, faster, and more with less.

## Acknowledgements

I wish to thank the Honourable Minister of Trade, Industry, and Competition, Mr. E Patel, for the leadership and support he has given to the NCT. The NCT greatly appreciates the ongoing support of the Acting Director-



General, the Consumer and Corporate Regulation Division and the Public Entity Oversight Division.

My sincere gratitude goes to all the Tribunal members, governance committee members, the management team, staff, and interns for their commitment and diligence in ensuring the NCT successfully meets its mandate.

## Conclusion

The NCT is proud of its adjudicative offering and its impact on consumers' lives. It is up to the task and will meet the targets in the 2024-2025 Annual Performance Plan.

A handwritten signature in black ink, appearing to read "T. Bailey".

MR. TREVOR BAILEY


EXECUTIVE CHAIRPERSON

NATIONAL CONSUMER TRIBUNAL

## OFFICIAL SIGN-OFF

It is hereby certified that this Annual Performance Plan:

- Was developed by the management of the National Consumer Tribunal under the guidance of Mr Trevor Bailey, the Executive Chairperson.
- Considered all the relevant policies, legislation, and other mandates for which the National Consumer Tribunal is responsible.
- Accurately reflects the outcomes and outputs the National Consumer Tribunal will endeavour to achieve from 2024 to 2025.



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Mr Ahmed Moolla  
Chief Financial Officer



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Mr Bax Nomvete  
Chief Information Officer



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Mr Prenesen Moodley  
Acting Registrar





A handwritten signature in black ink, appearing to read "Hazel Alwar".

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Ms Hazel Alwar

Full-time Tribunal Member

Approved by:

A handwritten signature in black ink, appearing to read "Trevor Bailey".

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Mr Trevor Bailey

Accounting Authority

## PART A: OUR MANDATE

### 1. CONSTITUTIONAL MANDATE: THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA

The NCT carries out its work with due regard to the fundamental rights contained in Chapter 2 of the Bill of Rights of the Constitution of the Republic of South Africa. Specifically, the NCT directly impacts the provision of sections 9, 10, 32, 33, and 34 of the Constitution, as contained below.

#### Section 9- Equality

- (1) Everyone is equal before the law and has the right to equal protection and benefit of the law.
- (2) Equality includes the full and equal enjoyment of all rights and freedoms. To promote the achievement of equality, legislative and other measures designed to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken.
- (3) The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.
- (4) No person may unfairly discriminate directly or indirectly against anyone on one or more grounds in terms of subsection (3). National legislation must be enacted to prevent or prohibit unfair discrimination.
- (5) Discrimination on one or more of the grounds listed in subsection (3) is unfair unless it is established that the discrimination is fair.

The Tribunal plays its role in ensuring that parties have the right to equal protection and benefit of the law and that the decisions of the Tribunal are independent and fair.

#### Section 10- Human Dignity

- (1) Everyone has inherent dignity and the right to have their dignity respected and protected.

Through the adjudication process, the Tribunal ensures that prohibited conduct, and non-adherence **to the NCA and CPA are dealt with in its' judgments or orders**, and in doing so, safeguards the

protection of human dignity. Furthermore, the inquisitorial powers of the Tribunal allow for parties to tell their story and in doing so show respect for their human dignity.

## Section 32- Access to Information

- (1) Everyone has the right to access to:
  - (a) Any information held by the state, and
  - (b) Any information that is held by another person and that is required for the exercise or protection of any rights.

The Tribunal has developed a policy aligned with the Promotion of Access to Information Act 2 of 2000 (PAIA). The policy allows for persons to request information held by the Tribunal in a simple and **methodical manner. The Tribunal expeditiously assesses these requests to ensure the requestor's** rights to access is promoted.

## Section 33- Just Administration

- (1) Everyone has the right to administrative action that is lawful, reasonable, and procedurally fair.
- (2) Everyone whose rights have been adversely affected by administrative action has the right to be given written reasons.
- (3) National legislation must be enacted to give effect to these rights, and must:
  - (a) Provide for the review of administrative action by court, or where appropriate, an independent and impartial tribunal.
  - (b) Impose a duty on the state to give effect to the right in subsections (1) and (2) and,
  - (c) Promote an efficient administration.

The Tribunal issues high-quality and reasoned decisions and orders on all matters heard.

## Section 34- Access to Courts

Everyone has the right to have any dispute that can be managed and adjudicated by the application of law decided in a fair public hearing before a court, or where appropriate, another independent and impartial tribunal or forum.



The Tribunal remains accessible to diverse groupings of consumers and credit providers, debt counsellors, providers of goods and services and registrants. Parties can have their matters heard from anywhere in the world and access our remote services 24/7.

## 2. LEGISLATIVE AND POLICY MANDATES

The NCT adjudicates on applications and referrals of prohibited conduct in pursuance of the purpose of the NCA and CPA. These are as set out in Section 3 of these Acts, respectively, and are in accordance with Section 142 of the National Credit Act, the imperatives of the Constitution and the provisions of the Promotion of Administrative Justice Act (PAJA).

The NCT derives its mandate from Section 27 of the NCA. The role of the Tribunal is to adjudicate on:

- Applications made in terms of the NCA or the CPA by consumers, credit providers, credit bureaux, debt counsellors, the National Credit Regulator, and the National Consumer Commission.
- Applications for interim relief and review decisions by the National Credit Regulator and the National Consumer Commission.
- Matters referred to the Tribunal by the National Credit Regulator or the National Consumer Commission regarding complaints related to allegations of prohibited conduct; and
- Applications for debt re-arrangement agreements to be made an order of the Tribunal in terms of the NCA or consent orders in terms of the CPA.

As an independent adjudicative entity, the **NCT's** mandate is to hear and decide on cases involving consumers, suppliers of goods and services, credit providers, regulators, debt counsellors, credit bureaux, payment distribution intermediaries, and alternative dispute resolution agents. In so doing, the Tribunal hears applications and cases that are premised upon the terms outlined within the NCA, CPA, and the Rules of the Tribunal. In pursuing its legislative mandate, the NCT may:

- Adjudicate on any application or referral of prohibited or required conduct that may be made to it in terms of the Acts.
- Effect any order outlined in the Acts, in respect of such an application and / or adjudicate on allegations of prohibited conduct by determining whether.

- In instances where prohibited conduct has occurred, impose a remedy or relief as provided for in the promulgated Acts.
- Grant an order for costs regarding these Acts; and
- Exercise any other power conferred on it by these Acts.

The passing of the National Credit Amendment Act (Act No. 7 of 2019) once enforced will extend the work of the NCT going forward. This Act provides for the NCR to submit recommendations to the NCT for decisions relating to debt relief and to suspend credit agreements. This would be in instances where the NCR deems the consumer to have met the qualification criteria for the suspension or expungement of the debt. Its powers include limiting the maximum interest rate, fees or other charges that may be paid under a qualifying credit agreement and suspending the debt for a period not exceeding 12 months. This is accompanied by the possibility of this being extended for a further 12 months on application. The NCT may also make an order that no interest, fees, or charges be payable.

### 3. INSTITUTIONAL POLICIES AND STRATEGIES

To ensure proper Governance, the Tribunal has various policies and standard operating procedures in place across the different business units. These policies are listed on a Policy Schedule that the Tribunal maintains for control and review purposes. In addition to the policies mentioned above, the Tribunal has various other plans and registers. A compliance monitoring system will be implemented in 2024/2025 to ensure that the Tribunal keeps abreast with the latest legislative changes and that policies are aligned accordingly.

### 4. RELEVANT COURT RULINGS

There are three higher court decisions that have provided clarity on the interpretation of the CPA and **NCA. These decisions have either impacted or confirmed the Tribunal's adjudicative processes and** offered guidance to the Tribunal whilst it exercises its adjudicative function.

First Rand Bank Ltd v Annet Ludick (case number: A227/2019) High Court of South Africa, Gauteng Division, Pretoria

The High Court's clarification on section 166 of the NCA holds significant implications for the jurisdiction of the Tribunal. The court has expressly delineated that the Tribunal lacks authority to deliberate on the

interruption of prescription and is unequivocally tethered to the three-year prescription period stipulated in the NCA. This judicial clarification serves as a paramount guidepost for the Tribunal, solidifying its boundaries and obligating adherence to the legislatively defined prescription framework within the NCA. Subsequently, the Tribunal has diligently ensured the practical implementation of the High Court's interpretation in its adjudicatory proceedings. By aligning its decisions with the clarified legal parameters, the Tribunal contributes to legal consistency and precision, upholding the integrity of the NCA and fostering a coherent and standardised approach to matters falling within its jurisdiction.

National Credit Regulator v Dacqup Finances CC trading as ABC Financial Services - Pinetown and Another (case number: 382/2021) Supreme Court of Appeal

The Supreme Court of Appeal (SCA) confirmed two pivotal aspects that resonate with the judgment of the Tribunal. Firstly, the SCA affirmed that the burden for the regulator's reasonable suspicion is lower than the regulator having to obtain prima facie evidence before initiating an investigation. This pivotal confirmation implies that when the Tribunal presides over cases, the regulator bears a reduced burden of proof concerning reasonable suspicion. Secondly, the SCA upheld the Tribunal's authority by confirming that it is within its powers to mandate an audit and order the allocation of costs for said audit. This confirmation solidifies the **Tribunal's** powers to make an appropriate order in terms of prohibited conduct.

Lewis Stores (Pty) Ltd v Summit Financial Partners (Pty) Ltd and Others (case no 314/2020) Supreme Court of Appeal

The SCA clarified a significant legal distinction by holding that a ruling on a leave to refer a matter to the Tribunal does not constitute a 'decision' or an 'order' as specified in section 150 of the NCA. Rather, such **a ruling involves the exercise of the Tribunal's 'other powers' as outlined in** sections 27 and 150. Consequently, the leave ruling is non-appealable under section 148 to the Higher Courts. The SCA's interpretation exempts rulings on applications for leave to refer from the necessitating a public hearing or formal application. This nuanced understanding has led to a practical implication where, in light of the SCA's ruling, the Tribunal has elected to adjudicate all leave to refer applications in chambers. This procedural adjustment aligns with the legal framework articulated by the SCA, streamlining the process and offering a more expeditious means of handling such matters within the Tribunal's adjudicative purview.

