



COMPANIES TRIBUNAL (CT)
2025/26 FINANCIAL AND NON-FINANCIAL PERFORMANCE (Q1-Q3)

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

04 MARCH 2026

Judge Dennis Martin Davis : Chairperson

Irene Mathatho: ACOO

Selby Magwasha: Registrar

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1. Background and Mandate

1. **Establishment:**

- a) Companies Tribunal (CT) was established under section 193 of the Companies Act no 71 of 2008 as amended ,
- b) Started operating in September of 2011.

2. **Mandate is derived from section 195 which includes:**

- a) adjudication,
- b) dispute resolution through ADR and
- c) perform any other function assigned by Act or any law mentioned in Schedule 4

3. **Independence:** Subject to constitution and law.

4. **Vision:** world class adjudicatory and dispute resolution organisation that contributes to promotion of fair and ethical business practices

5. **Composition of Tribunal members:** Chairperson and 14 Members (including 5 recently appointed retired Judges) all part time members

6. **Staff Compliment:** 16 staff members, 4 interns, (COO post vacant) and 3 unfunded post

1.1 Background and Mandate

- The Tribunal is a quasi-judicial authority and a statutory entity
- It ensures that all stakeholders, particularly the vulnerable or under-resourced parties have fair and equal opportunities to access justice and resolve disputes efficiently
- The Tribunal assist companies to resolve company related disputes speedily at no cost to the companies
- As such it creates a conducive environment for small and medium sized businesses to thrive
- The Tribunal resolve all disputes in a fair, transparent and impartial manner.

2. Alignment with government priorities

The Tribunal aligns with the Medium-Term Development Plan 2024- 2029 Strategic Priorities as follows:

1. Drive inclusive growth and job creation

Outcome: Enabling environment for investment and improved competitiveness through structural reforms – Speedy resolution of company disputes and appointment of interns.

2. Reduce poverty and tackle the high cost of living

Outcome: Social cohesion and nation building - Free speedy service (eliminating business costs on small businesses, contributing to the creation of a conducive business environment).

3. Build a capable, ethical and developmental state

Outcome: Improve governance and performance of public entities – capacitating internal governance structures, ensuring a suitable staff complement, maintaining efficient internal controls, etc.

Outcome: A capable and professional public service – providing a suitable client service (decisions issued on time, timeous communication to clients with comprehensive information provided, enquiries and matters attended to).

3. 1 Non-Financial Performance (Programme 1)

Purpose: To adjudicate and make orders in relation to applications made in terms of the Act and to facilitate Alternative Dispute Resolution.

| Output | Annual target | Quarterly milestones (Q1-Q3) | Q1 Actual Achievement | Q2 Actual Achievement | Q3 Actual Achievement |
|---|---------------|------------------------------|-----------------------|-----------------------|-----------------------|
| Percentage of decisions and orders issued on <u>opposed</u> applications within 30 days from the day of the hearing or filing of papers | 95% | 95% | 80% | 96% | 100% |
| Percentage of decisions and orders issued on <u>unopposed</u> applications within 20 days from allocation or filing of papers | 95% | 95% | 75% | 100% | 98% |
| Percentage of cases finalized in terms of ADR within 20 days from the last day of sitting or allocation or filing of papers | 95% | 95% | 100% | 100% | 100% |

3.1 Continued: Programme 1 Performance

- **Case load:** Current financial year quarterly performance vs previous financial year quarterly performance (**Q1**:117 vs 104; **Q2** 97 vs 95; and **Q3**: 113 vs 102).
- **Demarcation by province:** Cases predominately received from Gauteng, KZN, and Western Cape. Fewer cases are being received in all other provinces. Outreach continues in those provinces to market services of the Tribunal.
- **Quality of decisions:** Peer review of cases conducted as risk mitigation on quality of decisions issued, Currently, 25 decisions on review at the High Court.
- **Member Performance:** Performance Management Policy implemented following lower performance percentage experienced in Q1.
- **Capacity building/ advancing the mandate of the Tribunal:** Five Retired Judges appointed as part of the Tribunal Members.

3.2 Non-Financial Performance (Programme 2)

Purpose: To ensure operational efficiency and effectiveness as well as effective stakeholder engagement.

| Output | Annual Target | Q1 Milestone | Q1 Achievement | Q2 Milestone | Q2 Achievement | Q3 Milestone | Q3 Achievement |
|--|---------------|--------------|----------------|--------------|----------------|--------------|----------------|
| Percentage increase in workplace-based internship | 2% | 0.5% | 0.23% | 1% | 0.4% | 1.5% | 0.73% |
| Percentage of procurement from designated groups in terms of B-BBEE ACT | 85% | 85% | 100% | 85% | 95% | 85% | 96% |
| Number of new followers on social media platforms | 2000 | 500 | 646 | 500 | 980 | 500 | 659 |
| Number of engagements and collaborations with stakeholders on the services of the Tribunal | 4 | 1 | 3 | 1 | 2 | 1 | 4 |
| Number of outreaches to small enterprises in townships and villages | 20 | 4 | 5 | 6 | 6 | 6 | 6 |

3.3 Programme 2 Performance impact

- Overall organizational performance as at end of Q3 was 88%.
- Marketing initiatives enhanced for continued stakeholder engagements. Incremental growth trend on organisational social platforms, positive for increasing brand awareness.
- Inability to meet internship target for all three quarters (measured against budget spent). Recruitment process underway to appoint three additional interns.
- Additional R6m allocation in Q4, priorities are to invest in IT infrastructure to further automate services and enhance marketing initiatives.

4. Marketing Initiatives and Collaborations

- Communications and Marketing collaborated with strategic stakeholders ranging from legal bodies, academic institutions, **the dtic**, municipalities and entities of government.
- The Tribunal also uses radio, billboards as another means to make the services of the Tribunal well known.
- The use of social media has also attracted lots of stakeholders about the services of the Tribunal.
- The impact of this rigorous marketing initiatives has seen the Tribunal receiving cases in new provinces.

5.1 Financial Performance: Q1

Statement of Financial Performance for the period ended 30 June 2025

| | Notes | Current Period ended 30-Jun-25 R | Prior Year ended 31-Mar-25 R |
|---|-------|---|---------------------------------------|
| Revenue | | | |
| Revenue from exchange transactions | | | |
| Other income - exchange transactions | 10 | 53 350 | 17 250 |
| Interest received | 11 | 241 365 | 797 323 |
| Total Revenue from exchange transactions | | 294 715 | 814 573 |
| Revenue from non-exchange transactions | | | |
| Government grants | 12 | 31 812 000 | 29 497 000 |
| Revenue in-kind | 13 | 746 350 | 2 714 000 |
| Total Revenue from non-exchange transactions | | 32 558 350 | 32 211 000 |
| Total revenue | | 32 853 065 | 33 025 573 |
| Expenses | | | |
| Employee related costs | 14 | 4 467 003 | 18 489 982 |
| Operating expenses | 15 | 1 712 020 | 5 029 414 |
| Administrative expenses | 16 | 115 830 | 4 382 978 |
| External Audit Fees | 17 | 239 200 | 478 514 |
| Loss on disposal of assets | | - | - |
| Depreciation and Amortisation | 18 | 88 183 | 199 736 |
| Tribunal Members' costs | 20 | 750 854 | 4 390 673 |
| Total expenses | | 7 373 090 | 32 971 297 |
| Surplus / (deficit) for the period | | 25 479 975 | 54 276 |

5.2 Financial Performance: Q2

Statement of Financial Performance for the period ended 30 September 2025

| | Notes | Current Period ended 30-Sep-25 R | Prior Year ended 31-Mar-25 R |
|---|-------|---|---------------------------------------|
| Revenue | | | |
| Revenue from exchange transactions | | | |
| Other income - exchange transactions | 10 | 53 350 | 17 250 |
| Interest received | 11 | 518 588 | 797 323 |
| Total Revenue from exchange transactions | | 571 938 | 814 573 |
| Revenue from non-exchange transactions | | | |
| Government grants | 12 | 31 812 000 | 29 497 000 |
| Revenue in-kind | 13 | 1 492 700 | 2 714 000 |
| Total Revenue from non-exchange transactions | | 33 304 700 | 32 211 000 |
| Total revenue | | 33 876 638 | 33 025 573 |
| Expenses | | | |
| Employee related costs | 14 | 9 059 366 | 18 489 982 |
| Operating expenses | 15 | 3 012 570 | 5 029 414 |
| Administrative expenses | 16 | 583 081 | 4 382 978 |
| External Audit Fees | 17 | 503 465 | 478 514 |
| Depreciation and Amortisation | 18 | 180 497 | 199 736 |
| Tribunal Members' costs | 20 | 1 787 854 | 4 390 673 |
| Total expenses | | 15 126 833 | 32 971 297 |
| Surplus / (deficit) for the period | | 18 749 805 | 54 276 |

5.3 Financial Performance: Q3

Statement of Financial Performance for the period ended 31 December 2025

| | Notes | Current Period ended 31-Dec-25 R | Prior Year ended 31-Mar-25 R |
|---|-------|---|---------------------------------------|
| Revenue | | | |
| Revenue from exchange transactions | | | |
| Other income - exchange transactions | 10 | 53 350 | 17 250 |
| Interest received | 11 | 761 417 | 797 323 |
| Total Revenue from exchange transactions | | 814 767 | 814 573 |
| Revenue from non-exchange transactions | | | |
| Government grants | 12 | 31 812 000 | 29 497 000 |
| Revenue in-kind | 13 | 1 492 700 | 2 714 000 |
| Total Revenue from non-exchange transactions | | 33 304 700 | 32 211 000 |
| Total revenue | | 34 119 467 | 33 025 573 |
| Expenses | | | |
| Employee related costs | 14 | 13 780 155 | 18 489 982 |
| Operating expenses | 15 | 3 514 526 | 5 029 414 |
| Administrative expenses | 16 | 960 177 | 4 382 978 |
| External Audit Fees | 17 | 503 465 | 478 514 |
| Depreciation and Amortisation | 18 | 272 810 | 199 736 |
| Tribunal Members' costs | 20 | 2 768 326 | 4 390 673 |
| Total expenses | | 21 799 458 | 32 971 297 |
| Surplus / (deficit) for the period | | 12 320 009 | 54 276 |

5.4 Financial Performance: Q3

Statement of Financial Position as at 31 December 2025

| | Notes | Current Period ended 31-Dec-25 R | Prior Year ended 31-Mar-25 R |
|---|-------|---|---------------------------------------|
| ASSETS | | | |
| Current assets | | | |
| Cash and cash equivalents | 1 | 15 636 916 | 4 254 337 |
| Trade and other receivables | 2 | 561 638 | 799 337 |
| Inventory | 3 | 74 383 | 82 701 |
| Non current assets | | | |
| Property, plant and equipment | 4 | 707 312 | 754 384 |
| Intangible assets | 5 | 1 739 547 | 1 740 930 |
| Total assets | | 18 719 795 | 7 631 689 |
| LIABILITIES | | | |
| Current liabilities | | | |
| Payables from exchange transactions | 6 | 56 627 | 285 330 |
| Short term employee benefits | 7 | 1 005 145 | 1 017 469 |
| Provisions | 8 | - | 550 000 |
| Tribunal Members' fee accrual | 9 | -0 | 440 874 |
| Total liabilities | | 1 061 772 | 2 293 673 |
| NET ASSETS | 13 | 17 658 023 | 5 338 015 |
| Accumulated surplus | | | |
| Balance as at the beginning of the year | | 5 338 016 | 5 283 739 |
| Surplus/(deficit) for the period | | 12 320 009 | 54 276 |
| NET ASSETS | 14 | 17 658 024 | 5 338 016 |

5.5. Continued: Financial Information

| BUDGET ESTIMATES AS PER MTEF | | | | | | | |
|--|---------------------------|---------------------------|---------------------------|------------------------------|-------------------------------|-------------------|-------------------|
| ACCOUNT DESCRIPTION | Actual 2022/23 | Actual 2023/24 | Actual 2024/25 | Estimates 2025/26 | Medium- term estimates | | |
| | | | | | 2026/27 | 2027/28 | 2028/29 |
| REVENUE | 27 295 767 | 32 050 169 | 33 025 573 | 35 840 750 | 37 408 440 | 39 109 809 | 40 594 616 |
| Grant received from the dtic | 24 529 000 | 28 202 000 | 29 497 000 | 31 812 000 | 33 085 000 | 34 406 000 | 35 475 000 |
| Interest received | 479 999 | 1 380 645 | 797 323 | 990 000 | 1 039 500 | 1 091 475 | 1 146 049 |
| Revenue in kind | 2 243 202 | 2 467 524 | 2 714 000 | 2 985 400 | 3 283 940 | 3 612 334 | 3 973 567 |
| Other income - exchange transactions | 43 566 | | 17 250 | 53 350 | | | |
| EXPENDITURE | 24 979 017 | 32 818 168 | 32 971 297 | 35 840 750 | 37 408 440 | 39 109 809 | 40 594 616 |
| Employee related costs | 14 920 656 | 18 263 646 | 18 489 982 | 21 552 303 | 23 096 546 | 23 976 147 | 25 381 140 |
| Member's fees | 3 454 394 | 3 816 018 | 4 390 673 | 3 983 466 | 4 334 765 | 4 452 402 | 4 452 402 |
| Administrative expenses | 2 171 092 | 4 305 432 | 4 382 978 | 3 455 395 | 3 681 180 | 3 978 605 | 4 039 015 |
| Other Operating expenses | 4 237 979 | 6 286 908 | 5 507 928 | 6 497 551 | 5 926 312 | 6 314 536 | 6 314 536 |
| Depreciation/Capital expenditure | 194 896 | 146 164 | 199 736 | 352 035 | 369 637 | 388 119 | 407 523 |
| SURPLUS/ (DEFICIT) FOR THE YEAR | 2 316 750 | (767 999) | 54 276 | - | - | - | - |

5.6. Continued: Financial Information

- 61% total budget spent YTD 31 Dec 2025.
- 99% of suppliers paid within 20 business days and 100% within 30 business days.
- 96% of procurement through designated groups in accordance with the B-BBEE Act level 1 to 4.
- No irregular, fruitless and wasteful expenditure in Q1 to Q3.
- Clean audit opinion obtained for 2024/25 financial year.

6. Risk Management

- Risks monitored through quarterly assessments.
- Major risks for CT include reputational risk in inconsistency of decisions issued, limited brand footprint, and limited resources in terms of both human and finances.
- Controls are in place to mitigate the risks.

7. Challenges

- Operational Budgetary Constraints
- Limited mandate
- External dependencies

8. Conclusion

- The 2024 amendments to the Companies Tribunal has enabled the Tribunal to have exclusive right to arbitrate company disputes.
- In addition, the Tribunal's mandate has been extended to include B-BBEE referral matters.

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THANK YOU!