

2026/2027



competitiontribunal
SOUTH AFRICA

ANNUAL PERFORMANCE PLAN 1 APRIL 2026 – 31 MARCH 2027

Foreword by Executive Authority

The Tribunal's 2026/27 Annual Performance Plan (APP) sets out a clear programme of outputs and targets aimed at advancing the vision of the Tribunal's governing legislation and ensuring that competition policy continues to serve the broader developmental objectives of our country. Through the effective application of the Competition Act, the Tribunal plays a vital role in creating an inclusive economy in which a growing number of South Africans can meaningfully participate and contribute to shared prosperity.

A central responsibility of the Tribunal remains the careful balancing of competition considerations with public interest considerations in mergers. This balance is essential to supporting economic growth while advancing transformation and industrialisation as well as strengthening participation by historically disadvantaged individuals and firms.

In the year ahead, the dtic will continue to prioritise the accelerated implementation of industrial policy, particularly through sector-focused master plans that support economic expansion and job creation. The Tribunal plays a key supporting role in this process by ensuring that anti-competitive conduct does not undermine industrialisation efforts and that competition regulation continues to support sustainable economic growth. Strengthening domestic manufacturing, deepening localisation, and increasing exports will remain central priorities, and a competitive and inclusive market environment is essential to achieving these objectives.

The outputs contained in this APP remain aligned with the ongoing work of the dtic in promoting reindustrialisation, job creation, transformation and building a capable state. The advancement of Broad-Based Black Economic Empowerment (B-BBEE) remains a central pillar of government's economic transformation agenda. The work of the Tribunal in giving effect to public interest provisions is therefore of significant importance in ensuring that growth is inclusive, equitable, and sustainable over the long term.

As the Executive Authority, I would like to express my appreciation to the management and governance structures of the Tribunal for their continued commitment and professionalism. I am confident that the institution will continue to execute its mandate effectively and align its work with government's broader economic and social priorities while remaining firmly within its statutory mandate.

The Tribunal's 2026/27 Annual Performance Plan is hereby submitted in accordance with the Revised Framework on Strategic Plans and Annual Performance Plans.

Mr Parks Tau, MP

Minister of Trade, Industry, and Competition

Competition Tribunal - Annual Performance Plan 2026/2027

Foreword by Deputy Minister

The Tribunal's 2026/27 APP remains an important instrument in advancing South Africa's economic transformation and inclusive growth agenda. Through the execution of its mandate, the Tribunal continues to play a critical role in ensuring that competition policy supports national priorities aimed at promoting industrial development, job creation, and broader economic participation.

The work of the Tribunal directly supports the strategic objectives of the dtic and reinforces government's commitment to building a more dynamic, competitive, and equitable economy. By ensuring that markets remain open, fair, and accessible, the Tribunal contributes meaningfully to the empowerment of historically disadvantaged individuals and the growth of local enterprises.

Economic transformation, growth, and job creation remain at the centre of government's development agenda. The Tribunal's continued consideration of public interest factors in merger reviews and competition matters remains a powerful mechanism for promoting transformation and ensuring that the benefits of economic growth are more broadly shared across society.

Equally important is the role of good governance and institutional stability across the dtic and its entities, including the Tribunal. The Tribunal's continued commitment to sound governance, transparency, and accountability, as reflected in its consistently clean audit outcomes and institutional performance, contributes to the broader objective of building a capable and effective state.

The implementation of this 2026/27 APP will further strengthen the impact of the dtic's strategic priorities through deeper collaboration among its entities and stakeholders. I commend the leadership and staff of the Tribunal for their continued professionalism and dedication to their mandate, and I look forward to the continued progress that will be made in using competition regulation as a driver of economic transformation and inclusive growth.

Zuko Godlimpi, MP

Deputy Minister of Trade, Industry, and Competition

Foreword by Accounting Authority

This APP for the 2026/2027 financial year marks the second year of implementation of the Competition Tribunal's five-year strategic framework for the period 2025–2030. The APP serves as a key planning instrument, translating the Tribunal's long-term strategic priorities into defined outcomes and targets to ensure effective and efficient execution of its statutory mandate.

