THE COMPETITION TRIBUNAL

PERFORMANCE REPORT

1st APRIL 2017 - 31st MARCH 2018

QUARTER 1

Reviewed for submission by:

Lerato Motaung (Registrar)



Date: O4 Aug 2017

Reviewed and verified for approval by:

Janeen de Klerk (Chief Operating Officer)

Norman Manoim (Chairperson)

Signature:

Date: 4/8/2017

STRATEGIC FOCUS AREA 1 - QUARTER 1 - 2017/2018

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				CURRENT BUDGET	R 26,060,298.00		R 6,938,076.00	R 6 938,076.00	
				ACTUAL EXPENDITURE	R 5,875,401.75		R 5,875,401.75	R 5,875,401.75	The budget is based on an estimate of the volume of cases and variances will occur as we cannot predict volume
GOAL STATEMENT		Market Services							
STRATEGIC OUTCOME				TO ENSURE I	TO ENSURE EFFECTIVE AND EFFICENT ADJUDICATION ON MATTERS BROUGHT BEFORE THE TRIBUNAL	ON ON MATTERS	BROUGHT BEFO	RE THE TRIBUNAL	
STRATEGIC	STRATEGIC OBJECTIVE	BWODLNO	PERFORMANCE	ANNUAL TARGET	PRIOR YEAR ANNUAL PERFORMANCE	TARGET	PERFORMANCE	ANNUAL PERFORMANCE	EVEL ANATIONS FOR DEVIATIONS
Codecise	STATEMENT		INDICATORS			01	Q1	YEAR TO DATE	ENTERNING FOR DEVIATIONS
CASE MANAGEMENT	Matters brought before the	Hearings are set down within	% 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 referrat	75%	87.25%	75%	91%	91%	Target for quarter and year to date met and exceeded by 16%. The target set is based on the average performance over the last three years and is not set at 100% as parties are not always available on the first dates that we offer them for hearings. During the period under review parties were generally available on the dates offered thus resulting in us exceeding our targets.
EFFICIENCY	adopted delivery time frames	required time frames	% 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 filling of the request for consideration	75%	%00	75%	50%	50%	Target for quarter and year to date not met. 2 matters were setdown, 1 was delayed as parties were not available on earlier dates that we had offered. In another matter, the Commission did not file its record on time and we had to setdown the matter without the Commission's record.
			% of large merger orders issued to parties within 10 business days of last hearing date	95%	99.02%	%58	%00t	100%	Target for quarter and year to date met and exceeded by 5%. Target not always set at 100% as some case are more complex and require more time to consider.
	Improvement in the issuing of		% of large merger reasons issued to parties within 20 business days of order being issued	70%	7B.70%	70%	83%	83%	Target for quarter and year to date met and exceeded by 13%. The target for issuing reasons in large merger cases is not at 100% as some case are more complex and require more time to consider. In the period under review the matters were not as complex and we were able to exceed the target
	judgements/decisions in line with adopted time frames	matters	% of intermediate and small merger consideration orders issued to parties within 10 business days of last hearing date	95%	56.57%	%5.8	No orders issued	No orders issued	No orders were issued and target cannot be measured
			% of intermediate and small merger consideration reasons issued to parties within 20 business days of order being issued	60%	0.00%	9,609	No reasons issued	No reasons issued	No reasons were issued and target cannot be measured