## PART B: OUR STRATEGIC FOCUS

### 5. SITUATIONAL ANALYSIS

#### 5.1.1 External Environment Analysis

Political, Economic, Social, Technological, Legal, and Environmental (PESTLE)

POLITICAL	ECONOMIC
<ul style="list-style-type: none"> <li>• Legislative Amendments.</li> <li>• Long decision lead times.</li> <li>• Changing political priorities (change of administration).</li> <li>• Perceptions created about public sector corruption, ethics, and procurement practices.</li> <li>• Ongoing service delivery challenges.</li> </ul>	<ul style="list-style-type: none"> <li>• Increase in online business, personal transactions, education, and learning.</li> <li>• Increase in government borrowing.</li> <li>• Deepening recession impacting negatively on the economy and already financially stressed consumers and businesses.</li> <li>• <b>Increase in consumers' defaulting</b> on payments may impact ability to comply with debt-rearrangement orders.</li> <li>• Impact of load shedding and water restrictions.</li> <li>• Financial constraints and austerity measures on the fiscus with cuts in budgets of government departments and public sector entities.</li> </ul>
SOCIAL	TECHNOLOGICAL
<ul style="list-style-type: none"> <li>• Increasingly high levels of unemployment.</li> <li>• Awareness of the Tribunal.</li> <li>• Increase in flexible working practices.</li> <li>• Increased levels of anxiety, isolation, and psychological stress in society.</li> <li>• Poor standard of the SA educational system holds back technology adoption.</li> <li>• Rise of digital inter-connectedness.</li> </ul>	<ul style="list-style-type: none"> <li>• Advances in technology in line with <b>the 'Fourth and emerging Fifth Industrial Revolution'</b>.</li> <li>• Impact of social media and greater internet penetration. <b>The rise of 'big data,' predictive.</b></li> <li>• Analytics, artificial intelligence, and intelligent forecasting.</li> <li>• The power of automation, including cognitive automation.</li> <li>• Cyber-attacks / ransomware.</li> </ul>

OPPORTUNITIES	THREATS
<b>LEGAL</b> <ul style="list-style-type: none"> <li>• More laws, increasing moral prescription rather than reliance on ethics or moral guidance.</li> <li>• POPIA in force.</li> <li>• Rise of concerns regarding the ethical use of algorithms.</li> <li>• Legislative amendments.</li> </ul>	<b>ENVIRONMENTAL</b> <ul style="list-style-type: none"> <li>• Pandemics.</li> <li>• Environmentally friendly practices- reducing our carbon footprint.</li> <li>• Climate change.</li> <li>• Increasing resource scarcity – water and electricity.</li> </ul>

#### 5.1.2 Internal Environment Analysis-Strengths, Weaknesses, Opportunities, and Threats(SWOT)

STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> <li>• Deep understanding of consumer and credit legislation.</li> <li>• Consistent and impartial approach followed by NCT in relation to adjudication.</li> <li>• Increased accessibility and limited cost saving because of accelerated automation of systems including e-filing.</li> <li>• NCT offers an affordable alternative to the courts.</li> <li>• Quick case-flow turnaround times.</li> <li>• Strong financial controls – achievement of clean audits – eleven years in succession.</li> <li>• non-DRA adjudications being conducted virtually have significantly reduced costs.</li> <li>• Collaboration with other agencies to develop shared ICT architectures, thereby leveraging costs.</li> <li>• Good corporate Governance.</li> <li>• Strong leadership and strategic direction.</li> </ul>	<ul style="list-style-type: none"> <li>• Non-compliance with policies and procedures.</li> <li>• Budgetary constraints.</li> <li>• Human Capacity.</li> <li>• Flat structure.</li> <li>• Lack of proper records management</li> <li>• Too many transitional changes at leadership and management level.</li> <li>• Lack of upskilling and reskilling initiatives in response to changing demand for skills, particularly in digital analytics.</li> <li>• Lack of employee benefits.</li> </ul>



<ul style="list-style-type: none"> <li>• Knowledge sharing with other national, regional and international consumer protection agencies.</li> <li>• Assist other regulators and Consumer Protection agencies with the implementation of, and where relevant, integration of, case management and adjudication systems, thereby improving efficiency and overall service delivery.</li> <li>• Increased potential for Alternative Dispute Resolution, including potential use of mediation as a way of enabling litigants to resolve differences.</li> <li>• Increase stakeholder and consumer awareness.</li> <li>• Become an employer of choice.</li> </ul>	<ul style="list-style-type: none"> <li>• Uncertainty regarding the pace of increase in future caseload.</li> <li>• Length of time required to make changes to enabling legislation.</li> <li>• ICT security threats and safeguarding of public information - vulnerability to cyber-terrorism and ransomware.</li> <li>• Competition for high-end skills.</li> <li>• Lack of institutional memory.</li> <li>• Reliance on fixed-term contracts.</li> </ul>
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## PART C: MEASURING OUR PERFORMANCE

### 6. INSTITUTIONAL PROGRAMME PERFORMANCE INFORMATION

#### 6.1 Programme 1: Case Management and Adjudication

##### 6.1.1. Purpose of the programme

To provide the necessary administrative and adjudicative and other related services to ensure that the NCT delivers successfully on its mandate.

##### Case Management

The purpose is to provide services to ensure that all cases are timeously prepared, that filing parties and applicants are communicated with, and that all pertinent information is recorded and disseminated. The case management process involves numerous steps, from the capturing of an application to the management of the flow of a case to initiating adjudication, and finally to the issuing of judgments to the parties.

##### Adjudication

The purpose is to adjudicate on both substantive and interlocutory applications. It ensures that competent, professional, impartial Tribunal members are available to attend to matters, that the procedures followed

are fair, and that Tribunal Members' decision-making is substantively sound in accordance with legal precedents and requirements.

### **Contribution to the dtic's** outcomes

The Tribunal operates within a distinct mandate focused on adjudicating consumer and consumer credit applications. Despite this specific jurisdiction, our objectives, outputs, and indicators are intentionally designed to align seamlessly with the broader goals and indicators set by the Department of Trade, Industry, and Competition (the dtic). While our primary responsibility is to ensure fair and just resolution in matters pertaining to consumers and consumer credit, we recognise the inherent link between our decisions and the broader economic landscape overseen by the dtic.

Our commitment to supporting the **dtic's** outputs is evident in the strategic alignment of our activities. By prioritising transparency, fairness, and efficiency in consumer-related adjudications, we contribute indirectly to the overarching objectives of the dtic. This synergy allows the Tribunal to fulfil its specific mandate while concurrently playing a constructive role in advancing the broader economic and trade goals championed by the dtic. The intentional harmonisation of our objectives ensures that, despite the specificity of our mandate, the Tribunal remains an integral part of the collective effort towards achieving shared success with the dtic.

#### *Contributing to building a capable state:*

The Tribunal is committed to delivering a responsive and timeous service to stakeholders (NCT's -output indicator 1,2 and 3) in line with its mandate of adjudicating consumer and consumer credit applications. This commitment directly aligns with the **dtic's** focus on reducing red tape and improving state capability. By providing efficient and timely resolution of consumer-related matters, the Tribunal contributes to streamlining processes and reducing bureaucratic impediments in the realm of consumer affairs. This not only enhances the overall effectiveness of state capabilities but also aligns with the dtic's broader mission of creating a more responsive and agile regulatory environment that ultimately benefits both consumers and businesses alike. The symbiotic relationship between the Tribunal's commitment to responsive service and **the dtic's** focus on reducing red tape, thereby building a capable state underscores a shared objective of fostering a more efficient and customer-centric regulatory landscape.

#### *Contributing to industrialisation*

By issuing of judgments and orders, the Tribunal plays a pivotal role in the lives of consumers and the economy (NCT- output indicator 4). This output is closely linked to one of **the dtic's** focuses of making



an impact on the lives of South Africans. The Tribunal's decisions carry significant weight in shaping consumer rights and economic practices. By ensuring fair and just outcomes in consumer-related matters, the Tribunal actively participates in safeguarding the well-being of individuals and businesses, aligning with the dtic's commitment to positively impact the lives of South Africans. The synergy between the Tribunal's impactful decisions and the **dtic's** overarching goal reinforces a shared dedication to fostering a regulatory environment that serves the best interests of the **nation's** citizens and contributes to sustained economic growth.

Through the impact reports, the NCT will tell the story of how its judgments and orders make a difference in the lives of South Africans.

#### 6.1.1.1. Outcomes, Outputs, Performance Indicators and Targets

No.	Outcomes	Alignment to dtic Outcomes	Output	Output Indicators	Annual Targets						
					Audited/Actual Performance			Estimated Performance	MTEF Period		
					2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
1	Confidence in the NCT-inspired by high-quality adjudication and case management	Capable state	DRA's issued	Average number of days from the date of filing of DRA to date of issuing an order to parties.	64.18 days	30.74 days	29.15 days	55 days	50 days	48 days	45 days
2	Confidence in the NCT-inspired by high-quality adjudication and case management	Capable state	Set downs issued	Average number of days from the date of close of pleadings on a non-DRA to issuing a first notice of set down to the parties.	5.31 days	9.86 days	6.85 days	15 days	15 days	14 days	12 days
3	Confidence in the NCT-inspired by high-quality adjudication and	Capable state	Non-DRA orders issued	Average number of days from the date of final adjudication of non-DRA to date of issuing an order.	8.86 Days	10.96 days	17.43 days	20 days	20 days	20 days	20 days

	case management										
4	Confidence in the NCT- inspired by high- quality adjudication and case management	Industrialisation	Impact reports on DRA and non-DRA judgments and order	Number of impact reports on DRA or non-DRA judgments and orders of the Tribunal	-	-	-	-	12	16	20

#### 6.1.1.2 Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target 2024/25	Q1	Q2	Q3	Q4
Average number of days from the date of filing of DRA to date of issuing an order to parties.	50 days	50 days	50 days	50 days	50 days
Average number of days from the date of close of pleadings on a non-DRA to issuing a first notice of set down to the parties.	15 days	15 days	15 days	15 days	15 days

Output Indicators	Annual Target 2024/25	Q1	Q2	Q3	Q4
Average number of days from the date of final adjudication of non-DRA to date of issuing an order.	20 days	20 days	20 days	20 days	20 days
Number of impact reports on DRA or non-DRA judgments and orders of the Tribunal	12	3	3	3	3



## 6.2 Programme 2: Administration

### 6.2.1 Purpose of the programme

Provide strategic leadership to Tribunal to ensure the successful implementation of its legislative mandate through flexible, efficient, and sustainable resources and supporting services.

#### **Contribution to dtic's outcomes:**

*Contributing to building a capable state:*

The NCT has embarked on a project to fast-track the payments of Tribunal members. Tribunal members' payments are processed on a weekly basis, ensuring greater commitment and availability of our members. The finance output of paying suppliers within 20 business days, on average will contribute to reducing the administrative burden and supporting SMMEs.

The **NCT's** outputs regarding the uptime of its systems, its security, and its business continuity initiatives contribute to ensuring that the NCT does not suffer major setbacks and that the Case Management system is available to the filing parties as well as Tribunal members 24/7. The implementation of an Artificial Intelligence and Knowledge Management system will further enhance efficiency in adjudication.

An unqualified audit opinion, Compliance and Risk management, Human resources outputs on training, organisational culture and occupational and health, Records Management, and Stakeholder engagements are critical to building a capable state.



*Contributing to transformation:*

The Human Resource outputs will ensure that the right people, with the right skills are available to provide support to the NCT in achieving its various strategies to improve efficiencies. Concerted efforts in youth development and its various initiatives through its BBBEE implementation plan, are aligned to **the dtic's** transformation outcome.