This APP is prepared in the context of an economic and geopolitical environment characterised by stagnant GDP growth and increased cost of living pressure. These developments have direct implications for economic activity and ultimately for consumers. This requires vigilance to ensure that our interventions in mergers and prohibited practises shield consumers from the effects of anti-competitive conduct.

As an independent and impartial body adjudicator of competition matters, the Tribunal cannot proactively set policy priorities, it does however through its adjudicative functions contribute to the objectives set in the NDP, the dtic policy imperatives and overarching joint/integrated outputs (Industrialisation, Transformation and a Capable State) as well as the Growth and Inclusion Strategy (GAIN), within the parameters of its legislative mandate.

The Tribunal is alive to key GAIN priorities, including red-tape reduction and to that extent has reduced certain turnaround times without compromising the rigour and integrity of its decisions. It has set stringent turnaround times for the resolution of cases and continues to enhance these timelines, particularly recognising the time-sensitive nature and importance of mergers, in order to promote investment and growth. Notably, in the 2024/25 financial year, the average period between referral and clearance of mergers was 11 days.

Through its decisions, the Tribunal also advances market access and inclusion, particularly for SMMEs and historically disadvantaged persons, while safeguarding employment through merger conditions. Over the past three financial years, these interventions have contributed to the preservation of at least 16,000 jobs, emphasising the Tribunal's role in supporting both economic efficiency and inclusive growth.

While the volume and complexity of cases before the Tribunal have increased significantly over time, the institution's resources, particularly its human capital and budget, have remained relatively constant. The Tribunal's mandate requires an institution that is agile, appropriately resourced, and equipped with the requisite expertise to adjudicate increasingly complex and high-stakes competition matters. We remain capacity constrained at a member level which impacts our ability to execute our mandate efficiently. Increasing the number of both full-time

and part-time members will alleviate the capacity constraints and significantly improve efficiencies.

Over the MTEF period, The Tribunal's budget will increase by 0.1%, which is below inflation. This makes it impossible for the Tribunal to fully implement its organisational structure adopted in the 2023. With these limited resources, ensuring that our adjudicative processes are efficient remains important.

Ongoing training of both staff and members will continue to be prioritised ensuring better quality and consistency in decision making.

The enhancement of the Tribunal's case management system remains a strategic focus, with targeted technological interventions aimed at improving efficiency, transparency, and accessibility. The work done in the 2025/2026 financial year will continue as the Tribunal works towards implementing a new case management system.

The core outcome of the Tribunal as set out in the APP is to adjudicate in a manner that promotes inclusive participation in markets and competitive conduct by market participants, in support of a transformed economy. This outcome is underpinned by two strategic pillars.

The first is Sound, Efficient and Responsive Adjudication. The seven KPIs linked to this strategic outcome speak to the management of cases and the delivery of decisions in a timely manner. The second strategic pillar underpinning the Tribunal's outcomes is Transparent, Accountable and Sustainable entity which speaks to the Tribunal's governance. This is captured in the remaining 20 KPIs which are aimed at ensuring that the Tribunal conducts its affairs in a transparent manner, remains accountable, and ensures sustainability in its operations.

Optimisation of the budget is a key priority for the Tribunal as 70% of our total expenditure budget is allocated to staff costs. The Tribunal remains committed, through prudent financial management, sound procurement practices, and responsible employment policies, to continue upholding high standards of governance, sustaining its clean audit outcome beyond the nine consecutive years achieved to date.

In conclusion, the Tribunal remains committed to adjudicating for inclusive and competitive markets through sound, efficient and responsive adjudication and good governance, in the interests of all South Africans.

Mondo Mazwai

Chairperson, Competition Tribunal

Official sign-off

It is hereby certified that this Annual Performance Plan of the Competition Tribunal for the period 1st April 2026 to 31st March 2027 was:

- i) Developed by the management of the Competition Tribunal under the guidance of the Accounting Authority – Ms. Mondo Mazwai.
- ii) Prepared in line with the Competition Tribunal's Strategic Plan for the five-year period 2025/2026 – 2030/2031.
- iii) Accurately reflects the performance targets the Competition Tribunal will endeavour to achieve over the 2026/2027 financial year.

