THE COMPETITION TRIBUNAL

PERFORMANCE REPORT

1st APRIL 2016 - 31st MARCH 2017

QUARTER 1 to QUARTER 4

Reviewed for submission by:

Lerato Motaung (Registrar) P・p・ (いん) Signature:

Date: 02.05.2017

Reviewed and verified for approval by:

Janeen de Klerk (Chief Operating Officer)

P-10. Dodow .

Date: 02.05.2017

Approved by

Norman Manoim (Chairperson)

Signature:

Date: 2 /05 /2017

STRATEGIC FOCUS AREA 1 - QUARTER 3 - 2016/2017

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STRATEGIC FOCUS AREA 1:	S AREA 1:	ADJUDICATIVE EXCELLENCE	ELLENCE				QUARTER :		QUARTER 2		QUARTER 3		QUARTER 4	YEAR TO DATE	REASON FOR DEVIATIONS
				CURRENT BUDGET	R 23.490.930.03		R 6.964.694.26		R 4.508.978 26		R 6.508.509 25		R 5.508.748.26	R 23,490,930.03	Budget divided equally across 4 quarters
				ACTUAL EXPENDITURE	R21.277.97264		R 4.960,917 88		R 5 607,891.59		R 4.520,142.51		R 5 680,120 36	R 21,277,972.64	The budget is based on an estimate of the volume of cases and variances will occur as we cannot predict volume
GOAL STATEMENT	Course Seal of The														
STRATEGIC OUTCOME							TO ENSURE E	FECTIVE AND	EFFICENT ADJUDICAT	ION ON MATTERS	TO ENSURE EFFECTIVE AND EFFICENT ADJUDICATION ON MATTERS BROUGHT BEFORE THE TRIBUNAL	HEIKIBUNAL			The second second
STRATEGIC	STRATEGIC OBJECTIVE	-	PERFORMANCE		PRIOR YEAR ANNUAL	TARGET	PERFORMANCE	TARGET	PERFORMANCE	TARGET	PERFORMANCE	TARGET	PERFORMANCE	ANNUAL PERFORMANCE	EXPLANATIONS FOR DEVIATIONS
DBJECTIVE	STATEMENT	SWOOTING	INDICATORS	ANNUAL TARGET	PERFORMANCE	9	g		Q2	9	9	£	Q4	YEAR TO DATE	EXPLANATIONS FOR DEVIATIONS
The second second second			No. of Concession, Colored to Section 50						The second second						
CASE MANAGEMENT	Matters brought before the	Hearings are sel down	% of large margers to be set down for the beginning of a hearing or a pre-hearing within 10 business days of the filling of the marger referral	785	75%	75%	3	75%	ij.	78%	5	79.	54%	87%	Target exceeded for quarter and year to date
EFFICIENCY	I risuma are neard womin toe adopted delivery time frames	Altifin required time frames	No of intermediate mergers to be set down for the beginning of a hearing or a pre-hearing within 10 bearings and a year filling of the merger referral	75%	5	75%	808	78%	100%	75%	100%	79	100%	80%	Targel acceeded for quarter and year to date
			% of large merger orders issued to parties within 10 business days of last hearing date	85%	100%	95%	100%	88	100%	***	100%	97%	85%	995	Target met for quarter and exceeded for year to data
			% of large merger reasons issued to parties within 20 business days of order being issued	70%	87%	70%	63%	10%	90%	70%	79%	719%	78%	79.	Target exceeded for quarter and year to date
TIMEOUS ISSUING OF JUDGEMENTS	judgementaldecisiona in line within adopted time frames	Expeditious conclusion of matters	% of intermediate merger orders issued to perfee within 10 business days of last hearing date	85%	100%	5	na orders issued	19	80%	9	No orders issued	N.C6	100%	67%	Target exceeded for quarter but not met for year to date. In one of three matters decided the order was issued 24 days out of time due to lack of capacity
			% of intermediate merger reasons issued to parties within 20 business days of order being leaved	80%	80%	\$	9	%C3	No ressons issued	9	3	80%	No ressorts lestred	940	No reasons issued in period under review and target not met for year to date Rossons were issued in late in two of the two matters decided - one was issued 18 days out of time as it was a complex case and had an extremely lengthy hearing and large record in the other matter reasons issued 15 days out of time because the member who was writing attended the ICN conference in Singapore