We will be requesting permission from EDD to redefine these targets as they were incorrectly stated and approved in the Annual Performance Plan for the period ending 31st March 2018	Not measured or reported on	Not measured or reported on	Aroust not quarterly target	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 reliance on manual systems. Enhancements are implemented as we progress and new reports are being tested. This target will be removed or revised in 2017/2018	25% of agreed plan implemented by March 2017	Reduced reliance on manual performance reporting by 2020 according to agreed plan	and access to historical data	facility and functionality of business applications	AT LOS II CAN
We will be requesting permission from EDD to redefine these targets as they were incorrectly stated and approved in the Annual Performance Plan for the period ending 31st March 2018	Not measured or reported on	Not measured or reported on	Annual not quarterly target	It was established that updates were possible and as a result no feasibility study was undertaken. We are currently testing the final update and will then be in a position to determine what enhancement is required and can be implemented. This target will therefore be removed or revised in 2017/2018	Feasibility study of automation opportunities completed by December 2016	Enhancement of case management system facility in line with project plan	Improved management information to inform	Enhance record keeping, performance and case flow management by harnessing	EFFECTIVE BUSINESS
No reasons were issued and target cannot be measured	No reasons issued	No reasons issued.	100%	0.00%	100%	% interim relief reasons issued to parties within 20 business days of last hearing date			
Target not quarter and year to date met. Orders were issued late in 2 out of 5 matters because of an administrative error	60%	%09	90%	100.00%	90%	% consent orders issued to parties within 10 business days of last hearing date			
Target not met for quarter or year to date. 4 our of 10 decisions were issued late. The shortest period out of time being 25 days and the longest being 67 days. The reasons for the delay were due to the unusual and complex applications that were heard and the fact that members still had to sit on other panels.	60%	%09	85%	26.19%	85%	% of procedural matter orders issued to parties within 20 business days of last hearing date		Cantio II Statis Took Area	
No reasons were issued and target cannot be measured	No reasons issued	No reasons issued	C- 160 business days	50%	C- 150 business days	C	Expeditious conclusion of matters	Improvement in the issuing of judgements/decisions in line with	TIMEOUS ISSUING OF
Target met for quarter and year to date	100%	100%	B - 125 business days	68.67%	B - 125 business days	Reasons for prohibited practice cases issued to parties in accordance with delivery fimeframes per category: A.B or			
No reasons were issued and target cannot be measured	No reasons issued	No reasons issued	A - 100 business days	No reasons issued	A - 100 business days				
	YEAR TO DATE	Q1	Q1			in Dick Cond			
EXPLANATIONS FOR DEVIATIONS	ANNUAL PERFORMANCE	PERFORMANCE	TARGET	PRIOR YEAR ANNUAL PERFORMANCE	ANNUAL TARGET	PERFORMANCE	OUTCOME	STRATEGIC OBJECTIVE	STRATEGIC
	RE THE TRIBUNAL	BROUGHT BEFO	ION ON MATTERS	TO ENSURE EFFECTIVE AND EFFICENT ADJUDICATION ON MATTERS BROUGHT BEFORE THE TRIBU	TO ENSURE				STRATEGIC OUTCOME
									GOAL STATEMENT
The budget is based on an estimate of the volume of cases and variances will occur as we cannot predict volume	R 5,875,401.75	R 5,875,401.75		R 5,875,401.75	ACTUAL EXPENDITURE				
	R 6,938.076.00	R 6,938,076.00		R 26,060,298.00	CURRENT BUDGET				
REASON FOR DEVIATIONS	YEAR TO DATE	QUARTER 1				ELLENCE	ADJUDICATIVE EXCELLENCE	IS AREA 1:	STRATEGIC FOCUS AREA 1:

STRATEGIC FOCUS AREA 2 - QUARTER 1 - 2017/2018

STRATEGIC FOCUS AREA 1:	1:	STAKEHOLDER RELATIONSHIPS	TIONSHIPS				QUARTER 1	YEAR TO DATE	REASON FOR DEVIATIONS
				CURRENT BUDGET	R 1,152,965.46		R 260,702.15	R 260,702.15	
				ACTUAL EXPENDITURE	R 259,833.08		R 259,833.08	R 259,833.08	Little variance in this objective we expect it to remain close to budget
GOAL STATEMENT				To Billi	D AND DEVELOR RECECTIVE OF	אגבייטן סבט סבו	ATIONISHIBS		
STRATEGIC OUTCOME				I O BOI	TO BOILD AND DEVELOP EFFECTIVE STANEHOLDER RELATIONSHIPS	ANEHOLDER REL	AHONUHIPU		
STRATEGIC OBJECTIVE	STRATEGIC OBJECTIVE	OUTCOME	PERFORMANCE	ANNUAL TARGET	PRIOR YEAR ANNUAL	TARGET	PERFORMANCE	ANNUAL PERFORMANCE	EXPLANATIONS FOR DEVIATIONS
	0.00		INDICATORS		PERTURMANCE	01	01	YEAR TO DATE	
ENSURE RELEVANT	Ensure that an integrated	A structured and focussed process to create and	Communication Plan reviewed and changes implemented in line with EXCO requirements and agreed timeframes	Implement plan against agreed timeframes by March 2017	Document referred to as Communication Framework as opposed to Communication Plan. Framework was finalised and approved by the EXCO. Communication Officer now submits quarterly report and framework will be revised annually	Annual not quarterly target	Not measured or reported on	Not measured or reported on	No communication plan was or will be developed - this document was revised to be a framework and will be reviewed on an annual basis. We wish to revise or remove this target as it was incorrectly stated in the APP
STAKEHOLDERS	and implemented	enhance awareness of the work of the Tribunal	Monitored performance and implementation against improved plan	Report on implementation against plan by March 2017	Document not referred to as a plan but a framework and identifies policy and procedure around communication no implementation plan just projects. Progress on these reported against quarterly. Communication framework finalised and approved by the EXCO	Annual not quarterly target	Not measured or reported on	Not measured or reported on	No implementation plan has been devised and this target was incorrectly stated in the APP. A quarterly report will be distributed which will cover agreed aspects of the Tribunal's media coverage, outreach and projects. We wish to revise or remove it
	Ensure communication pertaining to final decisions in mergers and	Timely and compliant	% press releases of final merger decisions communicated within 2 business days of order date	75%	99.05%	75%	100%	100%	Target exceeded for quarter and year to date
THE TRIBUNAL	public within adopted delivery timeframes	adjudication outcomes	% press releases of prohibited practice decisions communicated within 2 business days of order date	100%	80.00%	100%	100%	100%	Target met for quarter and year to date