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

No.	Outcomes	Alignment to dtic Outcomes	Output	Output Indicators	Annual Targets				MTEF period		
					Audited/Actual Performance			Estimated Performance			
					2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
5	Reliable, secure and sustainable asset utilisation	Capable state	Unqualified opinion	An unqualified opinion issued by the external auditors on the Annual financial statement and with no material findings on compliance with legislation and on the Annual Performance Report.	-	-	-	-	An unqualified opinion issued by the external auditors on the Annual financial statement and with no material findings on compliance with legislation and on the Annual Performance Report.	An unqualified opinion issued by the external auditors on the Annual financial statement and with no material findings on compliance with	An unqualified opinion issued by the external auditors on the Annual financial statement and with no material findings on compliance with

No.	Outcomes	Alignment to dtic Outcomes	Output	Output Indicators	Annual Targets				MTEF period		
					Audited/Actual Performance			Estimated Performance			
					2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
										legislation and on the Annual Performance Report.	legislation and on the Annual Performance Report.
6	Reliable, secure and sustainable asset utilisation	Capable state	Suppliers paid	Average number of days taken to pay Suppliers	-	-	-	-	20 days	20 days	20 days
7	Reliable, secure and sustainable asset utilisation	Capable state	Financial sustainability report	Number of financial sustainability reports approved by the Executive Chairperson	-	-	-	-	1	1	1
8	An intelligent, digitally transformed and enabled NCT	Capable state	Systems availability	Average percentage availability of systems during business hours.	99.59%	98.15%	99.38%	98%	98%	98%	98%

No.	Outcomes	Alignment to dtic Outcomes	Output	Output Indicators	Annual Targets				MTEF period		
					Audited/Actual Performance			Estimated Performance			
					2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
9	An intelligent, digitally transformed and enabled NCT	Capable state	Security assessment audits	Number of designated security assessment audits conducted	2 (1 Internal and 1 external) penetration tests were completed and the results reviewed.	2 (1 Internal and 1 external) penetration tests were completed and the results reviewed.	2 (1 Internal and 1 external security audit)	2 (1 Internal and 1 external security audit)	2 (1 Internal and 1 external security audit)	2 (1 Internal and 1 external security audit)	2 (1 Internal and 1 external security audit)
10	An intelligent, digitally transformed and enabled NCT	Capable state	Disaster recovery tests	Number of ICT Disaster recovery tests completed.	-	-	-	-	2	2	2
11	An intelligent, digitally transformed and enabled NCT	Capable state	An Artificial Intelligence and Knowledge Management System	Implementation of an Artificial Intelligence and Knowledge Management system for Case Management/ Adjudication.	-	-	-	-	1 Research paper approved by the Executive Chairperson	1 Business requirements document approved by the Executive Chairperson	1 Functional Technical specification document approved by the Executive Chairperson

No.	Outcomes	Alignment to dtic Outcomes	Output	Output Indicators	Annual Targets				MTEF period		
					Audited/Actual Performance			Estimated Performance			
					2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
12	Reliable, secure and sustainable asset utilisation	Capable state	Compliance monitoring system	Number of compliance monitoring systems developed and implemented	-	-	-	-	1 compliance monitoring system developed	4 compliance system reports	4 compliance system reports
13	Reliable, secure and sustainable asset utilisation	Capable state	Risk and Compliance workshops	Number of risk and compliance training workshops conducted	-	-	-	-	1 risk training workshop and 1 compliance training workshop conducted	1 risk training workshop and 2 compliance training workshops conducted	1 risk training workshop and 2 compliance training workshops conducted
14	Reliable, secure and sustainable asset utilisation	Transformation	Positions filled	Percentage of filled positions against approved organisational Structure	89.56%	95.86%	95.75%	90%	85%	85%	85%
15	Reliable, secure and sustainable asset utilisation	Transformation	Interns employed	Number of interns appointed	6	8	8	8	5	5	5

No.	Outcomes	Alignment to dtic Outcomes	Output	Output Indicators	Annual Targets				MTEF period		
					Audited/Actual Performance			Estimated Performance			
					2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
16	Reliable, secure and sustainable asset utilization	Capable state	Occupational Health and Safety audit	Number of Occupational Health and Safety compliance audit Reports	-	-	-	-	2	2	2
17	Reliable, secure and sustainable asset utilisation	Capable state	Workplace Skills Plan	Number of Workplace Skills Plan submitted to PSETA	-	-	-	-	1	1	1
18	Reliable, secure and sustainable asset utilisation	Capable state	Culture/ wellness surveys or interventions	Number of culture/wellness surveys or interventions Conducted	-	-	-	-	2	2	2
19	A readily accessible NCT that shares information and co-operates with stakeholders	Capable state	Engagements with external stakeholders	Number of structured interactions and engagements with external stakeholders	41	29	51	20	24	32	32

No.	Outcomes	Alignment to dtic Outcomes	Output	Output Indicators	Annual Targets				MTEF period		
					Audited/Actual Performance			Estimated Performance			
					2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
20	Reliable, secure and sustainable asset utilisation	Capable state	Staff trained on Records management	Number of records management training conducted within the Tribunal.	-	-	-	-	1	1	1
21	Reliable, secure and sustainable asset utilisation	Transformation	Increased employment prospects of South Africans in rural communities	Number of rural communities trained to increase employment prospects.	-	-	-	-	-	5	5
22	Reliable, secure and sustainable asset utilisation	Transformation	Developed capability of SMME's	Number of SMME's trained	-	-	-	-	-	25	25

23	Reliable, secure and sustainable asset utilisation	Transformation	Youth provided with work experience through job shadowing	Number of youths provided with work experience through job shadowing	-	-	-	-	-	10	10
24	An intelligent, digitally transformed and enabled NCT	Building a capable state	Capability to generate consumer statistical and demographical data reports	Design of the systems capability to generate consumer statistical and demographical data reports for DRAs	-	-	-	-	-	Development and deployment of the reporting system	-

#### 6.2.1.2 Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target 2024/25	Q1	Q2	Q3	Q4
An unqualified opinion issued by the external auditors on the Annual financial statement and with no material findings on compliance with legislation and on the Annual Performance Report.	An unqualified opinion issued by the external auditors on the Annual		An unqualified opinion issued by the external auditors on the Annual financial statement		

Output Indicators	Annual Target 2024/25	Q1	Q2	Q3	Q4
	financial statement and with no material findings on compliance with legislation and on the Annual Performance Report		and with no material findings on compliance with legislation and on the Annual Performance Report.		
Average number of days taken to pay suppliers	20 days	20 days	20 days	20 days	20 days
Number of financial sustainability reports approved by the Executive Chairperson	1	-	1	-	
Average percentage availability of systems during business hours.	98%	98%	98%	98%	98%



Output Indicators	Annual Target 2024/25	Q1	Q2	Q3	Q4
Number of designated security assessment audits conducted	2 (1 internal and 1 external security audit)	-	-	2 (1 internal and 1 external security audit)	-
Number of ICT Disaster recovery tests completed.	2	-	1	-	1
Implementation of an Artificial Intelligence and Knowledge Management System for Case Management/Adjudication.	1 Research paper approved by the Executive Chairperson	-	-	-	1 Research paper approved by the Executive Chairperson
Number of compliance monitoring systems developed and implemented	1 compliance monitoring system developed			1 compliance monitoring system developed	

Output Indicators	Annual Target 2024/25	Q1	Q2	Q3	Q4
Number of risk and compliance training workshops conducted	1 risk and 1 compliance training workshop conducted		1 risk training workshop conducted		1 compliance training workshop conducted
Percentage of filled positions against approved organisational structure	85%	85%	85%	85%	85%
Number of interns appointed	5	-	-	-	5
Number of Occupational Health and Safety compliance audit reports	2	-	1	-	1

Output Indicators	Annual Target 2024/25	Q1	Q2	Q3	Q4
Number of Workplace Skills Plan submitted to PSETA	1	1	-	-	-
Number of culture/wellness surveys or interventions conducted	2	-	1	-	1
Number of structured interactions and engagements with external stakeholders	24	6	6	6	6
Number of records management training conducted within the Tribunal.	1	-	-	-	1

## 7. EXPLANATION OF PLANNED PERFORMANCE OVER THE MEDIUM-TERM PERIOD

### 7.1 Moving towards the achievement of 5,4% GDP growth

In fulfilling its mandate, the NCT is committed to contributing to the 5.4% GDP growth plan. Our mandate is to adjudicate cases in terms of the National Credit Act and Consumer Protection Act. Consequently, the NCT is limited by the facts of the cases that are filed with it. Nevertheless, we have considered the impact that our judgements, orders, and rulings would have on GDP growth and our broader contribution as an organisation.

#### Cost of credit and GDP growth

The cost of credit is linked to GDP growth. The Tribunal receives cases from the National Credit Regulator regarding credit providers' overcharging interest and the cost of credit. If the Tribunal finds prohibited conduct, it is empowered to order a refund to consumers who were overcharged on the cost of credit. Our judgments in such matters help to shape the behaviour of businesses and contribute to lowering the cost of credit so that more consumers can access credit.

Our judgments have and will continue to facilitate the establishment of a credible credit market, ensuring sustainable access to credit. By emphasising responsible lending practices, we contribute to long-term GDP growth rather than short-term gains that can result from reckless credit behaviour. This approach not only benefits individual consumers but also promotes a healthier economic environment.

#### Contribution towards a macro and micro transformation of the economy

The Tribunal has experienced a dramatic increase in debt re-arrangement applications. We currently adjudicate 38 000 such cases a year. This means that by granting an order, more money is injected back into the economy. **For example, we have analysed data from the National Credit Regulator's Consumer Credit Market Report and the Credit Bureau Monitoring Report as of March 2024, and the statistics based on the Payment Distribution Agencies' accounts. Our analysis reveals that the average individual consumer's monthly debt re-arrangement repayment is R5 478. Over a 5-year period, the Tribunal has granted 161 015 debt re-arrangement orders that translate into monthly repayments of R878 million being injected back into the economy.**

At a macro level, this implies that more money is being injected into transforming the economy by allowing businesses to recover what they may have written off as bad debt in an orderly fashion. This recovery provides opportunities for reinvestment in people and enterprise development, resulting in job creation and improved operational efficiency. Reducing financial losses strengthens the economic foundation for both SMMEs and larger enterprises.



At a micro level, consumers are assisted by ensuring that their homes and motor vehicles are not repossessed **thereby reducing their financial and psychological stress. In the short term, debt review limits a consumer's** economic activity. However, in the longer term, it ensures that once they have paid off their debt at much lower interest rates, they become rehabilitated consumers able to stimulate economic growth and access credit, thereby contributing to economic growth and enhancing overall societal prosperity.

#### Contribution to investments and creating regulatory certainty

The NCT is committed to fostering a fair and credible consumer credit market by issuing judgments that support the National Credit Act and Consumer Protection Act objectives. A transparent marketplace enhances consumer confidence and the ease of doing business, making it an attractive environment for foreign direct investment. By bolstering consumer trust, we aim to stimulate economic activity and growth.