APPLICATIONS facility and innerionality of business applications					TIMEOUS ISSUMG OF Improvement in the leaving of Indomental decisions in line with			OBJECTIVE		GOAL STATEMENT STRATEGIC OUTCOME			STRATEGIC FOCUS AREA 1:
and access to historical data				II of the same	Expadible			OUTCOME					ADJUDICATIVE EXCELLENCE
Reduced relance on manual performance reporting by 2020 according to agreed plant	Enhancement of case management system facility in line with project plan	% interim relief resours lesued to parties within 20 business days of last hearing tale	% consent orders issued to parlies within 10 business days of last hearing data	% of procedural matter orders issued to parties within 20 business days of last hearing date		Reasons for prohibited prector cases leaved to parties in accordance with delivery		INDICATORS	PERFORMANCE			AND THE STATE OF THE	CELLENCE
25% of agreed plan implemented by March 2017	Feasibility study of automation opportunities completed by December 2016	d 100%	**06	88%	C-150 business days	B - 125 business days	A - 100 business days	ANNOAL LANGE			ACTUAL EXPENDITURE	CURRENT BUDGET	
No formal plan in place but manual reliance being reduced	Phase 2 fully implemented and operative by March 2016	No reasons issued	96%	Neg	100%	No reasons leased	No reasons leaved	PERFORMANCE	PRIOR YEAR ANNUAL		R 21,277,972,64	R 23.490,930 03	
American features (vector)	Amnual not quarterly target	100%	1408	3	C-150 bismeis day	B 125 business days	A - 100 business: days	ũ	TARGET				S-150
We continue to work with our reports to refine them and therefore reduce reliance on required them.	Focuseing on examing current CMS remains stable white we consider migrating to a new system	No reasons leaved	100%	25%	9	No reasons leaved	No reasons issued	ū	PERFORMANCE	TO ENSURE EFF	R 4.560,817.88	R 6.964.694.26	QUARTER 1
Annual not quartedy target	Annual not quarterly target	100%	10%	9%	C-150 business days	8-125 business days	A - 100 business days	R	TARGET	ECTIVE AND E			
Electronic data being verified straight from system and continuing to look at new ways of using technology and decreasing relience on	Preparing documents to be distributed to service providers to bid for sessisting the Tribunal through a migration phase	95	100%	K	No reasons issued	*0	No ressons lequed	02	PERFORMANCE	FFICENT ADJUDICA	R 5.607.891.59	R 4.508,978 26	QUARTER 2
Annual not quarterly barget	Amount out quarterly larget	100%	4608	85%	C-159 business days	B - 125 business days	A - 100 business days	93	TARGET	TION ON MATTERS			
Electronic data being verified straight from system and continuing to look at new ways of using technology and decreasing reliance on	Upgraded system to latest version and assessing process required going forward	No reasons lesued	180%	43%	No reasons issued	100%	No reasons issued	8	PERFORMANCE	TO ENSURE EFFECTIVE AND EFFICENT ADJUDICATION ON MATTERS BROUGHT BEFORE THE TRIBUNAL	R 4 820,142 81	R 6,508,509 25	QUARTER 3
25% of agreed plan implemented by Morch 2017	Family study of buttomation opportunities tompleted by December 2016	160%	90%	85%	C-150 businessa daya	B - 125 business days	A - 100 business days	Q.	TARGET	THE TRIBUNAL			
Electronic data being verified attaight from system and continuing to look at new ways of using technology and decreasing retaince on manual systems	Final testing of update taking place. Further developments on process and reports being discussed with consultants	No resons issued	100%	20%	No reasons issued	100%	No reseans issued	ē.	PERFORMANCE		R 5 880,120 36	R 5.508.748.26	QUARTER 4
Focussing on increased reliance on system as opposed to manual report development	Continue to ensure system remains stable while we migrate to new softwere	3	100%	24%	34	9	No resons issued	YEAR TO DATE	ANNUAL PERFORMANCE		R 21,277,972.64	R 23,490,930.03	YEAR TO DATE
Electronic data being verified straight from system and continuing ed to look at new ways of using technology and decreasing reliance on manual systems	No feasability study undertaken but updates tested and reports being revised to reduce reliance on paper systems	No reasone issued in period under review	Target exceeded for quarter and year to date	Target not met for quarter and year to date. 32 out of 42 decisions issued were issued late. In 10 matters the decisions were issued 10 days or less out of time. In 15 matters the decisions were issued 30 days or less out of time and in the remaining 7 decisions - 2 were tarte by 60 days or less while 5 mere delayed by 80 days or more. The delays were mainly the result of lack of capacity amongest Tribunal members induced members find titled time to focus on decision writing as they are required to sit on numerous panels.	No reasons issued in this period but target not met for year to date 1 out of 1 reasons issued were late by 28 days because it was a very complex case and the shortage of Tribunal members meant purel members also had to sit on several other large matters, og Imery and Vocasom & Nacist. In addition the BRICS conference took place during this period and certain Tribunal members delivered papers or chaired working groups	Target met for quarter but not for year to date. Reasons were issued in three matters and in one they were issued 79 days out of time. The resignation of a case manager and the lack of capacity amongst Tribunal members caused this delay	No reasons issued in period under review or year to date. Target therefore cannot be measured		EXEL AVATIONS END DESTA TONS		The budget is based on an extinate of the volume of cases and variances will occur as we cannot predict volume	Budget divided equally across 4 quarters	REASON FOR DEVIATIONS

