

THE COMPETITION TRIBUNAL

PERFORMANCE INFORMATION REPORT

QUARTER 3

1st APRIL 2018 – 31st MARCH 2019

Reviewed for submission by :

Tebogo Mputle (Registrar/Head of Registry)

Signature: 

Date: 6/2/2019

Reviewed and verified for approval by :

Janeen de Klerk (Chief Operating Officer)

Signature: 

Date: 4/2/2019

Approved by

Norman Manojm (Chairperson)

Signature: 

Date: 7/2/2019

STRATEGIC FOCUS AREA 1 - 1 APRIL 2018 - 31st MARCH 2019

STRATEGIC FOCUS AREA 1		ADJUDICATIVE EXCELLENCE		TO ENSURE EFFECTIVE AND EFFICIENT ADJUDICATION ON MATTERS BROUGHT BEFORE THE TRIBUNAL												REASON FOR DEVIATIONS
STRATEGIC OBJECTIVE	STRATEGIC STATEMENT	OUTCOME	PERFORMANCE INDICATORS	ANNUAL TARGET	PRIOR YEAR ANNUAL PERFORMANCE	QUARTER 1			QUARTER 2			QUARTER 3			ANNUAL PERFORMANCE YEAR TO DATE	EXPLANATIONS FOR DEVIATIONS
						TARGET Q1	PERFORMANCE Q1	TARGET Q2	PERFORMANCE Q2	TARGET Q3	PERFORMANCE Q3	YEAR TO DATE				
GOAL STATEMENT		STRATEGIC OUTCOME														
STRATEGIC OBJECTIVE		Matters brought before the Tribunal are heard within the adopted delivery time frames														
		Hearings are set down within required time frames														
		% of large merger orders issued to parties within 10 business days of last hearing of the merger relevant														
		% of intermediate and small merger considerations to be set down for the beginning of a hearing or a pre-hearing within 10 business days of the filing of the merger relevant														
		% of large merger orders issued to parties within 10 business days of last hearing date														
		% of large merger orders issued to parties within 20 business days of order being issued														
		% of intermediate and small merger considerations to be set down for the beginning of a hearing or a pre-hearing within 10 business days of last hearing date														
		% of intermediate and small merger considerations to be set down for the beginning of a hearing or a pre-hearing within 10 business days of order being issued														
TIMELY ISSUING OF JUDGEMENTS		Improvement in the timing of judgments/decisions in line with adopted time frames														
		Expedient conclusion of matters														
		% of intermediate and small merger considerations to be set down for the beginning of a hearing or a pre-hearing within 10 business days of last hearing date														
		% of intermediate and small merger considerations to be set down for the beginning of a hearing or a pre-hearing within 10 business days of order being issued														