#### B-BBEE and SMME development

To promote sustainable business practices, the NCT will provide targeted support and skills development for 25 small, medium, and micro enterprises (SMMEs) in its 2025/2026 APP. We will conduct an in-depth analysis of the Central Supplier Database to tailor training programmes that align with Broad-Based Black Economic Empowerment (BBBEE) imperatives. Our training will cover essential areas such as financial management, marketing strategies, and compliance with industry regulations, thereby equipping SMMEs with the tools necessary for long-term viability and growth.

#### B-BBEE, work experience, and job creation

The NCT aims to enhance the employment prospects of rural residents by providing skills training aligned with industry requirements. In implementing the 2025/2026 APP, we will visit five rural communities. This initiative will focus on areas that enhance job attractiveness, such as digital literacy, vocational skills, and workplace professionalism. By equipping individuals with the relevant skills, we will foster job creation and support the objectives of B-BBEE, ultimately contributing to the economic upliftment of those communities.

#### SMME support and stakeholder engagements

Our engagement strategy includes supporting five debt counsellors operating in rural and township areas in the 2024/2025 APP and 10 debt counsellors in the 2025/2026 APP to facilitate a sustainable debt counselling **marketplace in those areas. The NCT's training will encompass key aspects of SMME sustainability, including** financial management, ICT proficiency, HR management, and governance. Significantly, we will impart a comprehensive understanding of the debt counselling function to ensure that participants appreciate the broader **impact of debt counselling on South Africa's economy. By stabilising SMMEs, we enhance SMMEs' contribution** to GDP growth.



### Job creation and people with disabilities

The NCT proposes partnering with NGOs representing individuals with disabilities to identify 10 youth to undergo job shadowing opportunities within the NCT for the 2025/2026 APP.

In the 2024/2025 APP, the NCT will employ five interns focusing on historically disadvantaged individuals. We will extend the internships to two years to maximize the potential for permanent employment within the dtic group. This initiative aligns with B-BBEE objectives and contributes to workforce diversification and empowerment.

### Red tape reduction

**The NCT's technological advancements and business re-engineering** allow for greater service accessibility and efficient case finalisation. More efficient processes allow consumers to exit debt review more swiftly, enabling businesses to recover bad debt more quickly and stimulating faster economic growth. Our cases are set down within 15 days of the close of pleadings, and judgments are generally issued within 20 days from the last date of adjudication to shape industry behaviour and obtain quicker redress for consumers.

### Red tape reduction and SMME support

In 2024/2025, the NCT will pay its suppliers within an average of 20 days, thus supporting and promoting SMMEs.

## 7.2 Alignment to 2024-2029 MTDP

**The Tribunal's APP for 2024/25 is strategically crafted to fulfil its statutory adjudicative mandate, underscoring** our commitment to transformation, industrialisation, and the development of a capable state. The presentation highlights our contribution to these three critical focus areas to ensure substantive alignment to the dtic priorities and the MTDP (2024-2029). It also outlines key strategic imperatives designed to deliver exceptional public value. There is a strong emphasis on superior service, innovative re-engineering of business processes and **optimising digital technology that embody 'doing more with less.'**

The 2024-**2029 MTDP's transformation and fundamental principles of human dignity** and the progressive realisation of social economic rights

We consider transformation in numerous ways. Firstly, from a humanitarian perspective, our adjudication of debt re-arrangement agreements (DRAs) restores human dignity to consumers in financial and emotional distress. They enable distressed consumers to retain their assets, meet their monthly expenses, and repay their debts. Secondly, economically, it sustains the credit market as approximately R870m of potentially lost credit is returned



to the economy monthly.

Our judgments and decisions in consumer disputes and regulatory matters (known as non-DRA's) give meaning and respect to the values enshrined in the Constitution and the rule of law. Industry behaviour is corrected through administrative fines and consumers obtaining refunds, repairs, and replacements of goods and services.

Our on-line Teams hearings concerning dispute and regulatory matters dramatically reduce inconvenient travel and accommodation costs. Our on-line case management system can be accessed anytime in any part of South Africa through our novel mobile application.

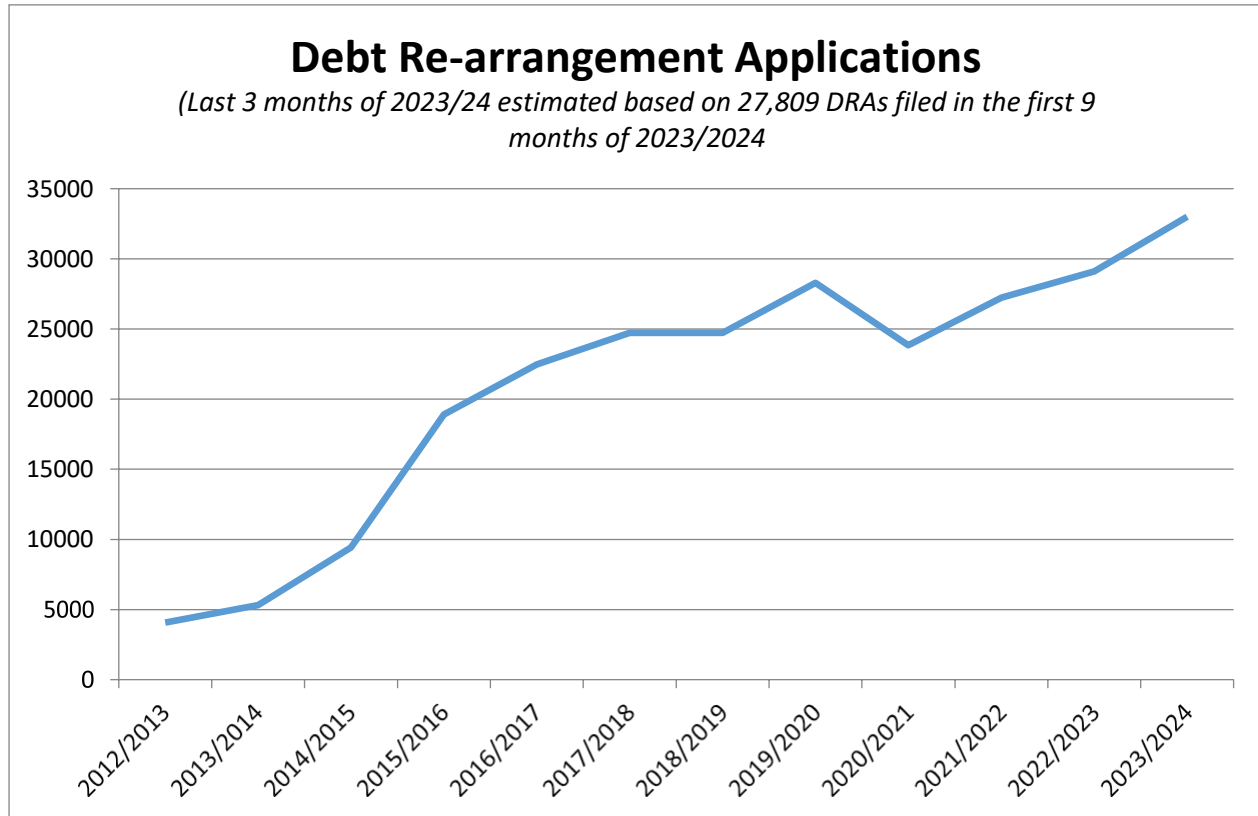
The MTDP and a capable state (integrity, good governance, improving service delivery, institutional capacity, nation-building and digital transformation)

We contribute to a capable state. We enhance efficiency by re-engineering business processes and optimising digital technology ICT. We have reduced red tape and offer consumers and parties faster redress and resolution of their cases. Our achievement of 12 consecutive clean audits demonstrates sound corporate governance and integrity. Our contribution to social cohesion and nation-building is reflected by employing the right calibre of staff, developing human capital for future needs and producing leaders through skills development and youth employment. Developing organisational leaders and retaining institutional knowledge is critical to building a capable state.

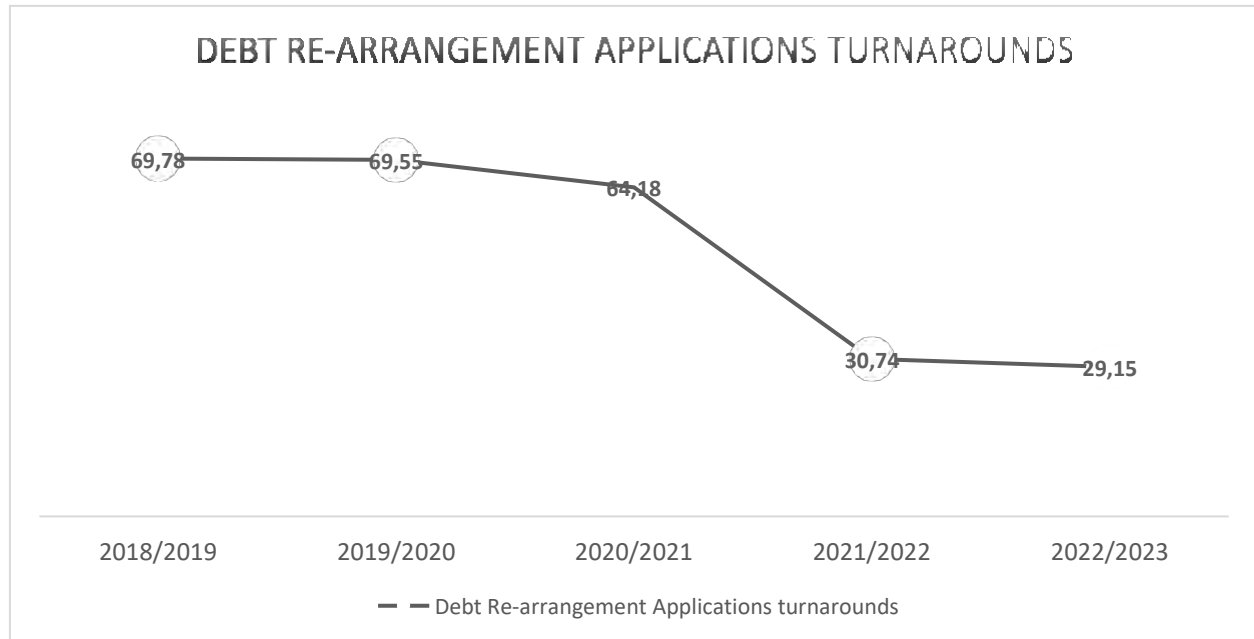
## Industrialisation

The Tribunal is bound to act within its legislative adjudicative mandate, which means that it may only deal with the adjudication issues placed before it. However, our outcomes meaningfully impact socio-economic and other **behaviours. The Tribunal's contribution to industrialisation is demonstrated by the impact of the Tribunal's DRA orders and judgments to economic growth and how they impact consumers' lives.**

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







Outcome 1: Confidence in the NCT-inspired by high-quality adjudication and case management.

The graphs above depict the significant increase in caseload in the past 5 years and the ability of the NCT to continue to increase its levels of efficiency.

Section 142 of the NCA requires the Tribunal to adjudicate on matters expeditiously. There are 3 output indicators that focus on the average turnaround times to ensure the efficient processing and adjudication of applications before it. The Tribunal will focus on compiling impact reports that show how its decisions and orders impact the lives of consumers, the economy and the consumer and credit landscape.