STRATEGIC FOCUS AREA 2 - QUARTER 3 - 2016/2017

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STRATEGIC FOCUS AREA 1:		STAKEHOLDER RELATIONSHIPS	IONSHIPS				QUARTER 1		QUARTER 2		QUARTER 3		QUARTER 4	YEAR TO DATE	REASON FOR DEVIATIONS
		The state of the		CURRENT BUDGET	R 1,024,228.53		R 256.054.38		R 256,058 39		R 256.057.38		R 256.058.38	R 1,024.228 53	Budget divided equally across 4 quarters
				ACTUAL EXPENDITURE	R 997 469 45		R 243,584.45		R 251 489.38		R 250.929.37		R 251,466.25	R 997,469.45	Little variance in this objective we expect it to remain close to budget
GOAL STATEMENT				Charles of the same			TO BUILD	AND DEVELOP	TO BLUE DIAND DEVELOR EFFECTIVE STAKEHOLDER RELATIONSHIPS	OLDER RELATIONS	Salik				
STRATEGIC OUTCOME	The State of the S														
ENECKED OF SECTION	STRATEGIC OBJECTIVE	Olifones	PERFORMANCE	ANNIAL TARGET	PRIOR YEAR	TARGET	PERFORMANCE	TARGET	PERFORMANCE	TARGET	PERFORMANCE	TARGET	PERFORMANCE	PERFORMANCE	EXPLANATIONS FOR DEVIATIONS
STRATEGIC COCECUTAE	STATEMENT	Out Come	INDICATORS		PERFORMANCE	9	õ	02	02	03	Q3	Q4	Q	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 EXCD requirements and agreed timeframes	implement plen against agreed timeframes by March 2017	Implement plan against agreed timeframes	Annual not quanterly target	Progress being made with regard to implementation of agreed projects	Annual not quarterly target	Progress being made with regard to implementation of agreed projects	Annual not quartedly terret	Communication plan finalised and to be considered by EXCO and continuing with projects identified	Annual not quarterly target	Communication framework finalised and approved by EXCD	Progress being made with regard to implementation of agreed projects	Target met for quarter and year to date
	omnuncation plan is developed and implemented	enhance swereness of the work of the Tribunal	Monitored performance and implementation against improved plan	Raport on implementation against plan by March 2017	New target in 2016/2017	Abnual not quarterly target	Quarterly report provided to COO on progress and where necessary reflected in dashboard report	Annual not quarterly target	Quarterly report provided to COO on progress and where necessary reflected in dashboard report	Annual not quarterly target	Quarterly report provided to COO on progress and where necessary reflected in dashboard report	Annual not quarterly target	Quarterly report provided to COO on progress and where necessary reflected in desthoord report	Cuarterly report provided to COD on progress and where necessary reflected in dashboard report	Target met for quarter and year to date
			% press releases of final merger decisions communicated within 2 business days of order date	75%	92%	75%	100%	75%	97%	100%	100%	100%	100%	99%	Target exceeded for quarter and year to date
			% press releases of prohibited practice decisions communicated within 2 business days of order date	1/001	NO01	190%	%08	100%	100%	-100%	%0	100%	100%	80%	Target exceeded for quarter but not for year to date in one of the five final prohibited practice decisions a press release was not issued in this matter the order did not relate to the ments of the case and therefore it was decided not to issue a press release.
MAINTAIN AND ENHANCE THE PRESENCE AND PROFILE OF THE TRIBUNAL	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 non confidential version (ncv) of reasons posted on website within 2 business days of issue date of ncv	75%	2,0	78%	98%	75%	76%	75%	67%	75%	88%	78%	Target exceeded for quarter and year to date
			Number of Tribunal Tribuna published annually	Remove by EXCO in order to develop electronic newsletter	3.00	Removed by EXICO in order to develop slectronic newsletter	Developing specifications for e- bulletin on our website	Removed by EXCO in order to develop electronic newsletter	In the process of obtaining service provider to assist with the development of an e-bulletin on our website	Removed by EXCO in order to develop electronic newsletter	in the process of obtaining service provider to assist with the development of an abuselin on our website	Removed by EXCO in order to develop electronic newsletter	Publication of newsletter delayed to April and in process of securing service provider to develop it on website	Publication of newsletter delayed to April and in process of securing service provider to develop it on assets.	Publication delayed but progress being made on procurement
			Number of Tribunal Tribune distributed according to agreed distribution list	Remove by EXCO in order to develop electronic newsletter	81	Removed by EXCO in order to develop electronic newslatter	Developing specifications for e- bulletin on our website	Removed by EXCO in order to develop electronic newsletter	in the process of obtaining service provider to assist with the development of an e-bulletin on our website	Removed by EXCO in order to develop electronic newsletter	In the process of obtaining service obtaining service provider to assist with the development of an e-bulletin on our website	Removed by EXCO in order to develop electronic newsterlier	Publication of newsletter delayed to April and in process of securing service provider to develop it on website	Publication of newsletter delayed to April and in process of securing service provider to develop it on website	Publication delayed but progress being made on procurement
IMPROVE STAKEHOLDER	Identify and address stakeholder needs and expectations in order to meet or exceed requirements	Level of stakeholder satisfaction	Planned and implemented actions against stateholder satisfaction survey results	No survey scheduled this year	Plan delayed due to late appointment of communications officer	No survey scheduled this year	No survey scheduled this year	No survey schediled tha	No survey scheduled this year	No survey scheduled this year	No survey acheduled this year	No survey scheduled this year	No survey scheduled this year	No survey scheduled this year	No survey scheduled this year

