

THE COMPETITION TRIBUNAL
PERFORMANCE INFORMATION REPORT
YEAR TO DATE
1st APRIL 2019 – 30th SEPTEMBER 2019

Reviewed for submission by :

Tebogo Mputle (Registrar/Head of Registry)

Signature: 

Date: 7/11/2019

Reviewed and verified for approval by :

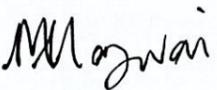
Janeen de Klerk (Chief Operating Officer)

Signature: 

Date: 6/11/2019

Approved by

Mondo Mazwai (Chairperson)

Signature: 

Date: 6/11/2019

STRATEGIC FOCUS AREA 1:		ADJUDICATIVE EXCELLENCE				QUARTER 1		QUARTER 2		YEAR TO DATE		REASON FOR DEVIATIONS	
		CURRENT BUDGET		R 33,933,320.00	R 8,608,042.00		R 7,860,338.00		R 16,468,380.00		Budget is based on estimated volume of cases and we therefore expect some variances as volume is difficult to predict		
		ACTUAL EXPENDITURE		R 14,335,946.80	R 6,761,050.51		R 7,574,896.29		R 14,335,946.80				
GOAL STATEMENT		TO ENSURE EFFECTIVE AND EFFICIENT ADJUDICATION ON MATTERS BROUGHT BEFORE THE TRIBUNAL											
STRATEGIC OUTCOME													
STRATEGIC OBJECTIVE	STRATEGIC OBJECTIVE STATEMENT	OUTCOME	PERFORMANCE INDICATORS	ANNUAL TARGET	PRIOR YEAR ANNUAL PERFORMANCE	TARGET Q1	PERFORMANCE Q1	TARGET Q2	PERFORMANCE Q2	ANNUAL PERFORMANCE YEAR TO DATE	EXPLANATIONS FOR THE CURRENT QUARTER DEVIATIONS		
TIMEOUS ISSUING OF JUDGEMENTS	Improvement in the issuing of judgements/decisions in line with adopted time frames	Expeditious conclusion of matters	% of procedural matter (Procedural matters includes interlocutory applications) orders issued to parties within 45 business days of last hearing date. (A business rule has been established where "hearing day" can refer for any one of the following: actual hearing, telephonic hearing, paper hearing (date on which required documents are submitted - currently referred to as "last submission date"))	85%	90.63%	85%	48%	85%	100%	52%	The target was exceeded for the quarter.		
			% of orders for consent orders and settlement agreements issued to parties within 10 business days of last hearing date. (A business rule has been established where "hearing day" can refer for any one of the following: actual hearing, telephonic hearing, paper hearing (date on which required documents are submitted - currently referred to as "last submission date"))	95%	97.92%	95%	100%	95%	83%	93%	The target was not met for the quarter. 1 of the 6 orders was issued 12 days outside the required 10 business days. In this instance the reasons being drafted were complex and needed substantial dialogue between panel members and the finalisation therefore took longer than normal. No corrective action is required		
			% of interim relief reasons issued to parties within 20 business days of last hearing date. (A business rule has been established where "hearing day" can refer for any one of the following: actual hearing, telephonic hearing, paper hearing (date on which required documents are submitted - currently referred to as "last submission date"))	90%	No reasons issued in interim cases therefore the target cannot be measured	90%	No reasons issued	90%	0%	0%	The target was not met for the quarter. Only 1 matter was decided. The matter required a discussion and agreement pertaining to costs and it therefore took longer for panel members to finalise the reasons. No corrective action is required.		
EFFECTIVE BUSINESS APPLICATIONS	Enhancing record keeping, performance and case flow management by harnessing facility and functionality of business applications	Improved management information to inform strategic decision making and access to historical data	CMS deemed to be sustainable	Sustainability of CMS system confirmed	Sustainability of the system being determined and measures taken to ensure its sustainability with the implementation of current available updates.	Annual target but progress to be reported quarterly in IT report	The current sustainability of the system is less than five years. It is anticipated that an update will be implemented in quarter 3 of the current financial year and that this will increase the sustainability of the system. Progress reported in IT Quarterly Report	Annual target but progress to be reported quarterly in IT report	The CMS was upgraded with a new patch however the current sustainability of the system remains at less than five years. It is anticipated that an update will be implemented in quarter 4 that will extend the sustainability of the system. Progress is reported on a quarterly basis in IT Quarterly Report	The current sustainability of the system is less than five years. It is anticipated that an update will be implemented in quarter 3 of the current financial year and that this will increase the sustainability of the system. Progress reported in IT Quarterly Report	This is an annual target. In this quarter system was reviewed and sustainability is currently less than 5 years. Action plan in place to implement new update when released in 2020 to extend sustainability		
			Review CMS to determine if any additional enhancements required	Plan for enhancements minor or major approved	Enhancements planned have been implemented and new enhancements identified are planned for implementation.	Annual target but progress to be reported quarterly in IT report	System enhanced to update Tribunal's case information and documents directly to the website. Changes being made in order to upload Higher Court documents directly to website on page for higher courts. All changes approved as change requests or scopes of work before implementation. Enhancements reported on in IT Quarterly Report	Annual target but progress to be reported quarterly in IT report	Various system enhancements and changes are being investigated and will be implemented in quarter three and quarter four of the current financial year. Changes and enhancements are being done through approved scopes of work and change requests.	System enhanced to update Tribunal's case information and documents directly to the website. Changes being made in order to upload Higher Court documents directly to website on page for higher courts. All changes approved as change requests or scopes of work before implementation. Enhancements reported on in IT Quarterly Report	While the target is annual we report progress on a quarterly basis		
			Models developed and implemented that generate statistics pertaining to the adjudicative process	Assess models for enhancements and determine if any new models need to be implemented	Useful statics model developed that contains various reports on case data including status of prohibited practice cases and timeframes regarding writing and issuing of reasons	Annual target but progress to be reported quarterly in IT report	Models are currently being assessed and reviewed. Enhancements are being effected on cost model and models providing information on prohibited practices	Annual target but progress to be reported quarterly in IT report	We continue to test and review models and make enhancements where required. The current focus is on the cost model and the prohibited practices model.	Models are currently being assessed and reviewed. Enhancements are being effected on cost model and models providing information on prohibited practices	While the target is annual we report progress on a quarterly basis		