Debt counselling and debt re-arrangement have a significant role to play in the credit landscape. Consumers can now repay their debt with dignity through debt counselling, especially in an unsecured credit lending market. Through the finalisation of debt re-arrangement agreements, the Tribunal will continue to give meaning to the constitutional right to dignity, to relieve financial and emotional stress in families and to help consumers save their homes and vehicles from being repossessed.

As an adjudicative entity, the NCT is bound by the law and the facts of each case that the regulators, consumers, suppliers, and registrants place before it. The Tribunal through its judgments creates certainty in our jurisprudence, and the consumer and credit markets. The continuous increase in cases received by the

Tribunal in each year, is significant, and a testament to the **NCT's** efforts to give meaning to the constitutional right of access to justice before a court or impartial tribunal and that the Tribunal has inspired confidence through its work. In instances whereby the Tribunal has made a finding of prohibited conduct, consumers can obtain a Certificate of Prohibited conduct from the Chairperson of the Tribunal and can thereafter approach the courts for damages without having to argue the merits of the matter. The Tribunal aims to continue increasing stakeholder confidence through expeditious judgment writing and developing a unique South African credit and consumer jurisprudence.

## Outcome 2: An intelligent, digitally transformed and enabled NCT

By elevating the Information and Communication Technology (ICT) infrastructure to the status of a strategic asset, the Tribunal is poised to transform itself into an intelligent, digitally empowered avenue for consumer justice. This strategic shift involves a wholistic approach to information security, ensuring that sensitive data is shielded from potential cyber threats. Implementing robust backup mechanisms guarantees the preservation and safety of critical information, fostering resilience against unforeseen events. Furthermore, by embracing automation and Artificial Intelligence (AI), the Tribunal can optimize its operations, enhance efficiencies, and streamline processes, ultimately resulting in a significant reduction in costs. This digital transformation not only fortifies the security and reliability of information but also positions the Tribunal as a technologically advanced and forward-thinking institution ready to meet the demands of a rapidly evolving **legal landscape. ICT has made significant digital strides over the past 5 years. The Tribunal's case management system** has already led to a throughput of 10 times faster and significant cost management efficiencies than prior to its technological interventions. Considering the success of its previous projects, and its intention to exploit the benefits of AI, the Tribunal is looking forward to helping consumers and businesses alike in a way that exceeds their expectations.

## Outcome 3: A readily accessible NCT that shares information and co-operates with stakeholders

**The NCT's communication strategy will be aimed to build the NCT's profile by creating awareness of the NCT's adjudicative offerings and the** possibilities for consumers, suppliers, and registrants to obtain redress. Stakeholder engagements will also focus on making debt counsellors more aware of how easy it has become to file cases with the Tribunal 24/7 from various devices through a quick, easy and cost-effective manner by utilising the Case Management system. Filing a debt re-arrangement agreement with the Tribunal is much more cost effective than the **Magistrate's courts. ICT will once again play a pivotal role in creating an** interactive website that showcases the work of the Tribunal in real-time and the difference we are making on a daily basis in the lives of consumers through our decisions. Issuing press releases on important decisions that have a broader impact on the consumer and credit industry will be another avenue to create awareness.

#### Outcome 4: Reliable, secure and sustainable asset utilisation

In terms of Section 26(1)(c) of the NCA, the NCT is a Tribunal of Record and as such the Tribunal is required to ensure that its case information is kept and maintained. In keeping with this legislative requirement, the records function is aligned to the requirements of the National Archives Act.

Sustainable asset utilisation requires of the NCT to be financially sustainability as such over the years the Tribunal has continuously had to introduce various cost saving measure, from the grouping of a number of hearings to be held on one day, adjudicating on some matters in chambers to introducing billing guidelines **for Tribunal members. The output relating to reports on financial stability will further the NCT's thinking of** alternate avenues to generate income and to introduce creative and innovative ways to cut costs in order to do more with less. As a Schedule 3 A Public entity it is important to pay suppliers as quickly as possible in **support of SMME's and this the Tribunal will aim to achieve by paying suppliers within a shorter period of** time, while at the same time ensuring that it receives value for money. Maintaining sound financial management practices and internal controls will lead to the Tribunal achieving an unqualified audit.

To have reliable, secure, and sustainable assets, human resources and its people are important and valuable assets to the NCT. Building a sound organisational culture and a nurturing environment supporting employee wellness will enhance our human resource capability.

As an adjudicative body, it is imperative that the NCT remains compliant with legislation and best practices. Therefore, compliance monitoring, reporting and risk management are important imperatives. Good corporate governance and monitoring compliance with legislation is strategically aligned to developing a capable and ethical state. An integrated risk management approach will ensure that the strategy and mandate can be achieved, through proactively identifying strategic risks and implementing actions to mitigate and address the risks.

#### 7.4 Outcomes and Explanation of the planned performance in relation to outputs

##### **Registrar's Office**

The office of the Registrar serves as the linchpin in the entire lifecycle of a case within the Tribunal, playing a pivotal role in its inception and finalisation. Functioning as the driving force behind the delivery of consumer justice, the Registrar's office has meticulously designed its internal processes to facilitate a seamless flow of cases. The Tribunal's role is to serve the parties filing matters with the Tribunal, and is committed to fostering strong stakeholder relations with filing parties. This commitment is evident in its pursuit of efficiency and effectiveness, ensuring that its processing aligns with the principles of natural justice. The Registrar's team is technically proficient and passionate about inspiring and driving innovative practices, thereby assisting in



positioning technology as a strategic asset to add public value. It plays a crucial support function in the adjudication process by ensuring that Tribunal Members are placed in possession of relevant information in line with the Tribunal Rules to ensure high-quality adjudication occurs.

In recognising the importance of records management, the Registrar's Office places it at the core of its processing strength. This emphasis ensures that the Tribunal can precisely meet its objectives and deliver on its outputs. Moreover, the office's intention to extend sound records management practices throughout the organisation is a strategic move.

## Corporate Services

Corporate Services is a critical business partner within the NCT, playing a leading role in supporting the NCT in achieving its mandate. It is a multi-functional unit comprising of the following sub-functions:

- Human Resources and Facilities Management
- Communications
- Risk Management
- Internal Audit
- Compliance and Secretariat

### *Human Resources and Facilities Management*

Without agile and adaptable employees in an environment where change is normal, there are bound to be **huge challenges**. HR's focus will be to ensure that the NCT not only improves on its systems and leadership but will ensure that the NCT is adequately skilled and manned with high performing, critical and key talent. The NCT is committed to continuous learning in order to ensure that its employees are abreast, adapting and keeping ahead of the changes in the workplace. Be it soft or technical skills through its talent management system.

We are starting a major journey to become a high-performance Tribunal focused on significantly better customer services, more effective and efficient operations, a new level of delivery, developing and managing talent, and better transparency and consistency in reputation and stakeholder management.

The quality of the employees who lead, manage, and work for the Tribunal will determine the success and **progress of delivery against the Tribunal's Strategic Plan. Without people with the right skills, in the right**

place, at the right time, and at the right price, the NCT will not be able to maintain and develop the quality of services that the people of South Africa expect. To ensure that we continue to develop those with the capacity to serve the South African people effectively and efficiently, we have prepared a Human Resource

strategy to steer the development of our most precious resource. Besides earning a good living, most employees also want to enjoy a good quality of life whilst on the job. Many aspects of the human resource management model will focus on contributing to a good quality of working life. The NCT has committed to aligning all HR processes to the South African Board of People Practitioners' (SABPP) HRM System Standards Model. This will promote HR professionalism in the NCT. These HR standards will take the practice of HR to a new level of relevance, significance, excellence, and credibility.

### *Communications*

Who we are, what we do, how we do it, and how to access the NCT and use our services will be the architecture that informs the key elements of the communications strategy and plan. In ensuring that we continuously improve on and build the trust and credibility of the NCT, Communications will focus on enhancing communication at all levels with both internal and external stakeholders. As a participant in the global economy, our focus will be to share our knowledge and expertise in the international arena and in the African continent. Our messaging will be delivered through outreach programs, engagements with stakeholders, joint initiatives with the dtic and other regulatory entities, our website, and press releases.

### *Risk Management, Compliance, Corporate Governance and Audits*

As an adjudicative body it is imperative that the NCT maintains a compliant organisation and not just legislatively but in terms of governance, internal and external audits. This is supported through diligent secretarial function with appropriate levels of record keeping. It is through the effective management of its internal audit and compliance standards that the NCT continues to proactively identify and mitigate/eliminate its risks, which ultimately cascades into the NCT maintaining its track record of clean audits. There will be a strong focus on risk management and ensuring compliance. Bringing risk management alive in an organisation involves creating a culture where risk management is not just a compliance exercise but an integral part of decision-making and business processes. Strategies will focus on making risk management more dynamic and impactful within the NCT.

Incorporating risk management into the organisational culture and daily operations, ensures that it becomes a living, dynamic process rather than a static requirement. Creating a risk-aware culture helps an organisation

adapt to challenges, make informed decisions and ultimately achieve its objectives more effectively. The compliance management framework will help to ensure that compliance reporting and testing are not only effective but also contribute to a proactive and resilient compliance culture. Regular reviews and updates to these processes are crucial to adapting to changing regulatory landscapes and organisational needs. By adopting a comprehensive and proactive approach to staying informed, an organisation can minimise the risk of non-compliance and position itself to adapt swiftly to changing regulatory landscapes.

## Finance

The Finance function within the NCT continues to evolve. There are changes and innovations that will influence this evolution, many of which are driven by the national government, particularly the National Treasury and the AGSA. These changes and innovations have included cost-containment initiatives as well as compliance with regulations pertaining to supply chain management. Ongoing efforts are being made by the Finance Unit to become more strategic and ensure that the NCT has the financial systems, processes, and disciplines required to sustain its operations. The biggest challenge and risk experienced by the Finance Unit is the NCT's inability to significantly influence its annually fluctuating caseload and the consequential impact that this has on the management of adjudication costs. The Finance Unit, together with the other business units, continues to manage costs effectively in a volatile, relatively unpredictable environment. The ongoing monitoring of the NCT's budget and oversight over spending by the Finance function will be critical in ensuring that the NCT is able to deliver on its mandate successfully. This, together with adherence to sound financial disciplines and savings generated by ongoing increases in efficiency, will be essential in ensuring that available funding is optimally utilized.

## ICT

The dominant value proposition required to execute the NCT's strategy is, therefore, operational excellence – ensuring the consistent, reliable, and efficient delivery of high-quality services in an 'easy to access' organisational environment. To deliver a dominant value proposition based upon Operational Excellence requires ICT to the adoption of a specific 'Operating Model.' An Operating Model describes the necessary level of business process integration and standardisation required for consistently delivering required services to stakeholders.