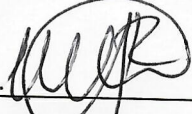
Sarie Treeby

Signature: 

Chief Financial Officer - Competition Tribunal

Date 10-04-2026

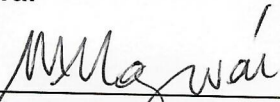
Ratshi Maphwanya

Signature: 

Chief Operating Officer - Competition Tribunal

Date 10-04-2026

Mondo Mazwai

Signature: 

Chairperson – Competition Tribunal

Date 10-04-2026

Approved by:

Mr Parks Tau, MP

Signature: _____

Minister Trade, Industry and Competition

Executive Authority of the Competition Tribunal

Date _____

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Abbreviations and Acronyms

AfCFTA	African Continental Free Trade Area
AG	Auditor-General
APP	Annual performance plan
BBBEE	Broad-based black economic empowerment
Commission	Competition Commission
Competition Act	Competition Act 89 of 1998
CAC	Competition Appeal Court
COVID-19	Coronavirus Disease 2019
the dtic	Department of Trade, Industry and Competition
ERRP	Economic Reconstruction and Recovery Plan
EME	Exempted Micro Enterprise
ENE	Estimates of National Expenditure
ESKOM	Electricity Supply Commission, SA's electricity public utility
GNU	Government of National Unity
HDIs	Historically Disadvantage Individuals
HR Management	Human Resource Management
ICASA	Independent Communications Authority of South Africa
ICN	International Competition Network
ICT	Information and communications technology
IEAP	Integrated Economic Action Plan
IT	Information technology
Minister	Minister of Trade, Industry and Competition
MTEF	Medium Term Expenditure Framework
NDP	National Development Plan
NGO	non-government organisation
OECD	Organisation for Economic Co-operation and Development
PFMA	Public Finance Management Act
PPEs	Personal Protective Equipment
PWDs	Persons With Disability
RMC	Risk Management Committee
SADC	Southern African Development Community
SCM	Supply Chain Management
SMME	Small, medium, and micro-sized enterprise
TID	Technical indicator description
Tribunal	Competition Tribunal
WTO	World Trade Organisation

PART A: OUR MANDATE

1. Constitutional Mandate

The Competition Tribunal's constitutional mandate is contained in Section 34 of The Constitution of the Republic of South Africa, 1996 which states that "Everyone has the right to have any dispute that can be resolved by the application of law decided in a fair public hearing before a court or, where appropriate, another independent and impartial tribunal and forum."

In 1999, the Competition Act 89 of 1998 ("the Act") was promulgated, thereby establishing a triad of institutions to administer the Act. These are the Competition Commission ("Commission"), the Competition Tribunal ("Tribunal"), and a Competition Appeal Court ("CAC"). The Commission is responsible for the investigation of mergers and prohibited practices and referring the cases to the Tribunal.

The Tribunal is the court of first instance for competition matters and is responsible for the adjudication of matters pertaining to restrictive practices, abuse of a dominant position and mergers. Cases are referred to the Tribunal by the Commission and in certain instances by the public.

The CAC is a specialist appeal court for competition matters. The CAC mostly hears appeals and/or reviews of the Tribunal's decisions although in certain instances decisions of the Commission may be appealed directly to the CAC.

In 2019, the amendments to the Act came into force. The amendments ushered in new provisions to strengthen the competition authorities in addressing persistently high levels of economic concentration and lack of inclusivity, to open up access to markets for small businesses to participate equitably in the economy.

2. Legislative Mandate

The Tribunal is an independent and impartial body with jurisdiction throughout South Africa. It is required to perform its functions without fear, favour or prejudice, subject only to the Constitution, the law, and its legislated mandate. The Tribunal's decisions have the same legal weight as judgments of the High Court and may be taken on appeal to the CAC and the Constitutional Court.

The purpose of the Act is to promote and maintain competition in the Republic in order to:

- a) Promote efficiency, adaptability, and development of the economy.
- b) Provide consumers with competitive prices and product choices.
- c) Promote employment and advance the social and economic welfare of all South Africans.
- d) Expand opportunities for South African participation in world markets and recognise the role of foreign competition in the Republic.
- e) Ensure that small and medium-sized enterprises have an equitable opportunity to participate in the economy.
- f) Promote a greater spread of ownership, in particular to increase the ownership stakes of historically disadvantaged persons; and
- g) Detect and address conditions in the market for any particular goods or services, or any behaviour within such a market, which tends to impede, restrict or distort competition in connection with the supply or acquisition of those goods or services within the Republic.