STRATEGIC FOCUS AREA 1:	11:	ACCOUNTABLE, TRA	ACCOUNTABLE, TRANSPARENT AND SUSTAINABLE ENTITY	IABLE ENTITY			QUARTER 1		QUARTER 2	NIE SEL	QUARTER 3		QUARTER 4	YEAR TO DATE	REASON FOR DEVIATIONS
				CURRENT BUDGET	R 6 883,100 48		R 1,428.611.12		R 2.201.494.12		R 1,428.611.12	11年1日	R 1.824,384.12	R 6 883 100.48	Budget divided equally across 4 quarters
				ACTUAL EXPENDITURE	R 6.165 804 62		R 1.587,323.77		R 1 099 046 67		R 1/81/1/247		R 1,698,321.51	R 6 165 804 62	We expect this budget to increase as we incur expenses related to both internal and external audit for the year end
		The second second													The second secon
GOAL STATEMENT STRATEGIC OUTCOME				TO ENSURE THE TRIB		FECTIVE STRATE	UNAL HAS EFFECTIVE STRATEGIC LEADERSHIP, ADMINISTRATION AND MANAGEMENT THROUGH ADHERENCE TO GOOD GOVERNANCE AND SOUN	MINISTRATION A	ND MANAGEMENT TI	HROUGH ADHEREN	ICE TO GOOD GOVER		ID BUSINESS PRACTICE	E	
					BBOD VEAD ARVING	TARGET	PERFORMANCE	TARGET	PERFORMANCE	TARGET	PERFORMANCE	TARGET	PERFORMANCE	ANNUAL	
STRATEGIC OBJECTIVE	STATEMENT	DUTCOME	INDICATORS	ANNUALIARGE		01	Ĉ,	£	62	0	8	£	2	YEAR TO DATE	
GOOD GOVERNANCE	increase the level of compliance with the prescripts of good governance	Accountable and baneparent Public Entity	Achieve an unqualified Audit Dutoome year on year	Unqualified audit - no Isaues of governance raised	Final report - no leause of governance raised	Annual suget set for assound quarter	Draft management report for 2015/2016 - no issues of governance raised	peers sonamerog to sensu on - rans bodisuppi	Final management report for 2015/2016 - no lasues of governance raised	Unquelfied audit - no cisues of governance raised	Final management report for 2015/2016 - no issues of governance raised	Unqualified audit - no issues of governmence missed	Final management report for 2015/2016 - no lesses of governance relead	Final management report for 2015/2016 - no leaves of governance raised	Target met for quarter and year to date
EFFECTIVE OVERSIGHT STRUCTURES	Maintain effective oversight einctures that promote solid business practice	Sound Business Practice	Achieve an unqualified Audit Outcome year on year	Unqualified audit – no issues of governance raised	Final report - no issues of governance raised	Annual target set for second quarter	Draft management report for 2015/2016 - no lisues of governance raised	Unqualited hudst- no statuss of governance raised	Final management report for 2015/2016 - no issues of governance raised	Unqualified audit - no seues of governance raised	Final management report for 2016/2016 - no leause of governance ralead	Unqualified audit - no issues of governmente raised.	Final management report for 2015/2016 - no leause of governance raised	Final management report for 2015/2016 - no leaves of governance raised	Target met for quarter and year to date
EFFECTIVE MANAGEMENT OF	Enaire financial management that premise effective and efficient use of resources	Optimal financial resource allocation and utilisation	Achieve an unqualified Audit Outcome year on year	Unquakliad audil-no findrigs of frubbee /westeful expenditue	Final report - has full-teas and wasteful supenditure	Annual target sal for second quarter	Fruitess and westeful expenditure disclosed in draft AFS for 2015/2016	no issues of fruits and continues of fruits and superiorist	Fruitees and wasteful expanditure disclosed in final AFS for 2015/2018	Unquelified audit no issues of fluidess and westellid expenditure	Fruittees and vessielul