ICT interrelates and supports the NCT business operating model for operational excellence through three key dimensions, namely its Enterprise Architecture principles, the governance framework, and its policies and procedures. The NCT ICT Enterprise Architecture defines the principles on which the NCT Enterprise Architecture Framework specifications were developed, which include the target Business, Application, Technology, and Data architectures alongside the as-is, gap analysis, and migration plans. The Governance framework defines the ICT governance and management objectives. The ICT policies and Standard Operating procedures define the operational rules of engagement in which the enabling technologies are

used. The ICT Strategy and plan clearly set out the significant projects and deliverables and are closely monitored and tracked.

## 8. PROGRAM RESOURCE CONSIDERATIONS

### 8.1 Financial Plan

#### 8.1.1 Multi-year Financial Projections

The Tribunal will continue to provide the services stipulated in this annual performance plan and build **administrative and adjudicative capability to enhance service delivery**. The Tribunal's business operations consist of two programmes, namely, Adjudication and Administration. The key programme pertains to the Adjudication function, while the Administration function provides support to ensure overall organisational efficiency.

Allocations have been made to the NCT by the National Treasury for the specific periods indicated in the Table below. It must be noted that following the Adjustment Budget process, the dtic had reduced the 2023/24 grant allocation of the NCT by R1 659 000 (3%) and in addition, the dtic has reduced the budget allocations implemented over the MTEF as follows:

	2024/25	2025/26	2026/27
	R'000	R'000	R'000
Initial Baseline	R57 778	R60 366	R63 132
Reduction	(R5 778)	(R6 640)	(R7 576)
Revised Baseline	R52 000	R53 726	R55 556
% Reduction in Baseline	10%	11%	12%

#### 8.1.2 Cash flow projections

Income from filing fees depends on the number of cases filed with the NCT.

The filing fee per debt re-arrangement matter is R577.81 in the 2023/24 financial year and will increase by 7,5% annually; thus, it will be R621.14 in the 2024/25 financial year. Based on the current data available, it is **anticipated that at least 28 000 Debt Rearrangement matters (DRA's) and 250 Non-Debt Rearrangement**



matters (Non-DRA's) **will be filed** annually over the medium term. Approximately R56.1 million of revenue is anticipated to be generated over the medium-term period from filing fee income pertaining to the DRA matters.

The anticipated revenue to be generated from filling fees will increase from R17,3 million in 2023/24 to R20 million in 2026/27.

The revenue generated by the Tribunal in the form of filing fees constitutes approximately 25% of the total anticipated income per annum. The Tribunal is, therefore, sustained and dependent on funding from the Government.



The following table shows the NCT's budget and cash flows over the MTEF period.

Budget and cash flows

Description	2021/22 Actual	2022/23 Actual	2023/24 Forecast / Baseline	2024/25 Budget	2025/26 Budget	2026/27 Budget
Grant allocation	53 515 000	54 756 000	53 636 000	52 000 000	53 726 000	55 556 000
Roll over funds	6 400 000	-	12 900 000	-	-	-
Filing Fees	13 387 441	15 613 056	15 730 000	17 392 081	18 696 487	20 098 724
Interest received	1 027 022	1 824 888	717 000	1 087 516	1 187 516	1 287 516
Insurance Proceeds	73 091	21 009	-	-	-	-
Total Income	74 042 554	65 405 861	82 983 000	70 479 597	73 610 003	76 942 240
Expenditure						
Compensation of employees	45 818 572	43 780 563	47 982 426	50 653 528	53 371 926	55 739 074

Goods and services	22 306 744	20 051 441	29 593 179	19 326 069	19 898 077	20 673 165
Capital Expenditure	5 253 428	1 573 857	5 401 395	500 000	340 000	530 000
Total Expenditure	73 378 744	65 405 861	82 983 000	70 479 597	73 610 003	76 942 240
Surplus / Deficit	1 023 810	6 809 092	-	-	-	-

#### Budget per programme

Programme	2021/22 Actual	2022/23 Actual	2023/24 Forecast / Baseline	2024/25 Budget	2025/26 Budget	2026/27 Budget
Programme 1 – Adjudication	30 013 908	26 752 781	33 942 311	28 827 010	30 215 942	31 471 475
Programme 2 – Administration	43 364 835	38 653 079	49 040 688	41 652 587	43 394 061	45 470 764
Total	73 378 744	65 405 861	82 983 000	70 479 597	73 610 003	76 942 240



### 8.1.3 Projections of revenue and expenditure

Income from filing fees has been addressed in 8.1.2 above.

The NCT has a very lean budget due to grant income being paid back in the previous periods. NCT only incurs the bare necessary costs that enable it to carry out its mandate. The zero-based budgeting principle was applied, however, no expense streams were omitted during this exercise.

One of the efficiency gains and milestones achieved was the innovation in the expeditious adjudication of the DRA cases from 40 matters per day per Tribunal member to 80 cases per day per Tribunal member. This resulted in significant strides in efficiency and finalising matters quicker than the required turn-around times. **Further automation of the CMS system relating to the DRA's should achieve greater efficiency.**

Interest income (from investing surplus funds) has been maintained at the prevailing current interest rates.

Due to the Tribunal being a professional organisation and the labour-intensive nature of its work, the spending on compensation of employees constitutes 72% of the expenditure over the medium term.

Capital expenses have been budgeted for the maintenance of systems and hardware as well as the implementation of identified ICT projects. The spending in this area will assist the NCT in containing adjudication costs through anticipated ICT enhancements to the Case Management System, increased efficiencies, and the implementation of cost-saving measures, resulting in reduced costs for Goods and Services over the MTEF period.

### 8.1.4 Capital expenditure projects

**The majority of the NCT's capital expenditure relates** to the procurement of ICT assets aligned to the ICT strategy. This includes the system design as well as the acquisition of the necessary hardware.

### 8.1.5 Infrastructure plans

The NCT is not engaged in infrastructure projects. For this reason, it does not develop infrastructure plans.



## 8.1.6 Dividend policies

The NCT is a Schedule 3A public entity and does not have any share capital. Therefore, it does not declare dividends. Accordingly, it does not require a dividend policy.

## 8.2 Materiality and Significance Framework

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

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

The NCT uses 0.60% of budgeted operational expenditure (which excludes capital expenditure) for the materiality and significance framework, and the basis is consistent with prior years. The implications, based on the estimated budget, are summarised as follows:

Materiality implications on estimated budget :

Item	% Used	2022/23 Actual	2023/24 Forecast / Baseline	2024/25 Budget	2025/26 Budget	2026/27 Budget
Budget excluding CAPEX		63 832 004	77 581 605	69 979 597	73 270 003	76 412 240
Materiality	0,60%	382 992	465 490	419 878	439 620	458 473



## 9. KEY RISKS

OUTCOMES	KEY RISK	RISK MITIGATION
Confidence in the NCT-inspired by high-quality adjudication and case management.	Exponential increase in caseload impacting reputation of Tribunal to finalise cases expeditiously.	<ul style="list-style-type: none"> <li>• Resourcing strategy.</li> <li>• Request to the dtic for additional Tribunal members.</li> <li>• ICT interventions (Automation of DRA process).</li> </ul>
An intelligent, digitally transformed and enabled NCT.	Inadequate user adoption.	<ul style="list-style-type: none"> <li>• Implement change management strategies.</li> <li>• Training on systems.</li> </ul>
	Security breaches and ICT downtime.	<ul style="list-style-type: none"> <li>• Continuous monitoring of applications and servers and reporting.</li> <li>• Security assessment and audit conducted.</li> </ul>
A readily accessible NCT that shares information and co-operates with stakeholders.	Limited number of Debt Counsellors utilising services of NCT.	<ul style="list-style-type: none"> <li>• Develop and implement a communication strategy and plan to increase number of filers.</li> </ul>
Reliable, secure and sustainable asset utilization.	Financial Unsustainability (Resulting from a decrease in grant allocation, reduction in filing fees).	<ul style="list-style-type: none"> <li>• Implementing cost containment measures.</li> <li>• Implementation of communication strategy to create greater awareness and targeted stakeholder interventions.</li> <li>• Developing strategies to enhance financial stability.</li> </ul>



	Lack of institutional knowledge and effective records management.	<ul style="list-style-type: none"> <li>• Develop and maintain an institutional knowledge manual.</li> <li>• Records management training.</li> </ul>
	People and organisational culture risk (Culture, capacity, retention).	<ul style="list-style-type: none"> <li>• Develop and implement an integrated HR Strategy and Plan.</li> <li>• Motivation to the dtic for additional resources.</li> <li>• Investigate possibilities of implementing staff benefits.</li> </ul>

## PART D: TECHNICAL INDICATOR DESCRIPTIONS (TID)

### Programme 1 Case Management and Adjudication

Indicator title 1	Average number of days from the date of filing of DRA to date of issuing an order to parties.
Definition	<p>DRA is an application filed in terms of s138(1)(a) of the National Credit Act 34 of 2005. It involves applications filed <b>by Debt Counsellor's, in relation to consent agreements</b> entered into between a specific consumer and the <b>consumer's credit providers</b>.</p> <p>The indicator measures the average number of days turnaround from the date of filing of a DRA to the communication of the outcome thereof to the parties.</p>
Source of data	<p>The case spreadsheet, case files and the case management system (for matters either filed or finalised on the case management system).</p> <p>Date of filing</p> <p>Each DRA filed by hand, by fax, by personal delivery or by email requires the finance unit of the Tribunal to confirm that payment is made for the application being filed. The date of filing for these applications is the date that the finance unit, by way of email/or any other written manner that communicates confirmation of payment with the office of the Registrar.</p> <p>Each DRA filed by system filing (XML or e-filing), reflects a digitally imprinted date stamp which is found on the system.</p> <p>Date of order issued</p> <p>Each DRA finalised by way of an order being granted or refused has a date stamp digitally imprinted if the order was issued through the case management system or has a date</p>

	stamp reflecting the issuing of an order by the Tribunal to the filing party by way of the date of the email.
Method of calculation or assessment	<p>The turnaround for each application received is calculated from the date of filing to the date of issuing of order to the filing parties.</p> <p>An average number of days are calculated for all DRA cases finalised during a quarter by way of an order issued. The calculation is arrived at by taking the total number of days from the date of filing of a DRA application until the outcome or order is issued to the parties divided by the total number of DRA applications orders were issued for. This average number of days is reported in the quarterly report and reported as an annual figure at the end of the financial year. The calculation is based on business days – it excludes weekends, public holidays and the period during which the Tribunal is officially closed.</p>
Means of verification	System audit trail to confirm date of filing on system filed matters, date of finance confirmation of payment to confirm the date of filing on matters not filed on the system. Date digitally imprinted on the order for orders issued on the system and date of issuing of order by email for orders issued by way of email.
Assumptions	On date of filing, all the required information in terms of the Rules of the Tribunal has been provided.
Disaggregation of beneficiaries (where applicable)	Not Applicable.
Spatial transformation (where applicable)	Not Applicable.
Calculation type	Non-Cumulative.
Reporting cycle	Quarterly.
Desired performance	Performance below target of 50 days is targeted.
Indicator responsibility	Registrar.