In terms of section 27 of the Act, the Competition Tribunal may adjudicate on any conduct prohibited in terms of the Act and impose an appropriate remedy. The Tribunal may also hear appeals or review any decision of the Commission that may be referred to it. Further, the Tribunal may also make any ruling or order necessary or incidental to the performance of its functions in terms of this Act.

In executing its mandate, the Tribunal is enjoined to conduct its hearings in public, as expeditiously as possible, and in accordance with the principles of natural justice. The Tribunal may however conduct its hearings informally or in an inquisitorial manner.

3. Alignment to Government Policy Outcomes

In the implementation of its mandate, the Tribunal is guided by the priorities set out in the National Development Plan (NDP) 2030 at a broad level. The NDP was adopted in 2012 and sets out the long-term vision for the country and provides a broad strategic framework to guide government choices and actions required to transform the economy and society.

The NDP five-year implementation plan has been developed in order to advance and guide planning that is responsive to the attainment of NDP priorities. It allows for the co-ordination and alignment of priorities across spheres of government.

Following the elections in May 2024, a GNU was created which then formed the 7th administration. From the NDP priorities arose the 7th administration's Medium Term Development Plan (MTDP) strategic priorities and focus areas, which are:

- (i) Drive inclusive growth and job creation;
- (ii) Reduce poverty and tackle the high cost of living; and
- (iii) Build a capable, ethical and developmental state.

With this, the dtic introduced four core outcomes, setting a unified focus for all programs and entities within the dtic group. The goal was to concentrate efforts on top priorities across the group, enhance internal coordination, direct resources to critical areas, and improve execution efficiency by leveraging all entities within dtic. These core outcomes are:

- (i) **Reindustrialisation** to drive industrial growth, attract investments, enhance local industries, and increase exports, particularly in processed critical minerals.
- (ii) **Job creation** with focus on job for youth, women, and disadvantaged groups, and to train 500 000 unemployed youth in high-demand sectors.
- (iii) **Transformation** to ensure economic empowerment programs benefit marginalized groups, reducing inequality and improving quality of life.
- (iv) **Capable state** to enhance the impact of public policies.

These four outcomes remain key priorities under the 7th Administration, aligned with the MTDP's strategic priorities.

In response to the above priorities, the Growth and Inclusion ("GAIN") strategy was developed by dtic alongside the National Treasury and the Presidency, focusing on the key challenges/constraints of the South African economy and direct interventions to achieve GDP growth of 3.6% by 2029. These included, but not limited to, reducing administrative costs such as electricity and transport, access to capital, red tape reduction, omnibus regulations, strategic market access, workforce readiness and skills, market concentration and economic inclusion.

As an independent and impartial body adjudicator of competition matters, the Tribunal cannot set proactive policy priorities, however in setting its strategic targets, the Tribunal was cognisant of the objectives of the GAIN strategy as set out below:

- **Red-tape Reduction:** It is important to note that competition law protects consumers from anti-competitive harm through merger review and the prosecution of prohibited practices. Competition regulation should not be misconstrued as an unnecessary regulatory burden. It is equally important that the adjudicative process is conducted efficiently and without undue delay so as not to impede legitimate economic activity. The Tribunal has set stringent turnaround times for the resolution of cases before it while ensuring that efficiency does not compromise the integrity and rigor of its decision-making processes. In the current APP, the Tribunal has taken further steps to enhance these timelines in a manner that balances expeditious outcomes with its statutory obligations.
- **Investment:** Driving investment, both domestic and foreign, is a key economic priority for the country. Mergers are the lifeblood of an economy and are an important source of investment spending. This makes them not only critical but also time sensitive. The

Tribunal has consistently prioritised the timeous resolution of mergers referred to it. In the past year (2024/2025), the average period between when a merger is referred to the Tribunal and when it is cleared for implementation was only 11 days.

- **Strategic market access, concentration and economic inclusion:** The Tribunal's adjudication of mergers and prohibited practises results in outcomes that increase access to markets for SMMEs and HDP-owned firms. Through its interim relief cases, the Tribunal has also protected the market positions of smaller firms facing the effects of anti-competitive conduct by dominant players. Its remedies in several large markets have allowed HDPs and workers to assume ownership in firms, creating pathways towards economic inclusion for previously marginalised players.
- **Employment:** The consideration of employment in merger review is established in South Africa's competition jurisprudence. Through the imposition of moratoria on retrenchments, the Tribunal is able to safeguard the employment of workers who may have otherwise lost their livelihoods as a result of post-merger consolidations. Although the Tribunal may not be able to proactively set out to save a *specific* number of jobs through its intervention, in the last three financial years, the Tribunal has saved at least 16 000 jobs through its merger remedies. This will remain a critical consideration for the Tribunal in its merger review work.

The Tribunal will continue to use instruments available to it in pursuance of the purposes of the Act, which align with government's strategic priorities. The efforts to improve the Tribunal's turnaround times will however require the appointment of additional Tribunal members. The process, led by the dtic, is underway and when finalised, will ensure that the Tribunal is adequately capacitated to execute its mandate efficiently.

The four tables that follow provide an alignment matrix between the Tribunal outcomes and the MTDP priorities, dtic outcomes and NDP priorities, respectively.

The Tribunal has aligned its two strategic outcomes, namely: **Sound, Efficient and Responsive Adjudication**; and **Transparent, Accountable and Sustainable Entity**, within the legal mandate of the entity, to dtic outcomes as mentioned in the tables below.

Table 1: Alignment of Tribunal outcomes with the dtic's Joint/Integrated Outputs

dtic's Joint/Integrated outputs ¹	Tribunal Outcomes	Tribunal Outcome Statement
1. Re-industrialisation – opportunities to grow the domestic market through localisation, sector partnerships (Masterplans), Green economy initiatives, investment expansion/promotion, African and Global exports. 2. Job creation – opportunities to expand jobs in key sectors through dtic's industrial development and economic interventions, improved employability and skills of the unemployed youth and marginalised communities, growth of SMMEs and creation of green jobs in sustainable industries. 3. Transformation - opportunities to promote BBBEE, worker empowerment, addressing economic concentration and SME promotion.	Sound, Efficient and Responsive Adjudication	Through Sound, Efficient and Responsive Adjudication of matters across key sectors of the economy, the Tribunal contributes to the outcomes of industrialisation and economic transformation of the dtic (e.g. through the assessment of competition and public interest considerations in mergers, as appropriate).
4. Capable State - initiatives to build entity staff and governance capacity, participate in the shared services of the dtic and undertake internal business processes improvements.	Sound, Efficient and Responsive Adjudication	Through Sound, Efficient and Responsive Adjudication of matters, the Tribunal aligns ethically through open and transparent communication of all case reasons including press releases and aligns capability to sound, consistent and responsive adjudication of all matters.
	Transparent, Accountable and Sustainable entity	Through Transparent Accountable, and Sustainable Entity, the Tribunal contributes through the ability to attract skilled and competent Tribunal staff, in-depth training practices, sound governance processes and efficient handling of cases.

¹Linking of **the dtic's** outcomes to the NDP.

The Tribunal has aligned its two strategic outcomes, namely: **Sound, Efficient and Responsive Adjudication**; and **Transparent, Accountable and Sustainable Entity**, within the legal mandate of the entity, to NDP priorities as mentioned in the tables below.

Table 2: Alignment of the Tribunal's outcomes with the NDP's outcomes

NDP Outcome Number	NDP Outcomes	Tribunal Outcome	Tribunal Outcome statement
NDP Outcome 1	Economic transformation and job creation	Sound, Efficient and Responsive Adjudication ;	Through Sound, Efficient and Responsive Adjudication of matters across all sectors of the economy, the Tribunal contributes to the outcomes of economic transformation and employment creation by the NDP and the dtic, more specifically in mergers.
NDP Outcome 2	Education, skills and health		Through Sound, Efficient and Responsive Adjudication of matters in these sectors the Tribunal contributes to the NDP outcomes.
NDP Outcome 6	A capable, ethical and developmental state	Transparent, Accountable and Sustainable Entity	Through transparent, accountable, and sustainable entity, the Tribunal contributes to a capable, ethical and developmental state.
NDP Outcome 7	A better Africa and World	Sound, Efficient and Responsive Adjudication ;	Sound, Efficient and Responsive Adjudication and engagements in various forums (international, regional and local) on competition law and policy, as appropriate

The Tribunal has aligned its two strategic outcomes, namely: **Sound, Efficient and Responsive Adjudication**; and **Transparent, Accountable and Sustainable Entity**, within the legal mandate of the entity, to MTDP priorities as mentioned in the tables below.

