THE COMPETITION TRIBUNAL

PERFORMANCE INFORMATION REPORT

1st APRIL 2017 - 31st MARCH 2018

QUARTER 4

Reviewed for submission by:

Lerato Motaung (Registrar)



Date: 2/5/2018

Reviewed and verified for approval by:

Janeen de Klerk (Chief Operating Officer)

Signature:

Norman Manoim (Chairperson)

Signature:

Approved by

Date: 2/5/2018

Date: 2/5/2018

STRATEGIC FOCUS AREA 1 - QUARTER 4 - 2017/2018

STRATEGIC FOCUS AREA 1	JS AREA 1:	ADJUDICATIVE EXCELLENCE	LLENCE				QUARTER 1		QUARTER 2	Contract of the last	QUARTER 3	The section of	QUARTER 4	YEAR TO DATE	PEASON END DEVIATIONS
				CURRENT BUDGET	R 27 853 530.00		R 6 938 976.00		R 6 165 843,00		R 8 150 838.00		R 8 608 782.00	R 27 853 139.00	
				ACTUAL EXPENDITURE	R 26 GB4 B84 D4		R 5 875 401,75		R 0 400 004 00		A e 000 000.05		R 7 061 518 04	R 26 084 884.94	The budget is based on an estimate of the volume of cases and variances will occur as we cannot predict volume
GOAL STATEMENT										No. of the last			1		
STRATEGIC OUTCOME						TO ENSUR	E EFFECTIVE AN	ID EFFICENT AD	JUDICATION ON M	ATTERS BROUGHT	TO ENSURE EFFECTIVE AND EFFICENT ADJUDICATION ON MATTERS BROUGHT BEFORE THE TRIBUNAL	IAL			
STRATEGIC	STRATEGIC OBJECTIVE	оитсоме	PERFORMANCE	ANNUAL TARGET	PRIOR YEAR ANNUAL PERFORMANCE	TARGET	PERFORMANCE	TARGET	PERFORMANCE	TARGET	PERFORMANCE	TARGET	PERFORMANCE	ANNUAL PERFORMANCE	
	d (A) married	The state of the s	INDICAL DICKS			Qt	다	œ	22	63	£	2	ę	YEAR TO DATE	EXPLANATIONS FOR DEVIATIONS
			% of large margers to be set down for the beginning of a hearing or a pre-hearing resea	ž.	87,25%	N.	N16	78%	3	71%		7	3	776	Target not met for quarter and year to date. The target is not set at 100% as aeddown is dependent on the availability of the parties and we expect some instances where parties may not find the the parties.
CASE MANAGEMENT	Matters brought before the Tribunal are learnt within the adopted delivery time frames	Hearings are set down within required time frames	hearing or a pro-hearing webs 10 business days of the filing of the manger referral		87,25%	NE.	976	78%	3	71%	3	7	3	73	the parties and we expect some traisnices where parties may not find the in the parties are priced by the Thomas utable. In this particular period the delays were due to the the megnes that were referred sits in December and which could only be heard in mid January as most parties and their representatives were not a wallable.
			% of intermediate and small marger considerations to be set down for the beginning of a heaving or a pre-heaving within. 10 business stays of the liting of the request for consideration	75%	Now.	VSI.	5	75%	3	75%	ióg	75%	ij	70%	Target accessed for quarter by 25% and not met for year to date. The larget area as it 100% as sedown is dependent on the swalability of the purities and we expect some retainces where purities may not find the dates given by the Tribural suitable. In general 6 targets are not met it is because parties are not available on the dates the Tribural has indicated.
			% of large merger orders issued to parties within 10 business days of last hearing date	80%	820.69	248	100%	05.50	1,000	3	100%	88	100%	1003	Target exceeded by 5 % for the quarter and year. The larget is not set at 100%, as we have to allow some leavery for delays in leaving of orders in complex matters that require more time for correlators.
TIMEOUS ISSUENCE OF	Improvement in the issuing of		% of large merger reasons issued to parties within 29 business days of order being issued	70%	78,70%	76	5%	77%	35	70%	97	70%	100%	\$119	Target for the quarter exceeded by 30 % and target for the year exceeded by 21%. The target is not set at 100% as we have to allow some leavery for delays in saving of reasons in complex matters that require more time for consideration. During the period under review we have exceeded our target as the mergers have been leas complex to deliberate on
JUDGEMENTS	judgements/daclalors in line with edopted time frames	radians	% of intermediate and annual merger consideration orders issued to perfess within 10 bushwas days of fast hearing date	929,	N. S. S. S. S.	eks	No orders issued	85%	95		No orders issued	88	100%	No ordera leaued	Target met for the quarter and exceeded by 5%. The target is not set at 100% as we have to a flow some leavery for delays in issuing of orders in complex matters that require more time for consideration. During the period under review we have exceeded our target as the margets have been less complex to deliberate on
			% of intermediate and small marger consideration reasons issued to parties within 20 business days of order being stated.	1,409	0.00%	80%	No reasons issued	80%	3	9	No reasons issued	60%	No reasons issued	No reasons issued	No reasons issued therefore larger carenot be measured