Indicator title 2	Average number of days from the date of close of pleadings on a non-DRA to issuing a first notice of set down to the parties.
Definition	Non-DRA is all other applications filed at the Tribunal other than an application filed in terms of s138(1)(a) of the National Credit Act 34 of 2005.



	The indicator measures the average number of days turnaround from close of pleadings to the issuance of a first notice of set down for Non- DRA matters.
Source of data	<p>The case spreadsheet and the case files. Case File contains a Confirmation of the date of close of pleadings, which is signed off on by the Registrar or his/her delegate. This information is collated on a case spreadsheet which electronically calculates the number of business days from the date of close of pleadings to the date of issuing of the initial notice of set down to parties.</p> <p>The specific close of pleadings date of a non-DRA case will be reflected on the confirmation of the date of close of pleadings on the case file.</p>
Method of calculation	<p>The turnaround for each application received is calculated from the date of the first close of pleadings to the date of issuance of the notice of set down to the parties. This only applies in instances where a set down was issued after pleadings closed for the first time.</p> <p>An average number of days are calculated for all non-DRA cases where the notice of set down, after a first close of pleadings was issued during a quarter. The calculation is arrived at by taking the total number of days from the confirmation of the first close of pleadings of an application until the date of the issuing of the notice of set down to the parties, divided by the total number of non-DRA cases set down for hearing. This average number of days is reported in the quarterly report and also reported as an annual figure at the end of the financial year. The calculation is based on business days – it excludes weekends, public holidays, and the period during which the Tribunal is officially closed.</p>
Means of Verification	Certificate of COP and issuing of a notice of set down.
Assumptions	The full complement of Tribunal members is available for the hearing.
Disaggregation of beneficiaries (where applicable)	Not Applicable.
Spatial transformation	Not Applicable.
Calculation Type	Non-Cumulative.
Reporting cycle	Quarterly.
Desired performance	Performance below target of 15 days is targeted.
Indicator responsibility	Registrar.

Indicator Title 3	Average number of days from the date of final adjudication of non-DRA to date of issuing an order.
Definition	<p>Non-DRA is all other applications filed at the Tribunal other than an application filed in terms of s138(1)(a) of the National Credit Act 34 of 2005.</p> <p>The indicator measures the average number of days turnaround from the date of final adjudication to the issuance of a judgment to filing parties on Non-DRA matters.</p>
Source of Data	Once adjudication has been complete, an e-mail/fax confirmation validates the date that the final judgment was issued to the parties. This information is collated on a case spreadsheet which electronically calculates the number of business days from the last date of adjudication to the date of issuing the judgment. This information will be filed and stored in the case files. Judgment refers to a decision and reasons in matters, except for an application for a debt re-arrangement agreement being made an order of the Tribunal.
	Calculate the total number of days from the last date of the adjudication to the date that the judgment was issued to the parties. The calculation is based on business days (5 working days a week) and excludes weekends, public holidays, and the period during which the Tribunal closes for business annually.
Means of Verification	Judgment and judgments issue email.
Assumptions	The Tribunal members have reached consensus on the appropriate judgment of the matter at the final hearing.
Disaggregation of beneficiaries (Where applicable)	Not Applicable.
Spatial Transformation (Where applicable)	Not Applicable.
Calculation type	Non-Cumulative.
Reporting cycle	Quarterly.
Desired performance	Performance below target of 20 days is targeted.
Indicator responsibility	Registrar and Tribunal Members.

Indicator title 4	Number of impact reports on DRA or non-DRA judgments and orders of the Tribunal.
Definition	Impact reports prepared and submitted to the Executive Chairperson.
Source of data	Actual reports submitted.
Method of calculation / assessment	Count the number of impact reports submitted to the Executive Chairperson.
Means of verification	Submission e-mails of impact reports to the Executive Chairperson.
Assumptions	Judgments and orders are issued.
Disaggregation of beneficiaries (where applicable)	Not Applicable.
Spatial transformation (where applicable)	Not Applicable.
Calculation type	Non-cumulative.
Reporting cycle	Quarterly.
Desired performance	12 reports.
Indicator responsibility	Registrar.

## Programme 2: Administration

Indicator Title 5	An unqualified opinion issued by the external auditors on the Annual financial statement and with no material findings on compliance with legislation and on the Annual Performance Report.
Definition	<p>This indicator measures the audit opinion as expressed in the audit report of the external auditors.</p> <p><b>The NCT's target is to achieve and unqualified audit opinion with no material findings on Compliance with Legislation and the Annual Performance Report.</b></p>
Source of data	<p>The external audit report obtained from the external auditors on the annual financial statements, Compliance with legislation and the Annual Performance Report.</p> <p>Such report is due in terms of the legislation on the 31st of July each year.</p>

Method of calculation or assessment	Qualitative - Simple count.
Means of verification	External audit report.
Assumptions	There are none.
Disaggregation of beneficiaries (where applicable)	Not Applicable.
Spatial transformation (where applicable)	Not Applicable.
Calculation type	Non-Cumulative.
Reporting cycle	Annually.
Desired performance	An unqualified opinion issued by the external auditors on the Annual financial statements with no material findings on compliance with legislation and the Annual Performance Report.  The same level of performance is required over the strategic planning period.
Indicator responsibility	Chief Financial Officer

Indicator Title 6	Average number of days taken to pay suppliers.
Definition	To ensure suppliers are settled within 20 days of receipt of invoice.
Source of data	The invoice register details the date the invoice was received and the date it was paid. It further details the days taken to pay the invoice.
Method of calculation or assessment	Average number of days taken to pay suppliers. This is calculated by determining the number of days taken to pay an invoice from the date of receipt to the date of payment. The average is then calculated.  Please note that disputed invoices will be counted from the date when the dispute is resolved. Written communication will confirm that the dispute was resolved.
Means of verification	Invoice register.
Assumptions	There are none.
Disaggregation of beneficiaries (where applicable)	Not Applicable.

Spatial transformation (where applicable)	Not Applicable.
Calculation type	Cumulative (year-end).
Reporting cycle	Quarterly.
Disaggregation of beneficiaries (where applicable)	Not Applicable.
Spatial transformation (where applicable)	Not Applicable.
Desired performance	20 days on average to pay suppliers.
Indicator responsibility	Chief Financial Officer.

<b>Indicator Title 7</b>	<b>Number of financial sustainability reports approved by the Executive Chairperson</b>
Definition	Report on the financial sustainability of the NCT approved by the Executive Chairperson.
Source of data	A report approved by the Executive Chairperson setting out cost containment measures. The report will also set out any expenditure areas where we can incur savings due to efficiencies (if there are any).
Method of calculation and assessment	Qualitative - Simple count.
Means of verification	One report approved by the Executive Chairperson.
Assumptions	There are none.
Disaggregation of beneficiaries (where applicable)	Not Applicable.
Spatial transformation (where applicable)	Not Applicable.
Calculation type	Non-Cumulative.
Reporting cycle	Annually.
Desired performance	A report approved by the Executive Chairperson setting out cost containment measures. The report will also set out any expenditure areas where we can incur savings due to efficiencies (if there are any).
Indicator responsibility	Chief Financial Officer.

Indicator Title 8	Average percentage availability of systems during business hours.
Definition	The measure shows the uptime availability for the following critical business applications for the NCT. 1) Case Management System 2) Office 365 system (includes Outlook, SharePoint and OneDrive) 3) Sage 300 finance System 4) Sage 300 HR and payroll system (includes ESS) 5) Virtual Private Network services 6) Teams Voice 7) E-service desk incident management system 8) NCT Website.
Source of data	OPS Manager monitoring tool database.
Method of calculation or assessment	<p>Business hours per day = 9 (7:45 – 16:45 including 1 hour lunch break)</p> <p>Number of working days per month = 22</p> <p>Number of months in a quarter = 3</p> <p>Therefore, the calculation method to determine the uptime business hours per quarter is:</p> <p>Total Business hours = (3 * 22 * 9) = hours for the quarter for each business application.</p> <p>Actual hours uptime for each application is derived from the systems generated report from OPS Manager.</p> <p>% availability per business application = (Actual hours/total business hours) * 100.</p> <p>Overall % availability per quarter = (sum of % availability of each business application/8 (number of applications)).</p>
Means of verification	Systems generated uptime reports.
Assumptions	<b>No catastrophic events outside of the NCT's direct control.</b>
Disaggregation of beneficiaries (where applicable)	Not Applicable.

Spatial transformation (where applicable)	Not Applicable.
Calculation type	Cumulative (year-end).
Reporting cycle	Quarterly.
Desired performance	Minimum of 98% availability of all identified above critical business applications during business hours.
Indicator responsibility	Chief Information Officer.

Indicator Title 9	Number of designated security assessment audits conducted.
Definition	The measure indicates whether the NCT ICT systems infrastructure has been rigorously and robustly tested to identify any potential vulnerabilities that may exist. External and Internal penetration tests are carried out on an annual basis to identify potential vulnerabilities within the network and server infrastructure.
Source of data	Assessment reports from the one external and one internal penetration test scheduled and carried out annually.
Method of calculation and assessment	Simple count of 2 security assessment audit reports, one internal and one external.
Means of verification	Two security assessment reports (1 internal test report and 1 external test report) produced.
Assumptions	Penetration testing will be sufficient to highlight potential vulnerabilities. Sufficient budget is available to perform penetration tests.
Calculation type	Non-Cumulative.
Reporting cycle	Annually.

Disaggregation of beneficiaries (where applicable)	Not Applicable.
Spatial transformation (where applicable)	Not Applicable.
Desired performance	1 external and 1 internal penetration test performed per annum and a corresponding assessment report produced.
Indicator responsibility	Chief Information Officer.

Indicator Title 10	Number of ICT Disaster recovery tests completed
Definition	The measure indicates whether the NCT ICT systems recovery processes for all the critical business applications have been rigorously and robustly tested to ensure NCT ICT-enabled business processes can be fully operational in the event of a catastrophic failure.
Source of data	Disaster recovery exercise reports and signed off user acceptance test recovery procedures document.
Method of calculation and assessment	Simple count that two disaster recovery reports verifying that two recovery tests have been conducted annually.
Means of verification	Disaster recovery acceptance test procedures executed and signed off by each business unit manager.
Assumptions	The disaster recovery tests executed will be sufficient to verify that in the event of a real disaster the organisation will be able to resume business operations within a 6-hour window.
Disaggregation of beneficiaries (where applicable)	Not Applicable.
Spatial transformation (where applicable)	Not Applicable.
Calculation type	Non-Cumulative.



Reporting cycle	Annually
Desired performance	2 successful disaster recovery tests conducted annually (1 in Q2 and 1 in Q4).
Indicator responsibility	Chief Information Officer.