STRATEGIC FOCUS AREA 3 - QUARTER 1 - 2017/2018

	2 LT interns appointed for the period 1st January	2 LT interns appointed for the period 1st January	Graduate internship	implemented and		Implementation of Case	Strengthen the Tribunal's organisational capacity and	Ensure that the Tribunal effectively leverages employee skills by	GIRTANABI E CABACITY
Annual target met	May 2017 submission deadline met	May 2017 submission deadline met	Annualitarget set for second quarter	Final management report for 2015/2016 - no risk management issues	Unqualified audit – no issues of risk management raised	Achieve an unqualified Audit Outcome year on year	Integrated risk management processes and combined assurance		
Annual target met		May 2017 submission deadline met	May submission date met	May date met - July date met	Annual reporting submission dates met May and July	Submission against annual deadline	4	Ensure a sound control environment and monitor	FINANCIAL GOVERNANCE AND REPORTING
Draft report indicates annual target will be met	Draft report indicates we will receive a clean report for 2016/2017 and no material mistatements	Draft report indicates we will receive a clean report for 2016/2017 and no material mistatements	Annual target set for second quarter	Final management report for 2015/2016 - no material misstatements	No material misstatement on May submission	No material misstatements for May submission	Compliance to requirements		
Draft report Indicates annual target will be met	Draft report indicates we will receive a clean report for 2016/2017 and no fruitless/wasteful expenditure disclosed	Draft report indicates we will receive a clean report for 2016/2017 and no fruitless/wasteful expenditure disclosed	Annual target set for second quarter	Fruitless and wasteful expenditure disclosed in final AFS for 2015/2016	Unqualifled audit-no findings of fruitless /wasteful expenditure	Achieve an unqualified Audit Outcome year on year	Optimal financial resource allocation and utilisation	Ensure financial management that promotes effective and efficient use of resources	EFFECTIVE MANAGEMENT OF THE BUDGET
Draft report indicates annual target will be met	Draft report indicates we will receive a clean report for 2016/2017 and no issues of governance raised	Draft report indicates we will receive a clean report for 2016/2017 and no material mistatements	Annual target set for second quarter	Final management report for 2015/2016 - no issues of governance raised	Unqualified audit – no issues of governance raised	Achieve an unqualified Audit Outcome year on year	Sound Business Practice	Maintain effective oversight structures that promote solid business practice	EFFECTIVE OVERSIGHT STRUCTURES
Draft report indicates annual target will be met	Draft report indicates we will receive a clean report for 2016/2017 and no issues of governance raised	Draft report indicates we will receive a clean report for 2016/2017 and no issues of governance raised	Annual target set for second quarter	Final management report for 2015/2016 - no issues of governance raised	Unqualified audit – no issues of governance raised	Achieve an unqualified Audit Outcome year on year	Accountable and transparent Public Entity	Increase the level of compliance with the prescripts of good governance	GOOD GOVERNANCE
	YEAR TO DATE	Q1	01						
EXPLANATIONS FOR DEVIATIONS	ANNUAL PERFORMANCE	PERFORMANCE	TARGET	PRIOR YEAR ANNUAL	ANNUAL TARGET	PERFORMANCE INDICATORS	OUTCOME	STRATEGIC OBJECTIVE STATEMENT	STRATEGIC OBJECTIVE
OOD GOVERNANCE AND SOUND BUSINESS PRACTICE.	ETO GOOD GOVERNA	LEADERSHIP, ADMINISTRATION AND MANAGEMENT THROUGH ADHERENCE TO G	MANAGEMENT T	ADMINISTRATION AND	CTIVE STRATEGIC LEADERSHIP, A	EFFE	TO ENSURE THE TRIBUNAL HAS		STRATEGIC OUTCOME
We expect this budget to increase as we incur expenses related to both internal and external audit for the year end	R 2,021,541.04	R 2,021,541.04		R 2,021,541.04	ACTUAL EXPENDITURE				
	R 2,164,219.12	R 2,164,219.12		R 9,630,508.71	CURRENT BUDGET				
REASON FOR DEVIATIONS	YEAR TO DATE	QUARTER 1			ABLE ENTITY	ACCOUNTABLE, TRANSPARENT AND SUSTAINABLE ENTITY	ACCOUNTABLE, TRAI	A1:	STRATEGIC FOCUS AREA 1: