

**THE COMPETITION TRIBUNAL**

**PERFORMANCE INFORMATION REPORT**

**QUARTER 1**

**1st APRIL 2018 – 31st MARCH 2019**

**Reviewed for submission by :**

Sibongile Moshoeshe (Acting Registrar)

Signature:



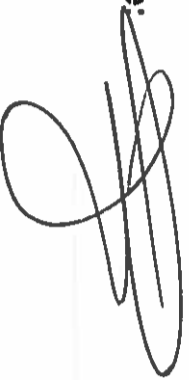
Date:

08/08/2018

**Reviewed and verified for approval by :**

Janeen de Klerk (Chief Operating Officer)

Signature:



Date:

8/8/2018

**Approved by**

Norman Manoirn (Chairperson)

Signature:



Date:

8/8/2018

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

STRATEGIC FOCUS AREA 1:		ADJUDICATIVE EXCELLENCE		QUARTER 1		YEAR TO DATE		REASON FOR DEVIATIONS	
		CURRENT BUDGET	R 30 083 459.00	R 7 883 522.00	R 30 083 459.00				
		ACTUAL EXPENDITURE	R 6 653 452.87	R 6 653 452.87	R 6 653 452.87				
TO ENSURE EFFECTIVE AND EFFICIENT ADJUDICATION ON MATTERS BROUGHT BEFORE THE TRIBUNAL									
GOAL STATEMENT									
STRATEGIC OUTCOME									
STRATEGIC OBJECTIVE	STRATEGIC STATEMENT	OUTCOME	PERFORMANCE INDICATORS	ANNUAL TARGET	PRIOR YEAR ANNUAL PERFORMANCE	TARGET Q1	PERFORMANCE Q1	ANNUAL PERFORMANCE YEAR TO DATE	EXPLANATIONS FOR DEVIATIONS
CASE MANAGEMENT EFFICIENCY	Matters brought before the Tribunal are heard within the adopted delivery time frames	Hearings are set down within required time frames	% of large mergers to be set down for the beginning of a hearing or a pre-hearing within 10 business days of the filing of the merger referral	80%	71.80%	80%	82%	82%	Target exceeded by 2% The setback is dependent on the availability of the parties and there are instances where parties may not find the dates given by the Tribunal suitable.
			% 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 request for consideration	70%	70%	70%	0%	0%	1 out of 1 matter was setdown late due to internal administrative oversight
			% of large merger orders issued to parties within 10 business days of last hearing date	95%	100.00%	95%	100%	100%	Target exceeded by 5% The target is not set at 100% as we have to allow some leeway for delays in issuing of orders in complex matters that require more time for consideration.
			% of large merger reasons issued to parties within 20 business days of order being issued	80%	90.91%	80%	89%	89%	5 out of 17 reasons issued late. Reasons for the delay vary - four were quite complex with voluminous record and large economic evidence to consider. The other was late as the member writing was sitting on other matters.
TIMELY ISSUING OF JUDGEMENTS	Improvement in the issuing of judgements/decisions in line with adopted time frames	Expedient conclusion of matters	% of intermediate and small merger consideration orders issued to parties within 10 business days of last hearing date	80%	75.00%	80%	100%	100%	Target not set at 100% as some cases are more complex and require more time to consider.
			% of intermediate and small merger consideration reasons issued to parties within 20 business days of order being issued	60%	100.00%	60%	0%	0%	Reasons issued in 1 matter and late by 157 days because it was a complex matter, however the order was given in the requisite time period and there was no indication that either party intended to appeal the order.
			% of intermediate and small merger consideration reasons issued to parties within 20 business days of order being issued	60%	100.00%	60%	0%	0%	