Indicator Title 11	Implementation of an Artificial Intelligence and Knowledge Management system for Case Management/Adjudication.
Definition	The measure indicates the successful identification and implementation of Artificial Intelligence (AI) technologies for the purpose of enhancing the automation of Case Management and Adjudicative processes within the Tribunal. Although in this APP this output indicator is measured over 3 years, the full implementation of this will take place over 5 years.
Source of Data	Year 1- (2024/2025): Research paper approved by the Executive Chairperson. Year 2-(2025/2026): Business Requirements approved by the Executive Chairperson. Year 3- (2026/2027): Functional and Technical specifications approved by the Executive Chairperson.
Method of calculation and assessment	Year 1- (2024/2025): simple count of 1 research paper approved by the Executive Chairperson. Year 2- (2025/2026): simple count of 1 business requirements specification approved by the Executive Chairperson. Year 3: (2026/2027) - simple count of 1 Functional and Technical specification document approved by the Executive Chairperson.
Means of verification	Year 1- (2024/2025): Proof of signed research paper by the Executive Chairperson. Year 2: (2025/2026): Proof of signed Business requirements specification by the Executive Chairperson. Year 3: (2026/2027): Proof of signed Business requirements specification by the Executive Chairperson.

Assumptions	Budget availability for the system.
Disaggregation of beneficiaries (where applicable)	Not Applicable.
Spatial transformation (where applicable)	Not Applicable.
Calculation type	Non-Cumulative.
Reporting cycle	Annually.
Desired performance	Identified Case Management and Adjudicative processes fully <b>powered by AI on project completion allowing the NCT “to do more with less”</b> .
Indicator responsibility	Chief Information Officer.

Indicator Title 12	Number of compliance monitoring systems developed and implemented
Definition	The measure shows the development of a compliance monitoring system and the implementation and monitoring of compliance systems reports generated to provide assurance to <b>the NCT’s stakeholders regarding the NCT’s level of compliance with legislation applicable to it as well as compliance with the NCT’s compliance Framework.</b>
Source of data	Year 1- (2024/2025): Approved and signed off Compliance Monitoring System. Years 2- (2025/2026) and 3- (2026/2027): Data will be collected from the developed compliance monitoring system to measure systems compliance with legislation applicable to the NCT as <b>well as the NCT’s Compliance Framework.</b>

Method of calculation and assessment	<p>Year 1- (2024/2025): Approved and signed Compliance Monitoring System.</p> <p>Years 2 - (2025/2026) and 3 - (2026/2027): Count the number of quarterly system-generated compliance reports.</p>
Means of verification	<p>Year 1- (2024/2025): Approval and sign-off of the Compliance Monitoring system by the Executive Chairperson.</p> <p>Years 2 – (2025/2026) &amp; 3- (2026/2027): Systems generated compliance reports.</p>
Assumptions	Not Applicable.
Disaggregation of beneficiaries (where applicable)	Not Applicable.
Spatial transformation (where applicable)	Not Applicable.
Calculation type	<p>Year 1 (2024/2025): Non-Cumulative.</p> <p>Year 2 (2025/2026) and 3 (2026/2027): Non-Cumulative.</p>
Reporting cycle	<p>Year 1: Annually.</p> <p>Year 2 &amp; 3: Quarterly.</p>
Desired performance	<p>Year 1 (2024/2025) Develop a Compliance Monitoring system <b>against which the NCT's compliance with legislation applicable</b> to the NCT and compliance framework will be measured.</p> <p>Year 2 (2025/2026) 4 quarterly compliance system reports generated.</p> <p>Year 3 (2026/2027) 4 quarterly compliance system reports generated.</p>
Indicator responsibility	Secretariat and Compliance Specialist.

Indicator Title 13	Number of risk and compliance training workshops conducted
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Definition	The measure indicates whether the NCT has taken steps to bring greater risk management and compliance awareness alive in the NCT amongst all levels of staff to empower them with knowledge regarding the management of risks and ethical behaviour and complying with the requirements in respect of applicable legislation.
Source of data	Meeting invitation, attendance register of workshops, and presentation of workshops.
Method of calculation or assessment	Count the number of training workshops conducted.
Means of verification	Proof of Attendance register of training workshop and presentation.
Assumptions	Not Applicable.
Disaggregation of beneficiaries (where applicable)	Not Applicable.
Spatial transformation (where applicable)	Not Applicable.
Calculation type	Non-Cumulative.
Reporting cycle	Annually.
Desired performance	Year 1 (2024/2025) 1 Risk Training Workshop and 1 Compliance Training Workshop conducted;  Year 2 (2025/2026) 1 Risk Training Workshop and 2 Compliance Training Workshops conducted; and  Year 3 (2026/2027) 1 Risk Training Workshop and 2 Compliance Training Workshops conducted.
Indicator responsibility	Secretariat and Compliance Specialist.

Indicator Title 14	Percentage of filled positions against approved organisational structure
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Definition	<p>The indicator tracks the total number of vacant posts filled against the approved organisational structure.</p> <p>An approved organizational structure is the structure as approved by the Executive Chairperson.</p> <p><b>For a post to be deemed “filled”, an appointment must have been made and accepted by the candidate.</b></p> <p>The position of Executive Chairperson and Full-Time Tribunal Members are excluded from this calculation as these are Presidential appointments.</p>
Source of Data	<p>Appointment letters and payroll employee Masterfile will indicate whether a position is filled or not.</p>
Method of Calculation or assessment	<p>The number of filled positions is divided by the total number of approved posts and multiplied by 100 to obtain a percentage. The calculation will exclude positions that may be placed on hold/frozen due to budgetary or organisational constraints as approved by the Executive Chairperson. The calculation will also exclude any positions that are appointed by the Minister or President.</p> <p>The calculation will be done as follows:-</p> <p>Percentage of filled positions against approved organisational structure = <math>\left[ \frac{\text{Number of positions filled}}{\text{Number of approved positions} - \text{Number of frozen positions}} \right] \times 100</math>.</p> <p>This calculation will be on a per month basis.</p> <p>Example to calculate Quarter 1, when two positions were frozen in May.</p> <p>April = Percentage of filled positions against approved organisational structure = <math>\left[ \frac{\text{Number of positions filled}}{\text{Number of approved positions} - 0} \right] \times 100</math>.</p> <p>May = Percentage of filled positions against approved organisational structure = <math>\left[ \frac{\text{Number of positions filled}}{\text{Number of approved positions} - 2} \right] \times 100</math>.</p> <p>June = Percentage of filled positions against approved organisational structure = <math>\left[ \frac{\text{Number of positions filled}}{\text{Number of approved positions} - 2} \right] \times 100</math>.</p>

	Calculation for Q1 will be to add up the % achieved in each of the above months and divide by 3.
Means of verification	Payroll Masterfile.
Assumptions	Budget/funding is available to fill positions.
Disaggregation of beneficiaries (where applicable)	Not Applicable.
Spatial transformation (where applicable)	Not Applicable.
Calculation type	Cumulative (year-end).
Reporting cycle	Quarterly.
Desired performance	Performance higher than the targeted performance of 85% is desired.
Indicator responsibility	Corporate Services Executive.

Indicator Title 15	Number of interns appointed
Definition	The measure shows the extent to which the NCT specifically initiates formal employment and developmental opportunities by providing internship programmes that offer meaningful, practical, work-related experience to a graduate student in their field of study or career interest. A graduate intern is someone who has completed a qualification but is currently unemployed and needs workplace exposure to enhance chances of future employment. This programme is a planned, structured, and managed programme that provides work experience for a specific period varying from three to twelve months.

Source of data	Recruitment file.
Method of calculation or assessment	Simple count of the number of interns that received an offer letter and signed an internship agreement.
Means of verification	Offer letter and signed Internship Agreement.
Assumptions	Availability of budget.
Disaggregation of beneficiaries	Target for Youth.
Spatial transformation	Not Applicable.
Calculation type	Non-Cumulative.
Reporting cycle	Annually.
Desired performance	5.
Indicator responsibility	Corporate Services Executive.

Indicator Title 16	Number of Occupational Health and Safety compliance audit reports
Definition	The indicator measures the number of compliance audits conducted.

Source of Data	The OHS audit document that the OHS Committee Chairperson and a fellow OHS committee member sign.
Method of Calculation or assessment	Simple count of the number of OHS audits conducted.
Means of verification	Signed OHS audit document.
Assumptions	Not Applicable.
Disaggregation of beneficiaries	Not Applicable.
Spatial transformation (where applicable)	Not Applicable.
Calculation type	Non-Cumulative.
Reporting cycle	Annually.
Desired performance	2.
Indicator responsibility	Corporate Services Executive.

Indicator Title 17	Number of Workplace Skills Plan submitted to PSETA
Definition	The indicator measures the number of annual Workplace Skills Plan developed and submitted to PSETA for approval. The WSP shall be finalised in the 4th quarter of each financial year and be submitted before 30 April annually.
Source of data	Acknowledgment letter from PSETA.
Method of calculation or assessment	Simple count of the number of Workplace Skills Plans submitted to PSETA.
Means of verification	An acknowledgment letter received from PSETA confirming the submission of the Workplace Skills Plan.



Assumptions	Availability of budget for training.
Disaggregation of beneficiaries	Not Applicable.
Spatial transformation	Not Applicable.
Calculation type	Non-Cumulative.
Reporting cycle	Annually.
Desired performance	1.
Indicator responsibility	Corporate Services Executive.

Indicator Title 18	Number of culture/wellness surveys or interventions conducted
Definition	The indicator measures the number of annual culture or wellness surveys or interventions conducted to determine the satisfaction index of employees or state of wellness. Interventions may also be conducted to address issues from the culture or wellness survey.
Source of data	Culture survey results or attendance register for intervention conducted.
Method of calculation or assessment	Simple count of the number of culture/wellness surveys or interventions conducted.
Means of verification	Culture Survey/Intervention report submitted.

Assumptions	Availability of budget.
Disaggregation of beneficiaries	Not Applicable.
Spatial transformation	Not Applicable.
Calculation type	Non- Cumulative
Reporting cycle	Annually.
Desired performance	2.
Indicator responsibility	Corporate Services Executive

Indicator Title 19	Number of structured interactions and engagements with external stakeholders.
Definition	The indicator measures the number of structured engagements and interactions with external stakeholders where the NCT made a presentation, or a report was submitted to the Executive Chairperson.
Source of data	Presentations or reports.
Method of calculation or assessment	Count the number of structured engagements and engagements with external stakeholders.
Means of verification	Proof of presentation or report submitted to the Executive Chairperson.
Assumptions	Availability of budget.

Disaggregation of beneficiaries	Not Applicable.
Spatial transformation	Not Applicable.
Calculation type	Non-Cumulative.
Reporting cycle	Quarterly.
Desired performance	24 structured engagements per annum is desirable.
Indicator responsibility	Corporate Services Executive.

Indicator Title 20	Number of records management training conducted within the Tribunal.
Definition	Records management training conducted by the Tribunal for the Tribunal staff.
Source of Data	Attendance registers of delegates that attended the training. Presentation.
Method of Calculation or assessment	Simple count of the number of records management training conducted.
Means of Verification	Verified through the existence of training presentation, and attendance register.
Assumptions	None.
Disaggregation of beneficiaries	Not Applicable.
Spatial transformation (where applicable)	Not Applicable.
Calculation type	Non-Cumulative.
Reporting cycle	Annually.
Desired performance	1 training session.
Indicator responsibility	Registrar.

