

THE COMPETITION TRIBUNAL
SECOND QUARTER PERFORMANCE REPORT

1st APRIL 2014 – 30th September 2014

Reviewed for submission by :

Lerato Motaung (Registrar)

Signature:

Date:

Ann Slavin (Head of Corporate Services)

Signature:

Date:

Lufuno Ramaru (Executive Administrator)

Signature:

Date:

Reviewed and verified for approval by :

Janeen de Klerk (Chief Operating Officer)

Signature:

Date:

Approved by

Norman Manoim (Chairperson)

Signature:

Date:

THE COMPETITION TRIBUNAL - 1st APRIL 2014 - 31st MARCH 2015

Strategic Focus Area 1:		TRIBUNAL HEARINGS AND DECISIONS		Quarter 1	Quarter 2	Total	REASON FOR DEVIATIONS	
Prior year budget:		R 18,294,005.60	Current budget	R 16,694,225.18	R 4,173,556.30	R 4,173,556.30	R 16,694,225.18	Budget divided equally across 4 quarters
Prior year actual		R 16,128,374.80	Actual expenditure	R 3,930,098.00	R 3,703,255.29	R 7,633,353.29	The volume of cases heard was small in these quarters	
Goal Statement:		Hold hearings and adjudicating matters brought before the Tribunal.						
Strategic Outcome:		Promote and maintain competition within South Africa through the implementation of the Competition Act.						
STRATEGIC OBJECTIVE	OUTPUT	PERFORMANCE INDICATORS	ANNUAL TARGET	QUARTERLY TARGET			DEVIATIONS	
				Prior year annual performance	Q1	Q2		Annual performance
Large Mergers:								
	Merger notices	Merger set down (heard) in accordance with delivery timeframes	75% of mergers heard within 10 business days of the filed merger	74%	67%	77%	67%	Target exceeded for the quarter
	Orders	Orders issued to parties in accordance with the delivery timeframes	98% of orders issued within 10 business days of the last hearing date	10%	100%	100%	100%	Target exceeded for the quarter
	Reasons for Decision documents	Reasons for Decisions issued to parties in accordance with the delivery timeframes	56% of "reason for decisions" issued within 20 business days of order being issued	82%	88%	94%	88%	Target exceeded for the quarter
Requests for consideration (Intermediate mergers):								
	Merger notices	Merger set down(heard) in accordance with delivery timeframes	75% of mergers heard within 10 business days of receiving the Commissions record	100%	100%	No matters heard	100%	No matters heard
	Orders	Orders issued to parties in accordance with the delivery timeframes	98% of orders issued within 10 business days of the last hearing date	No orders were issued during the target period	100%	No orders issued	100%	No orders issued
	Reasons for Decision documents	Reasons for Decisions issued to parties in accordance with the delivery timeframes	56% of "reason for decisions" issued within 20 business days of order being issued	No reasons were issued during the target period	0%	No reasons issued this quarter	0%	No reasons issued this quarter

To promote and maintain competition within South Africa by holding hearings and adjudicating matters brought before the Tribunal that pertain to large and intermediate mergers, interim relief cases,

procedural matters, opposed as well as unopposed prohibited practices within the adopted delivery timeframes.

Opposed Prohibited Practices:							
Notice of set-downs	Pre-hearing invitations sent to parties in accordance with the delivery timeframes	90% of pre-hearing invitations sent to parties within 20 business days of close of pleadings	100%	67%	No prehearing invites sent	67%	No prehearing invites sent
Orders and reasons for decision documents	Orders and reasons for decisions issued to parties in accordance with the delivery timeframes	80% of orders and reasons for decisions issued within 100 business days of the hearing date	50%	0%	No orders/reasons issued	0%	No orders /reasons issued
Consent Orders:							
Orders	Orders issued to parties in accordance with the delivery timeframes	75% of consent orders issued within 10 business days of the last hearing date	98%	100%	100%	100%	Target exceeded for the quarter
Procedural Matters:							
Orders	Orders issued to parties in accordance with the delivery timeframes	85% of orders issued within 20 business days of the last hearing date	83%	75%	100%	88%	Target exceeded for the quarter
Interim Relief cases:							
Reasons for Decision documents	Reasons for Decisions issued to parties in accordance with the delivery timeframes	85% of "reasons for decisions" issued within 20 business days of the last hearing date	0%	100%	No reasons issued this quarter	100%	No reasons issued this quarter