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

STRATEGIC FOCUS AREA 2:		STAKEHOLDER RELATIONSHIPS		CURRENT BUDGET		QUARTER 1	YEAR TO DATE	REASON FOR DEVIATIONS								
				R 1,189,402.38	R 233,681.69	R 1,189,402.38										
				R 277,365.86	R 277,365.86	R 277,365.86		We have slightly underspent on this line item and expect the expenditure to become closer to budget over time								
TO BUILD AND DEVELOP EFFECTIVE STAKEHOLDER RELATIONSHIPS																
GOAL STATEMENT																
STRATEGIC OUTCOME																
STRATEGIC OBJECTIVE	STRATEGIC OBJECTIVE STATEMENT	OUTCOME	PERFORMANCE INDICATORS	ANNUAL TARGET	PRIOR YEAR ANNUAL PERFORMANCE	TARGET	PERFORMANCE	ANNUAL PERFORMANCE	EXPLANATIONS FOR DEVIATIONS							
STAKEHOLDER AWARENES	Ensure that an integrated communication plan is developed and implemented	A structured and focussed process to create and enhance awareness of the work of the Tribunal	E-newsletter developed and placed on website	Service provider sourced to develop e-newsletter that is fully implemented and available on website	New target in 2018/2019	Annual target but progress reported on quarterly	Service provider appointed and work in progress	Service provider appointed and work in progress	Target partially achieved - annual not a quarterly target							
										Communication framework reviewed annually and quarterly communication report on strategy and media coverage presented to EXCO	Communication strategy and media coverage reported quarterly	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	Review in progress. Strategy reported in quarterly report	Review in progress. Strategy reported in quarterly report	Target partially achieved - annual not a quarterly target
										% of press releases of final merger decisions communicated within 2 business days of order date	95%	100%	75%	95%	95%	Target met
STAKEHOLDER AWARENES	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 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	No decisions issued in prohibited practice cases and therefore no press release	No prohibited practice decisions were issued for this quarter, so no press releases were issued.							
										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

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

STRATEGIC FOCUS AREA 3:		ACCOUNTABLE, TRANSPARENT AND SUSTAINABLE ENTITY		QUARTER 1		YEAR TO DATE		REASON FOR DEVIATIONS		
		CURRENT BUDGET	ACTUAL EXPENDITURE	R 10,802,521.37	R 1,762,641.44	R 2,422,197.04	R 10,802,521.37	R 1,762,641.44	We have underspent on this line item but expect to get closer to budget once we receive invoices for the external audit and internal audit progresses	
GOAL STATEMENT										
STRATEGIC OUTCOME										
TO ENSURE THE TRIBUNAL HAS EFFECTIVE STRATEGIC LEADERSHIP, ADMINISTRATION AND MANAGEMENT THROUGH ADHERENCE TO GOOD GOVERNANCE AND SOUND BUSINESS PRACTICE.										
STRATEGIC OBJECTIVE	STRATEGIC OBJECTIVE STATEMENT	OUTCOME	PERFORMANCE INDICATORS	ANNUAL TARGET	PRIOR YEAR ANNUAL PERFORMANCE	TARGET	PERFORMANCE	ANNUAL PERFORMANCE	EXPLANATIONS FOR DEVIATIONS	
GOOD GOVERNANCE	Increase the level of compliance with the precepts 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 2016/2017 - 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	Interim audit report indicates we will receive a clean audit - no issues of governance raised	No final audit report so cannot comment on deviations as yet	
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 2016/2017 - no findings of fruitless/wasteful expenditure raised	Annual target set for second quarter	Interim audit report indicates we will receive a clean audit - no issues of governance raised	Interim audit report indicates we will receive a clean audit - no issues of governance raised	No final audit report so cannot comment on deviations as yet	
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 fruitless/wasteful expenditure	Unqualified audit achieved for 2016/2017 - no findings of fruitless/wasteful expenditure	Annual target set for second quarter	Interim audit report indicates we will receive a clean audit - no issues of fruitless/wasteful expenditure raised	Interim audit report indicates we will receive a clean audit - no issues of fruitless/wasteful expenditure raised	No final audit report so cannot comment on deviations as yet	
FINANCIAL GOVERNANCE AND REPORTING	Ensure a sound control environment and monitor and maintain compliance and ensure that all reporting requirements are met	Compliance to requirements as an accountable, transparent institution	No material misstatements for May submission	No material misstatement on May submission	No material misstatements in May submission	Annual target set for second quarter	Interim audit indicates that there are no material misstatements	Interim audit indicates that there are no material misstatements	No final audit report so cannot comment on deviations as yet	
			Submission against annual deadline	Annual reporting submission dates met May and July	Annual reporting submission dates for May and July met	Annual target set for second quarter	May deadline met, July target in next quarter	Interim audit report indicates we will receive a clean audit - no issues of risk management raised	Interim audit report indicates we will receive a clean audit - no issues of risk management raised	No final audit report so cannot comment on deviations as yet
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	Achieve an unqualified audit outcome year on year	Unqualified audit – no issues of risk management raised	Unqualified audit achieved for 2016/2017 - 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	Interim audit report indicates we will receive a clean audit - no issues of risk management raised	No final audit report so cannot comment on deviations as yet