Table 3: Alignment to MTDP Priorities

MTDP Strategic Priorities	MTDP Outcomes	Tribunal Outcomes	Tribunal Outcome Statement
Strategic Priority 1 Drive inclusive growth and job creation.	Increased employment and work opportunities	Sound, Efficient and Responsive Adjudication	Through Sound, Efficient and Responsive Adjudication of matters across key sectors of the economy, the Tribunal contributes to the MTDP priority of inclusive growth and job creation as well as poverty reduction and tackling the high cost of living (e.g. through the assessment of competition and public interest considerations in mergers).
	Enabling environment for investment and improved competitiveness through structural reforms		
	Economic transformation and equitable inclusion of women, youth and persons with disabilities for a just society		
Strategic Priority 2 Reduce poverty reduction and tackle the high cost of living	Reduced poverty and improved livelihoods	Sound, Efficient and Responsive Adjudication	
Strategic Priority 3 Build a capable, ethical and developmental state	Combat priority offenses (economic, organised crime and corruption)	Sound, Efficient and Responsive Adjudication	Through Sound, Efficient and Responsive Adjudication of matters, the Tribunal aligns ethically through open and transparent communication of all case reasons including press releases and aligns capability to sound, consistent and responsive adjudication of all matters.
	Improved governance and performance of public entities	Transparent, Accountable and Sustainable entity	Through Transparent Accountable, and Sustainable Entity, the Tribunal contributes through the ability to attract skilled and competent Tribunal staff, in-depth training practices, sound governance processes and efficient handling of cases.
	An ethical, capable and professional public service		

4. Institutional strategies

The Tribunal has jurisdiction over competition matters across all sectors of the economy and adjudicates each case on its merits. It is a specialist adjudicative body whose function is to hear and decide competition cases. It is an administrative court of first instance for competition matters. Being a quasi-judicial body, it is a creature of statute and deals only with matters that it is ceased with.

The Tribunal, however, aligns its outcomes with those of the NDP, MTDP priorities, **the dtic** policy imperatives including the three regrouped overarching joint/integrated **dtic** outputs (Industrialisation, Transformation and a Capable State) in the identified sectors and the GAIN industrial policy document, within the confines of its mandate as set out in the Competition Act.

The two outcomes of the Tribunal are set out below and reflect the strategic requirements of the core and secretariat functions of the Tribunal.

Figure 1: Competition Tribunal Strategic Outcomes



The Tribunal has aligned its two strategic outcomes, namely: **Sound, Efficient and Responsive Adjudication**; and **Transparent, Accountable and Sustainable Entity**, within the legal mandate of the entity, to government policy outcomes as mentioned above.

5. Recent Court Rulings and their implications

There have been no recent court rulings by higher courts which may impact the work of the Tribunal. The Tribunal is however seized with several matters under the new provisions introduced in the 2018 amendments. The amendments have given the Tribunal powers to hear appeals on the outcomes of market inquiries. The Tribunal has so far received six appeals from various parties affected by the outcome of the Commission's findings in the Media and Digital Platforms Market Inquiry. The Regulations Relating to Appeals Arising from

Market Inquiries before the Competition Tribunal make provision for how these matters should be approached procedurally. Appeals on market inquiries are a novel area of law and insufficient capacity at the Tribunal may hamper the expeditious hearing of this novel issue.

The CAC has recently made a decision in a matter between African Rainbow Capital (Pty) Ltd and the Commission which clarified the limits of the Commission's powers in ordering market inquiry remedies. The CAC found that in terms of section 43D(2), read with section 60(2)(c) of the Act, the power to order divestitures as a remedy in a market inquiry vests exclusively in the Tribunal and not in the Commission. The Commission is only empowered to make a recommendation to this effect to the Tribunal. This additional workstream is likely to place further demand on the Tribunal's stretched capacity.