	EFFECTIVE BUSINESS			JUDGEMENTS				STRATEGIC OBJECTIVE	STRATEGIC OUTCOME	GOAL STATEMENT		
	Enhancing record keeping, performance and caseflow management by harmassign.			Judgements/decisions in line with adopted time frames				STRATEGIC OBJECTIVE STATEMENT				
	improved management information to information to information to information maken			Parties or consistent or constraint or const				оитсоме				ADSOLUTE AND ENCERTERIOR
Akodala developed and implemented that generate statistics pertaining to the adjudicular process.	CMS deemed to be sustainable	% of Interim relief rescons tasked to parties within 20 business days of last hearing date	% of orders for consent orders and settlement agreements issued to parties within 10 business days of fast hearing date	% of procedural matter orders (sexual to parties within 20 bushness days of fact hearing date	C	Resours for prohibled practice cases leaued to purples in scoondance with the delivery timeframes per category: A.B.or		PERFORMANCE MOICATORS				in the state of th
Develop and implement a model that generates reports based on statutics reinting to adjudicative process	Sustainability of CMS confirmed	100%	9	80%	C- 150 bushness days	B - 125 bushase days	A - 100 bushness days	AHNUAL TARGET			ACTUAL EXPENDITURE	CURRENT BUDGET
An informal as opposed to formal agreed plan for electronic reporting was agreed and we have been working on these so as to reduce the relance on manual systems. Enterconerts are implemented as we progress and new reports are bardly fasted. This target will be removed or revised in 2017/2018	It was established that typicates were possible and as a needs no feesability study was underdaken. We are currently testing the first update and will then be it a position to destinate awitst eithermorand is required and can be implemented. This larget will therefore be resonand or revised in 2017/2018.	0,00%	100.00%	26,19%	50%.	N.EF.00	No resears lessed	PRIOR YEAR ANNUAL PERFORMANCE			H 26 GA 844 SA	R 27 853 136 00
Annual not quarterly target	Annual not quarterly target	100%	100		C- 150 business days	B - 125 business days	R = 100 business days	TARGET	USN3 OT			
Not measured or reported on	Not massured or reported on	No reasons leased	9	9,	No resitors issued	100%	No reasons issued	PERFORMANCE Q1	RE EFFECTIVE A		B 5 8 7 5 6 7 7 6 7 7 7 7 7 7 7 7 7 7 7 7 7 7	QUARTER :
Annual not quarterly target	Annual not quarterly larges	100%	1076	3	C- 150 bursainees days	B - 125 business days	A - 100 business days	TARGET Q2	ND EFFICENT AL			
Not measured or reported on	Not measured or reported on	No ressors issued	190%	3	No ressore issued	No reasons issued	No resons issued	PERFORMANCE 02	JUDICATION ON			QUARTER 2
Annual not quarterly target	Amual not quarterly target	100%	90%		C- 110 bushous days	B - 125 husirens days	A = 100 huarress days	TARGET Q3	TO ENSURE EFFECTIVE AND EFFICENT ADJUDICATION ON MATTERS BROUGHT BEFORE THE TRIBUNAL			
Not measured or reported on	Not measured or reported on	No ressors legand	Nee	3	No reasons instead	No reasons issued	100%	PERFORMANCE Q3	EFORE THE TRIBU			QUARTER 1
Develop and implement a model that generates are not authorize relating to adjusticative process	CAS deemed to be sustainable	100%	90%	88	C- 150 puervesa days	B + 125 tueirees ditys	A - 100 business days	TARGET	NAL			
Not measured or reported on	Not measured or reported on	No reasons housed	9	60%	No mesona lessed	100K	2	PERFORMANCE			200	QUARTER 4
New models developed (useful statistics) and models developed future to include statistics relating to turnover of merging parties, its and number of esteriors	CMS deemed to be sustainable as per report presented by IT Administrator	No rescons issued	N.500	50%	No reasons issued	100%	No ressore beyond	ANNUAL PERFORMANCE YEAR TO DATE			H 4/ 830 134/00	YEAR TO DATE
Target met for year to data (annual target)	Target met for year to date (asexual target)	No respons issued therefore target carried be measured	Target not met for the quarter and year to date, tout of 5 orders was issued late as the matter was quite complex and the order and reasons for decision were issued simultaneously.	Target not met for the quarter and year to dake. I out of 13 orders were issued are due to these research – some matters were highly complex and traversed new procedural ground. Usus requeiting a large smooter of thre to write. Other cases involved difficult issues of law and fact and the order for chiffing of research was therefore not straightforward. I matters acceeded the furnaround time by 15 days or issis, 5 acceeded it by between 50 and 70 days.	No reasons leaded during the quarter and year to date therefore target carnot be measured.	Target met for the quarter and year to date	Target not met for the quarter as members were siting on other matters	EXPLANATIONS FOR DEPARTONS		varlances will occur as we cannot prodict volume	The budget is based on an estimate of the volume of cases	REASON FOR DEVIATIONS