STRATEGIC FOCUS AREA 3 - 1 APRIL 2019 - 30 SEPTEMBER 2019

STRATEGIC FOCUS AREA 3:		ACCOUNTABLE, TRANSPARENT AND SUSTAINABLE ENTITY				QUARTER 1	QUARTER 2	YEAR TO DATE	REASON FOR DEVIATIONS		
		CURRENT BUDGET	R 10,155,848.24	R 2,428,327.26	R 2,547,011.26	R 4,975,338.52	Very little variance at present and actual close to budget. We				
		ACTUAL EXPENDITURE	R 4,534,750.18	R 2,205,125.31	R 2,329,624.87	R 4,534,750.18					
GOAL STATEMENT		TO ENSURE THE TRIBUNAL HAS EFFECTIVE STRATEGIC LEADERSHIP, ADMINISTRATION AND MANAGEMENT THROUGH ADHERENCE TO GOOD GOVERNANCE AND SOUND BUSINESS PRACTICE.									
STRATEGIC OUTCOME											
STRATEGIC OBJECTIVE	STRATEGIC OBJECTIVE STATEMENT	OUTCOME	PERFORMANCE INDICATORS	ANNUAL TARGET	PRIOR YEAR ANNUAL PERFORMANCE	TARGET	PERFORMANCE	TARGET	PERFORMANCE	ANNUAL PERFORMANCE	EXPLANATIONS FOR THE CURRENT QUARTER DEVIATIONS
						Q1	Q1	Q2	Q2	YEAR TO DATE	
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 audit report - clean audit opinion - no governance issues raised.	Annual target set for second quarter	The draft audit report indicates we will receive a clean audit - no issues of governance raised	Unqualified audit - no issues of governance raised	The final audit report indicates we achieved a clean audit opinion - no issues of governance raised	The final audit report indicates we achieved a clean audit opinion - no issues of governance raised	The target was exceeded as we received a clean audit but our target was an unqualified audit. No corrective action required
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	Final audit report - clean audit opinion - no governance issues raised.	Annual target set for second quarter	The draft audit report indicates we will receive a clean audit - no issues of governance raised	Unqualified audit - no issues of governance raised	The final audit report indicates we achieved a clean audit opinion	The final audit report indicates we achieved a clean audit opinion	The target was exceeded as we received a clean audit but our target was an unqualified audit. No corrective action required
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	Final audit report - clean audit opinion - no findings on fruitless and wasteful expenditure.	Annual target set for second quarter	The draft audit report indicates we will receive a clean audit - no issues on fruitless and wasteful expenditure	Unqualified audit - no findings of fruitless and wasteful expenditure raised	The final audit report indicates we achieved a clean audit opinion	The final audit report indicates we achieved a clean audit opinion	The target was exceeded as we received a clean audit but our target was an unqualified audit. No corrective action required
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	The draft audit report indicates we will receive a clean audit - no material misstatements	No material misstatements in May submission	The final audit report indicates we achieved a clean audit opinion	The final audit report indicates we achieved a clean audit opinion	The target was exceeded as we received a clean audit but our target was an unqualified audit. No corrective action required
			Submission against annual deadline	Annual reporting submission dates met May and July	May and July 2018 deadlines were met.	Annual target set for second quarter	May deadline met. July target is in next quarter	Annual reporting submission dates met May and July	July deadline met	July deadline met	The target was exceeded as we received a clean audit but our target was an unqualified audit. No corrective action required
			Integrated risk management processes and combined assurance	Achieve an unqualified audit outcome year on year	Unqualified audit – no issues of risk management raised	Final audit report - clean audit opinion - no issues on risk.	Annual target set for second quarter	The draft audit report indicates we will receive a clean audit - no issues on risk	Annual target set for second quarter	The final audit report indicates we achieved a clean audit opinion	The final audit report indicates we achieved a clean audit opinion
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 internships against plan	Minimum of two graduate interns (one-year internship) appointed	2 LT interns appointed for period. 3 vacation interns employed in the Tribunal during the July vacation	Graduate internship targets meet plan requirements	2 graduate interns appointed in January for a year 3 vacation interns offered employment during the July vacation	Graduate internship targets meet plan requirements	2 graduate interns appointed in January for a year 3 vacation interns appointed during the July vacation	2 graduate interns appointed in January for a year 3 vacation interns appointed during the July vacation	Target met for the quarter