PART B: OUR STRATEGIC FOCUS

6. Situational Analysis

6.1. Strategic focus

The quasi-judicial nature of the Tribunal precludes the Tribunal from setting pro-active outcomes or embarking on specific interventions which target any particular sector or emphasise any specific criterion in its decision-making. However, as discussed above, in adjudicating matters that are brought before it, the Tribunal aligns its outcomes with the policy imperatives identified by the state.

The Tribunal's core business and therefore its strategic focus is the adjudication of mergers and prohibited practice cases brought before it either by the Commission or directly by third parties, and in some instances by higher courts.

Upon a matter being referred to it, the Tribunal will initiate proceedings to consider the matter in terms of the Competition Act and Rules and may:

- a) authorise a merger, with or without conditions, or prohibit a merger.
- b) adjudicate in relation to any conduct prohibited in terms of the Competition Act by determining whether prohibited conduct has occurred, and if so, impose a remedy provided for in the Competition Act.
- c) hear appeals against decisions of the Commission in market inquiries, and in intermediate and small mergers; and
- d) grant an order for costs.

The Tribunal is required to expeditiously decide on the matters brought before it. All Tribunal hearings are public, and written reasons are provided for all decisions and orders of the Tribunal. The Act and Rules prescribe time frames for the issuing of orders and decisions which must be adhered to by the Tribunal.

The Tribunal's decisions have the same legal weight as judgments of the High Court and may be taken on appeal to the CAC and the Constitutional Court.

The Tribunal is enjoined to retain its independence and impartiality in the exercise of its powers and in carrying out its duties.

Whilst the adjudicative process remains the main strategic focus, the Tribunal also places emphasis on other key areas of administration namely:

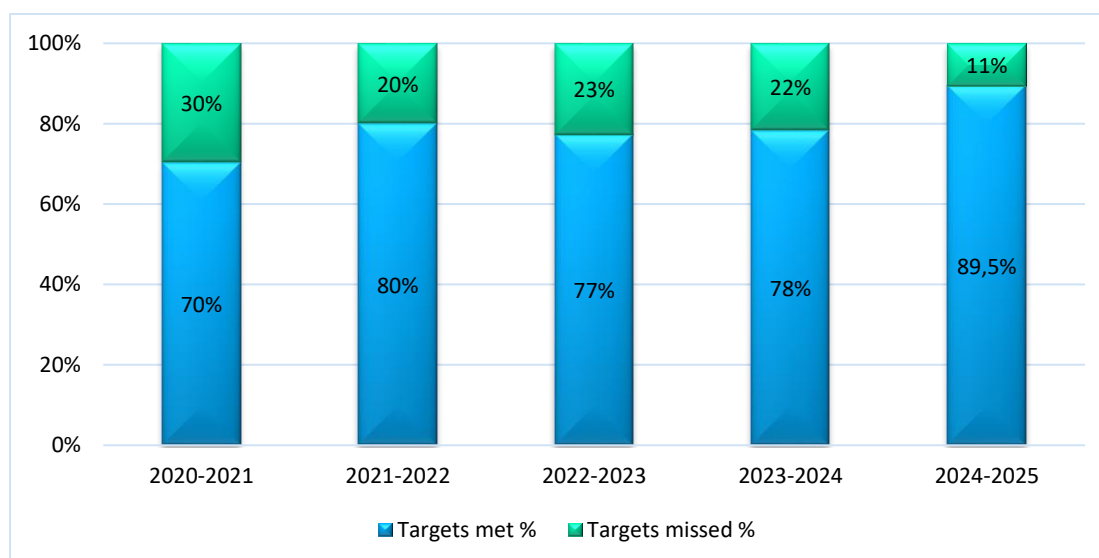
- Governance, risk, audit and compliance,
- Capacity building, and
- Effective financial management and reporting.

In addition, the Tribunal strives to be an accessible institution and to ensure that the public remains informed about the Act and the Tribunal's functions and activities. All upcoming hearings and decisions of the Tribunal are communicated to the media and all of the Tribunal's decisions can be accessed by the general public from the Tribunal's website or its offices.