STRATEGIC FOCUS AREA 2 - QUARTER 4 - 2017/2018

STRATEGIC FUCUS AREA 2:	A.C.	STAKEHOLDER RELATIONSHIPS	AIRONSHIPS				QUARTER 1		QUARTER 2		QUARTER 3		QUARTER 4	YEAR TO DATE	REASON FOR DEVIATIONS
				CURRENT BUDGET	R 1 157 763,46		R 260 702,15		R 297 920,14		R 260 699,15		R 338 442 02	R 1 157 763,46	
				ACTUAL EXPENDITURE	R 1 044 973.21		R 259 833.08		R 261 410.86		R 263 922 31		R 259 806.96	R 1 044 973.21	Little variance in this objective we expect it to remain close to budget
GOAL STATEMENT															
STRATEGIC OUTCOME							TO BUILD AND D	EVELOP EFFEC	TO BUILD AND DEVELOP EFFECTIVE STAKEHOLDER RELATIONSHIPS	RELATIONSHIPS					
STRATEGIC DBJECTIVE	STRATEGIC OBJECTIVE	BMOSIND	PERFORMANCE	ANNUAL TARGET	PRIOR YEAR ANNUAL	TARGET	PERFORMANCE	TARGET	PERFORMANCE	TARGET	PERFORMANCE	TARGET	PERFORMANCE	ANNUAL	EXB. MAXIONE COD DESINATIONS
	all a summer		INDICATORS		PERFORMANCE	Đ	Ō	8	£	8	9	£	ç	YEAR TO DATE	EXPLANATIONS FOR DEVIATIONS
ENSURE RELEVANT COMMUNICATION TO STAKEHOLDERS	Ensure that an integrated communication plan is developed and implemented	A siluctured and focussed process to create and enhance assureness of the work of the Tribunal	Communication framework reviewed annually and quarterly communication report on strategy and media coverage presented in EXCO	Implement recommended changes to framework. Communication strategy and media coverage reported quarterly	New target in 2017/2018	Annual not quarterly larget	Not measured or reported on	Annual not Quarterly Jacquet	Not measured or reported on	Annual not quarterly target	Not measured or reported on	Annual notiquarterly target	Changes have been made to the fremework but atill need to be implemented. Durietly report includes data on media coverage and strategy	Changae have been made to the framework but still need to be implemented. Cuartely report includes data on media coverage and strategy	Target met for year to date (annual target)
PRESENCE AND ENHANCE THE	Ensure communication pertaining to Tribunal's adjudicative process is		% of press releases of final marger decisions, communicated within 2 business days of order date	75%	950'66	75%	100%	75%	100%	75%	100%	75%	100%	100%	Target for quarter and year to date met and exceeded. The target is set at less than 100% as it is possible that certain mergers are not of major interest that a press refease will be issued.
THE TRIBUNAL	issued to the stakeholders within adopted delivery timeframes	adjudication outcomes	% of press releases of final decisions in prohibited practice cases communicated within 2 business days of order date	W001	900.08	1,001	100%	**00*	No decisions issue in prohibited practice cases and therefore no press releases issued	100%	100%	\$00%	87%	80%	Target not met for quarter or for year to date. In the quarter 2 press releases for prohibited practice cases were issued and one was issued out of time