STRATEGIC FOCUS AREA 2 - 1 APRIL 2018 - 31st MARCH 2019

STRATEGIC FOCUS AREA 2		STAKEHOLDER RELATIONSHIPS										REASON FOR DEVIATIONS	
CURRENT BUDGET		QUARTER 1		QUARTER 2		QUARTER 3		YEAR TO DATE					
ACTUAL EXPENDITURE		R 277,365.86		R 300,695.62		R 228,562.14		R 806,623.62		We have slightly underspent on this line item by approximately 5% and expect the expenditure to become closer to budget in the next quarter.			
R 1,189,402.38		R 283,681.69		R 283,681.79		R 283,681.59		R 851,045.06					
R 806,623.62		R 277,365.86		R 300,695.62		R 228,562.14		R 806,623.62					
TO BUILD AND DEVELOP EFFECTIVE STAKEHOLDER RELATIONSHIPS													
GOAL STATEMENT													
STRATEGIC OBJECTIVE	STRATEGIC STATEMENT	OUTCOME	PERFORMANCE INDICATORS	ANNUAL TARGET	PRIOR YEAR ANNUAL PERFORMANCE	TARGET	PERFORMANCE	TARGET	PERFORMANCE	TARGET	PERFORMANCE	ANNUAL PERFORMANCE	EXPLANATIONS FOR DEVIATIONS
	Ensure that an integrated communication plan is developed and implemented	A structured and focused process to create and enhance awareness of the work of the Tribunal	E-newsletter developed and placed on website Communication framework reviewed annually and quarterly communication report on strategy and media coverage presented to EXCO	Service provider sourced to develop e-newsletter that is fully implemented and available on website Communication strategy and media coverage reported quarterly	New target in 2018/2019 Framework revised and changes were made but still need to be implemented and framework approved	Annually review framework, and report quarterly on communication strategy and media coverage Annual target but progress reported on quarterly	Service provider appointed and work in progress Annual target but progress reported on quarterly	E-newsletter and is being electronically distributed and discussions taking place with service provider as to how it will be dealt with in new website Annual target but progress reported on quarterly	E-newsletter and is being electronically distributed and discussions taking place with service provider as to how it will be dealt with in new website Annual target but progress reported on quarterly	Service provider appointed and work in progress Annual target but progress reported on quarterly	E-newsletter and is being electronically distributed and discussions taking place with service provider as to how it will be dealt with in new website Annual target but progress reported on quarterly	Progress is being made with regard to finalising framework. Quarterly reports are in place Progress is being made with regard to finalising framework. Quarterly reports are in place	E-newsletter is being placed on the website currently and we are in the process of discussing the way forward with the service provider updating our website
STAKEHOLDER AWARENESS	Ensure communication pertaining to final decisions in mergers and prohibited practice cases are made public within adopted delivery timeframes	Timely and compliant communication of adjudication outcomes	% of press releases of final merger decisions communicated within 2 business days of order date	95%	100%	75%	85%	75%	100%	75%	86%	97%	Target exceeded for quarter and year to date. In the current quarter 28 press releases were issued for 30 final merger decisions and 2 of those issued were issued out of time due to housekeeping issues and those have been addressed internally
			% of press releases of final prohibited practice decisions communicated within 2 business days of order date	90%	60%	100%	No decisions issued in prohibited practice cases and therefore no press release	50%	100%	100%	50%	Target met for quarter but not met for year to date. In the current quarter 1 final prohibited practice decision was issued and this was within the required time frame	
			Stakeholder satisfaction survey/ results	Satisfaction survey is conducted by March 2019 and satisfaction levels targeted at 75%	New target in 2018/2019	Annual target. Progress reported on quarterly in quarterly report	Annual not a quarterly target	Annual target. Progress reported on quarterly in quarterly report	No progress in this regard as the communications position is currently vacant	Annual target. Progress reported on quarterly in quarterly report	No progress in this regard as the communications position is currently vacant	Annual not a quarterly target	No progress to date as this position has been vacant for a period. Meeting to discuss a survey planned for fourth quarter
3 Identify and address stakeholder needs and expectations in order to meet or exceed requirements		Level of stakeholder satisfaction	Stakeholder satisfaction survey/ results	Satisfaction survey is conducted by March 2019 and satisfaction levels targeted at 75%	New target in 2018/2019	Annual target. Progress reported on quarterly in quarterly report	Annual not a quarterly target	Annual target. Progress reported on quarterly in quarterly report	No progress in this regard as the communications position is currently vacant	Annual target. Progress reported on quarterly in quarterly report	No progress in this regard as the communications position is currently vacant	Annual not a quarterly target	No progress to date as this position has been vacant for a period. Meeting to discuss a survey planned for fourth quarter