Strategic Focus Area 2:	STAKEHOLDER AWARENESS			Prior year figures	Quarter 1	Quarter 2	Total	Reason for deviations
	Prior year budget:	R 651,937.80	Current budget	R 780,341.14	R 195,085.29	R 195,085.29	R 780,341.14	Budget divided equally across 4 quarters
	Prior year actual	R 319,629.91	Actual expenditure		R 30,525.00	R 42,694.36	R 73,219.36	

Goal Statement: Communicate the activities and decisions of the Competition Tribunal effectively.

Strategic Outcome: Educate and create awareness of Competition Matters to the Tribunal's stakeholders.

STRATEGIC OBJECTIVE	OUTPUT	PERFORMANCE INDICATORS	ANNUAL TARGET	QUARTERLY TARGET			DEVIATIONS	
				Prior year annual performance	Q1	Q2		Annual performance
"Reasons for Decision" documents	Turnaround time for all the "reasons for decisions" to be posted on the website after release	97% of reasons for decisions posted on the Tribunal website within 24 hours of release		69%	83%	90%	87%	3 of 30 reasons we reposted on the website due to technical problems
Tribunal Tribunes produced	Tribunal Tribune's distributed to Stakeholders	Three Tribunal Tribunes distributed by 31 March 2015		3	0.00	1.00	1.00	Target exceeded for quarter but not for year to date

To educate and to create awareness of competition matters to our stakeholders by communicating the activities and decisions of the Competition Tribunal by way of the internet, press releases, the Government Gazette as well as internal publications within the adopted delivery timeframes.			Tribunal Tribunes distributed to 50 stakeholders per issue by 31 March 2015	86	0.00	55.00	55.00	Target exceeded for quarter but not for year to date
	Notice of final merger decisions	Merger decisions published in the Government Gazette	100% of the merger decisions issued sent to the Government Gazette for publishing within 20 days of the final decision	94%	81%	96%	88%	1 of 24 decisions sent to the printers late due to administrative oversight
	Press releases	Press releases of final decisions in merger cases issued to the media	Press releases issued for 75% of the final decisions in mergers issued by the Tribunal each quarter	98%	94%	97%	96%	Target exceeded for the quarter
	Press releases	Press releases of final decisions in prohibited practice cases issued to the media	Press releases issued for 100% of the final decisions in prohibited practice cases issued by the Tribunal each quarter	100%	100%	83%	90%	We failed to send a press release for 1 of the 6 consent orders issued. This was due to the fact that prior discuss with the media it was indicated that there was little interest in this matter.
Strategic Focus Area 3	OPERATIONAL EFFECTIVENESS				Quarter 1	Quarter 2	Total	REASON FOR DEVIATIONS
	Prior year budget:	R 1,581,789.49	Current budget	R 1,458,335.02	R 364,583.76	R 364,583.76	R 1,458,335.02	Budget divided equally across 4 quarters
	Prior year actual	R 1,042,829.88	Actual expenditure		R 612,436.17	R 74,411.32	R 686,847.49	Most training was attended in the first quarter
Goal Statement:	Enhance the expertise of Tribunal staff.							
	Improve the service of the Tribunal to our customers.							
Strategic Outcome:	Strengthen the Tribunal's organisational capability and performance to deliver on its legislative mandate							
STRATEGIC OBJECTIVE	OUTPUT	PERFORMANCE INDICATORS	ANNUAL TARGET	QUARTERLY TARGET			DEVIATIONS	
				Prior year annual performance	Q1	Q2		Annual performance
To enhance the expertise of Tribunal members and staff by sending them on planned international as well as local conferences and training courses.	Training feedback form	Conferences and training courses attended	Tribunal members and research staff attend 75% of the budgeted international and national conferences/workshops and training courses by 31 March 2015	144.12%	88.89%	100.00%	47.22%	Target exceed for the quarter but not for the year