STRATEGIC FOCUS AREA 3:	A3:	ACCOUNTABLE, TRA	ACCOUNTABLE, TRANSPARENT AND SUSTAINABLE ENTITY	ABLE ENTITY			QUARTER 1	COLC. COLC.	QUARTER 2	A STATE OF THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN C	QUARTER 3		QUARTER 4	YEAR TO DATE	REASON FOR DEVIATIONS
				CURRENT BUDGET	R 9 335 486 10	1000	R 2 164 219.12		R 2 660 293.11	State of the last	R 1856 474,12		R 2 654 499,75	R 9 335 486.10	
				ACTUAL EXPENDITURE	R 7 068 331 28		R 2 021 541,04		R 2016 358.97		R 1389 255,11		R 1641 176.16	R 7 068 331.38	We expect this to adjust slightly when additional invoices are issued for internal audit and any performance bonuses due to staff are paid
GOAL STATEMENT											Total State			1	
STRATEGIC OUTCOME				TO ENSURE THE T	THE TRIBUNAL HAS	EFFECTIVE STRA	ATEGIC LEADERSHIP,	ADMINISTRATION AN	RIBUNAL HAS EFFECTIVE STRATEGIC LEADERSHIP, ADMINISTRATION AND MANAGEMENT THROUGH ADHERENCE TO GOOD GOVERNANCE AND SO)UGH ADHERENCE TO	O GOOD GOVERNAN		JND BUSINESS PRACTICE.		
STRATEGIC OBJECTIVE	STRATEGIC OBJECTIVE	OUTCOME	PERFORMANCE	ANNUAL TARGET	PRIOR YEAR ANNUAL	TARGET	PERFORMANCE	TARGET	PERFORMANCE	TARGET	PERFORMANCE	TARGET	PERFORMANCE	ANNUAL	
					THATCHMANCE	QI	õ	R	£	03	9	요	õ	YEAR TO DATE	EXPLANATIONS FOR CHARACTONS
GOOD GOVERNANCE	increase the level of compliance with the prescripts of good governance	Accountable and transparent Public Entity	Achieve an unqualified Audit Outcome year on year	Unqualified audit – no issues of governance raised	Final management report for 2015/2016 - no leaues of governance raised	Annual target set for second quarter	Draft report indicates we will receive a clean report for 2016/2017 and no leaves of governance raised	Unqualified audit - no issues of governance raised	Clean audit for 2019/2017 - no leaves of governance naised	Unquelfied audit - no seases of governance rased	Unqualified audit - no Issues of governance raised	Unqualified audit - no tagues of governance rolled	Unqualified sudit - no (feares of governance raised	Clean audit for 2016/2017 . no lesues of governance raised	Target exceeded for year to data
EFFECTIVE OVERSIGHT STRUCTURES	Maintain effective oversight enuclures that promote solid business practice	Sound Business Practice	Achieve an unqualified Audil Outcome year on year	Unqualified audit – no issues of governance raised	Final management report for 2015/2016 - no issues of governance raised	Annual target set for second quarter	Draft report indicates we will receive a clean report for 2016/2017 and no material mistatements	Unqualified audit - no issues of governance raised	Clean audit for 2018/2017 - no issues of governance raised	Unquelified audit - no	Unqualified audit - no issues of governance raised	Unqualified audit - no issues of governance raised	Unqualified audit - no issues of governance raleed	Clean audit achieved for 2018/2017 financial year	Target exceeded for year to date
EFFECTIVE MANAGEMENT OF THE BUDGET	Ensure financial management that promotes effective and efficient use of resources.	Optimal financial resource allocation and utilisation	Achieve an unquelified Audit Outcome year on year	Unqualified audit-no findings of fruitless (wasteful axpanditure	Fruitees and wasteful expenditure disclosed in final AFS for 2015/2015	Annual target set for second quarter	Draft report indicates we will raceive a clean report for 2016/2017 and no fruiteschwesteful expenditure disclosed	Unqualified audit - no findings of flystless and wastelul expenditure raised.	Clean audt for 2018/2017 - no findings of frulless and westeful expenditure	Unqualified audit - no leases of governance raises:	Unquelified audit - no leause of governance raised	Unqualified audit - no issues of governance raised.	Unqualified audit - no (saues of governance raised	Clean audil for 2019/2017 - no findings of fruitless and wasteld expenditure	Target exceeded for year to date
	Engine agond control	Complence to requirements	No material misetalements for May aubmission	No material misstalement on May submission	Final management report for 2015/2018 - no material misatatements	Annual target set for second quarter	Draft report indicates we will receive a clean report for 2016/2017 and no malerial misstatements	Unqualified audit - no material misstatements in May statements submitted	Clean audit - no material misstatements in May statements submitted	Unquelified sudit - no	Unqualified audit - no issues of governance raised	Unqualified audit - no listude of governance raised	Unqualified audit - no issues of governance raised	Clean sudit - no material misetatements in May statements submitted	Target exceeded for year to date
FINANCIAL GOVERNANCE AND REPORTING	that a	transparent inattution	Submission against annual deadline	Annual reporting submission dates met May and July	May date met - July date in met	May submission data met	May 2017 submission deadline met	July submission date met	Deadlines met as required	July submission date met	July submission date	July submission date met	July aubmission date met	Deedlines met as required	Target exceeded for year to date
		Integrated risk management processes and combined assurance	Achieve an unqualified Audit Outcome year on year	Unqualified audii – no lesues of risk management raised	Final management report for 2015/2016 - no risk / management leauee raised	Annual target set for second quarter	May 2017 submission deadline met	Unqualified audit - no risk	Clean audit for 2016/2017 - no issues of risk management raised	Unquelified and the Durant management as uses it raised	Unqualified audit - no Lirisk management issues raised	Unqualified and ring risk i management issues raised	Unqualified audit - no Crisk management issues raised	Clean audit for 2018/2017 - no leause of risk management raised	Target exceeded for year to data
SUSTAINABLE CAPACITY	Ensure that the Tribunal effectively leverages employee skills by recruiting, retaining and developing high quality people	Strengthen the Tribunal's organisational capacity and performance to deliver on its legislative mandate	Implementation of case management graduate internables against plan.	Graduate internship targets meet plan requirements.	implemented and corrently 2 LT interns employed	Graduate internal up targets meet plan requirements	2 LT interns appointed for the period 1st January 2017 to 31st December	Fraduate internship targets meet plan requirements	2 LT interns appointed for the period 1st January 2017 to 31st December 2017	Greduate Internatip	Graduate Internation largets meet plan	Graduate internship targets meet plan requirements	Graduate internahip targets meet plan requirements	2 LT Interns appointed for the period 1st January 2017 to 31st December 2017	Target exceeded for year to data