STRATEGIC FOCUS AREA 3 - 1 APRIL 2018 - 31st MARCH 2019

STRATEGIC FOCUS AREA 3		ACCOUNTABLE, TRANSPARENT AND SUSTAINABLE ENTITY		CURRENT BUDGET		ACTUAL EXPENDITURE		QUARTER 1		QUARTER 2		QUARTER 3		YEAR TO DATE		REASON FOR DEVIATIONS
				R 10 802 521.37		R 5 988 618.11		R 2 422 197.04		R 2 964 413.04		R 2 101 934.03		R 7 488 544.11		We have underspent on this line item by 20% but expect to get closer to budget in the next quarter.
TO ENSURE THE TRIBUNAL HAS EFFECTIVE STRATEGIC LEADERSHIP, ADMINISTRATION AND MANAGEMENT THROUGH ADHERENCE TO GOOD GOVERNANCE AND SOUND BUSINESS PRACTICE.																
GOAL STATEMENT																
STRATEGIC OUTCOME																
STRATEGIC OBJECTIVE	STRATEGIC STATEMENT	OUTCOME	PERFORMANCE INDICATORS	ANNUAL TARGET	PRIOR YEAR ANNUAL PERFORMANCE	TARGET Q1	PERFORMANCE Q1	TARGET Q2	PERFORMANCE Q2	TARGET Q3	PERFORMANCE Q3	ANNUAL PERFORMANCE YEAR TO DATE	EXPLANATIONS FOR DEVIATIONS			
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	Unqualified audit achieved for 2018/2017 - no issues of governance raised	Annual target set for second quarter	Interim audit report indicates we will receive a clean audit - no issues of governance raised	Unqualified audit - no issues of governance raised	Final audit report - clean audit opinion - no governance issues raised	Annual target set for second quarter	Annual target achieved in the second quarter	Final audit report - clean audit opinion - no governance issues raised	Target exceeded for year to date as our target was an unqualified audit but we received a clean audit			
EFFECTIVE OVERSIGHT STRUCTURES	Maintain effective oversight structures that promote solid business practice	Sound Business Practice	Achieve an unqualified audit outcome year on year	Unqualified audit - no issues of governance raised	Unqualified audit achieved for 2018/2017 - no issues of governance raised	Annual target set for second quarter	Interim audit report indicates we will receive a clean audit - no issues of governance raised	Unqualified audit - no issues of governance raised	Final audit report - clean audit opinion - no findings on frivellous and wasteful expenditure.	Annual target set for second quarter	Annual target achieved in the second quarter	Final audit report - clean audit opinion - no findings on frivellous and wasteful expenditure.	Target exceeded for year to date as our target was an unqualified audit but we received a clean audit			
EFFECTIVE MANAGEMENT OF THE BUDGET	Ensure financial management that promotes effective and efficient use of resources	Optimal financial resource allocation and utilisation	Achieve an unqualified audit outcome year on year	Unqualified audit - no findings of frivellous/wasteful expenditure	Unqualified audit achieved for 2018/2017 - no findings of frivellous/wasteful expenditure	Annual target set for second quarter	Interim audit report indicates we will receive a clean audit - no issues of governance raised	Unqualified audit - no findings of frivellous and wasteful expenditure raised	Final audit report - clean audit opinion - no findings on frivellous and wasteful expenditure.	Annual target set for second quarter	Annual target achieved in the second quarter.	Final audit report - clean audit opinion - no findings on frivellous and wasteful expenditure.	Target exceeded for year to date as our target was an unqualified audit but we received a clean audit			
FINANCIAL GOVERNANCE AND REPORTING	Ensure a sound control environment and monitor and maintain compliance and ensure that all reporting requirements are met	Integrated risk management processes and combined assurance	Achieve an unqualified audit outcome year on year	Unqualified audit - no issues of risk management raised	Unqualified audit achieved for 2018/2017 - no issues of risk management raised	Annual target set for second quarter	Interim audit report indicates we will receive a clean audit - no issues of risk management raised	Annual target set for second quarter	Final audit report - clean audit opinion - no issues on risk.	Annual target set for second quarter	Annual target achieved in the second quarter.	Final audit report - clean audit opinion - no issues on risk.	Target exceeded for year to date as our target was an unqualified audit but we received a clean audit			
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	Implement an unqualified audit outcome year on year	Unqualified audit - no issues of risk management raised	Unqualified audit achieved for 2018/2017 - no issues of risk management raised	Annual target set for second quarter	Interim audit report indicates we will receive a clean audit - no issues of risk management raised	Annual target set for second quarter	Final audit report - clean audit opinion - no issues on risk.	Annual target set for second quarter	Annual target achieved in the second quarter.	Final audit report - clean audit opinion - no issues on risk.	Target met as internship is implemented and maintained			