expanditure decidesed in final AFS for 2015/2018	Unqualified assit - no assues of frattless and wasteful expanditure	Prubless and wasteful expenditive disclosed in final AFS for 2015/2016	Fruitees and westeful expenditure disclosed in final AFS for 2015/2016	Target not met for quarter and year to date. The Tribunal disclored furifices/westerial and irregular expenditure. A portion was conditioned by National Treasury and the balance will be conditioned by the Accounting Authority. An action plan has been put in place to prevent thee occurring going forward.
		Compliance to requirements	No material misstatements for May submission	No material misstatement on May submission	Final report - no material misstalements	Annual target set for second quarter	Draft management report for 2015/2016 - no meterial masterial masterial control of the control o	No material misstatements identified in four	Final management report for 2/15/2016 - no material misstatements	No material residencements adontaled in final report	Final management report for 2015/2016 - no material misetatements	No material resistance only identified in final report	Final management report for 2015/2016 - no material missistements	Final management report for 2015/2016 - no material misatatements	Target met for quarter and year to date
FINANCIAL GOVERNANCE AND REPORTING	Ensure a sound control environment and monitor	transparent institution	Submission egainst annual deadine	Annual reporting submission dates met May and July	AR submitted within required timeframes	May submission data met	May date met - July still due	July submission date met	May date met - July date met	July submission data men	May date met - July date met	July submission diste mot	May date met – July date met	May date met - July date met	Target partially met for quarter and year to date
		Integrated risk management processes and combined essurance	Achieve an unqualified Audit Outcome year on year	Unqual sed audt – no leaues of risk management raised	Pinal report - no risk management issues raised	Annual target set for second quarter	Draft management report for 2015/2015 - no risk management issues raised	Unquelified audit - no risk management braues rased	Final management report for 2015/2016 - no risk management leasues raised	Unquelfied sudit - no tsk management resume raised	Final management report for 2015/2016 - no real management feaues raised	Unqualified audit - no risk management issues raised	Final management report for 2015/2016 - no risk management issues raised	Final management report for 2015/2016 - no risk management issues raised	Target met for quarter and year to date
SUSTAINABLE CAPACITY	Engure that the Tribunal effectively leverage employee skills by regulating retaining and developing high quality people.	Strengthen the Tribunat's organisational capacity and performance to deliver on its legislative Mandate	implementation of Case Management Graduste internahips against plan	Graduate internehip implemented	Policy in final draft and 2 interns employed	Graduate internship targets meet plan requirements	Implemented and currently 2 LT interns employed	Graduate interrettip targets meet plan	implemented and currently 2 LT interns	Graduate internship targets meet plan	Implemented and oursetty 2 LT interns employed	Graduate internship burgets meet pian. requirements	Implemented and currently 2 LT Interns employed	Implemented and currently 2 LT interns employed	Target met for quarter and year to date