



**COMPANIES TRIBUNAL (CT)  
ANNUAL PERFORMANCE PLAN (APP) AND BUDGET 2024/2025**

**PRESENTATION TO THE PORTFOLIO COMMITTEE ON TRADE, INDUSTRY AND  
COMPETITION**

**04 SEPTEMBER 2024**

Judge Dennis Martin Davis: Chairperson

Irene Mathatho: ACOO

Selby Magwasha: Registrar

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# 1. Background and Mandate

- Companies Tribunal was established in terms of section 193 of the Companies Act, 71 of 2008 and started operating in 2012.
- The mandate of the CT is stipulated in section 195 which includes **adjudication, dispute resolution through ADR and perform any other function assigned by Act or laws mentioned in schedule 4**
- Members of the Tribunal are appointed by the Minister of the **dtic**
- Companies Tribunal is chaired by Judge Dennis Davis and Deputy Chair Ms. Minah Tong Mongalo and are assisted by 9 other part time Tribunal members, COO and staff
- The Tribunal resolve all disputes in a manner that is fair, transparent and impartial.
- The focus is on speedy resolution of company disputes at no cost to parties

## 2. Vision and Mission

### 1. Vision

The preferred adjudicatory and alternative dispute resolution forum that contributes to the promotion of fair and ethical corporate practices.

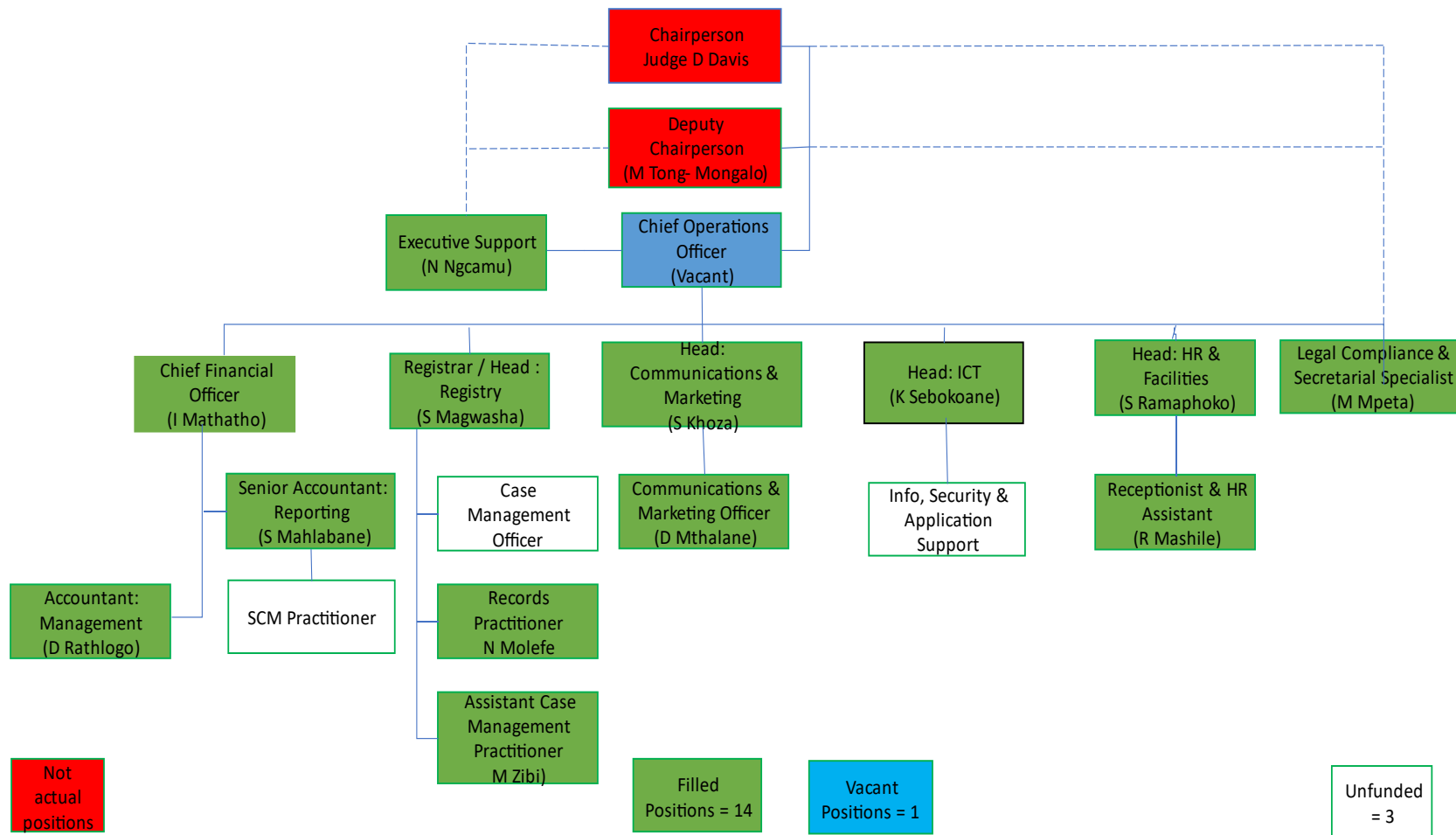
### 2. Mission

- a) To adjudicate applications made in terms of the Companies Act and make orders in respect of such applications
- b) To facilitate the resolution of company disputes through conciliation, mediation and arbitration.

### 3. Impact Statement

“Attractive investment destination with positive impact on economic inclusion and transformation”

# 3. Human Capital & Skills Development



## 3. Human Capital & Skills Development

- The Tribunal does appoint interns each year as part of skills development and capacity building – for 2024/25 3 interns are planned to be appointed
- Bursaries are offered to staff each year depending on budget availability and
- Staff are encouraged to attend training in their areas of responsibilities

## 4. Governance structure & Department oversight

The following constitute governance structures for the Tribunal:

- ❖ The Audit and Risk Committee comprising 5 independent with skills ranging from Accounting, Auditing, Risk Management, legal and IT
- ❖ Remuneration and Human Resources committee comprising of 3 independent members with skills in HR, ER, LR etc
- ❖ ICT steering committee comprising of 3 management team and one independent member

### **Department oversight**

- ❖ The Tribunal submit quarterly reports to the department and all other submission as required by the PFMA
- ❖ The Tribunal members, Chairperson and Deputy Chairperson are appointed by the Minister

# 5. Developmental objectives- 2024/25 Outputs

## 1. Program 1: Adjudication

*Aligned to **the dtic** Output number 40: 'High-impact measurers to reduce red tape or improve turnaround times in administration of incentives and work of agencies'*

1. Issue of opposed applications within 35 working days
2. Issue of unopposed applications within 25 working days
3. Finalisation of Alternative Dispute Resolution (ADR) within 20 working days

## 2. Program 2: Administration

*Aligned to **the dtic** Output number 33: 'Community outreach programmes by **the dtic** group' and Output 37: 'Conferences, summits and international forums hosted'*

1. Staff retention – capacity building
2. Enhanced mandate of the Tribunal
3. Unqualified opinion
4. Procurement from designated groups
5. Advocacy services



## 6. Planned quarterly targets: 2024/25

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



## 6. Planned quarterly targets: 2024/25

Output Indicators	Annual Target 2024/25	Q1	Q2	Q3	Q4
1.1 Percentage of critical positions filled on approved organisation structure	87%	87%	87%	87%	87%
2.1 Number of research report produced	One research report	Develop ToR	Signing of MOU with stakeholders	Submission of 1 <sup>st</sup> draft report	Submission of final report
3.1 An unqualified opinion issued by the external auditors on the Annual Financial Statements by 31 August each year	An unqualified audit opinion by the external auditors	-	-	An unqualified audit opinion by the external auditors	-
4.1 Percentage preferential procurement from designated groups	70%	70%	70%	70%	70%
5.1 Number of outreaches with Ministry; governmental collaborative engagements Ministry, municipalities, communities, institutions of higher learning etc; marketing/ branding campaigns	20	4	6	6	4
5.2 Number of mid-year year seminars held	2	-	-	1	1
5.3. Number of Media engagements: (media statements/radio activities) conducted	12	2	3	4	3

## 7. 7<sup>th</sup> Administration Priorities

### Alignment with Medium Term Development Plan (MTDP) Strategic Priorities

#### 1. Inclusive growth and job creation

**Outcome:** Enabling environment for investment and improved competitiveness through structural reforms –

**Strategic intervention-** Cut red tape and streamline support for small enterprises, entrepreneurs and cooperatives, especially in townships and villages , to thrive

**CT intervention** - Speedy resolution of company disputes

- Procurement from designated groups
- Outreaches undertaken with Ministry, municipalities, communities and institutions of higher learning

## 8. Financial Management

- Budget per Programme

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

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

# 9. Projections of Revenue and Expenditure

STATEMENT OF FINANCIAL PERFORMANCE	Audited outcome			Revised estimate	Medium-term estimate		
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
<b>R thousand</b>							
Revenue							
Non-tax revenue	368	151	524	635	664	691	722
Transfers received	20 752	20 313	24 529	28 202	29 497	30 706	32 088
Donations received/Revenue in-kind	1 854	2 039	2 243	2 468	2 714	2 986	3 284
Income from surplus funds	-	-	-	3 990	-	-	-
Total revenue	22 975	22 503	27 296	35 295	32 875	34 383	36 094
Expenses							
Current expenses							
Compensation of employees	12 979	13 553	14 921	18 638	19 298	20 068	20 971
Goods and services	7 906	10 777	9 863	16 388	13 262	13 986	14 779
Depreciation	193	213	195	269	315	329	344
Total expenses	21 078	24 543	24 979	35 295	32 875	34 383	36 094
Surplus/(Deficit)	1 897	(2 040)	2 317	-	-	-	-

## 10. Research capability

- The CT has signed MoU with University of Pretoria and University of Kwazulu Natal to partner on research activities
- As part of yearly KPI, a research paper is undertaken on a selected topic

# 11. Challenges

- Funding/ Budgetary Constraints
- Low cases reported
- Limited mandate
- External dependencies

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**THANK YOU!**