6.2. Performance overview

The Tribunal has consistently performed at a high level within its resource constraints. The figure below reflects the Tribunal's performance against applicable targets over the preceding strategic planning period (i.e. 2020-2021 to 2024-2025). Apart from the 2020/2021 (which was heavily influenced by the Covid-19 pandemic), the Tribunal has consistently met more than 75% of its targets. The Tribunal met 89% of its applicable targets in the 2024/2025 financial year.

Figure 2: Competition Tribunal Performance Against Applicable Targets (2020/2021-2024/2025)



The Tribunal has demonstrated strong performance in ensuring that merger cases are set down and adjudicated within the prescribed statutory timelines. This is important as mergers

are the lifeblood of an economy making them not only critical but also time sensitive. An area of improvement is the timely completion of reasons in opposed cases, as well as the hearing of prohibited practice cases (such as cartels and abuse of dominance) that require longer durations (exceeding two weeks). The Tribunal has implemented measures to address this, including strengthening its case management framework through the appointment of more senior case managers to support Tribunal members. To further enhance operational efficiency, optimizing the gearing ratio between full-time and part-time adjudicating members remains critical. Continuous engagement with the dtic is underway regarding the appointment of both full-time and part-time members which should further strengthen the Tribunal's ability to execute its mandate.

6.3. Tribunal Case Load

Demand for the Tribunal's services has grown substantially over the past 26 years, the number of cases generally fluctuates on an annual basis. For example, in the Tribunal's 25-year history (i.e. from 1999 to 2024), on average 308 mergers were heard every five years. In the last five years (i.e. 2020 to 2025), the Tribunal adjudicated 506 mergers, an increase of more than 60%.

A lower number of matters heard in a given year does not equate to a reduced workload. By their nature, small and intermediate mergers, which fall below the higher thresholds in the Act and hence are decided by the Commission, are increasingly contested and consequently require more resources from the Tribunal. Likewise, interim relief applications have been increasing over the years from hearing 32 in the period since inception in 1999 to September 2023, to hearing a further 15 in the last 3 financial years alone. These cases are legally and procedurally intricate, which makes them resource intensive, particularly as jurisprudence under the amended legislative framework continues to develop.

Furthermore, hearings require extensive reading of voluminous records and rigorous preparation, followed by sustained periods of time in hearing proceedings. Accordingly, the Tribunal's workload cannot be meaningfully assessed through quantitative metrics alone. Instead, a qualitative evaluation of case complexity, intensity of preparation, and jurisprudential significance is required.

The tables below provide details regarding matters heard over the past five years and the current case load for the Tribunal respectively.

Table 4: Matters heard 2020/2021 to 2025/2026

Case Type	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Large merger	66	86	99	87	103	101
Intermediate/ small merger	2	1	1	5	0	0
Complaints from the Commission	4	6	4	1	0	5
Consent Orders	63	30	19	22	19	15
Complaints from 3rd parties	0	0	1	0	0	0
Interim relief	1	2	2	7	3	5
Interlocutory/ procedural matters	16	34	73	28	34	25
Total	152	159	199	150	159	151
Number of members²	10	11	12	11	8	6

The Tribunal is enjoined to conduct its hearings in accordance with principles of natural justice which means affording all parties an opportunity to request discovery of documents, to file their papers including filing factual witness statements and economic expert witness statements before hearing the matter. These processes take time and are in the nature of legal proceedings.

Cases are received by the Tribunal through complaint referrals from the Commission, and in some instances from third parties. Upon receipt, each case undergoes an initial review by Registry to ensure compliance with procedural requirements before being officially registered. Thereafter, the Chairperson assigns the case to a panel of three members, ensuring that at least one legally trained member is included.

² Including acting part-time members (who are appointed for durations of 6 months to one year)

The Tribunal has experienced a sharp decline in the number of Tribunal members primary due to the expiry of terms of members, from a high of 12 during the 2022/2023 financial year, which was made up of four full-time members supported by eight part-time and acting part-time members. Six of the members were lawyers. Currently, the Tribunal has six members, made up of only two full-time members, three part-time members and one acting part-time members, with the term of the one acting part-time members ending 31 March 2026. Of these remaining five members, only two are lawyers. This has compromised the Tribunal's ability to effectively executive its mandate.

For each matter, a timetable is set that makes provision for: interested third parties who wish to intervene, to do so; other interlocutory matters raised by parties and discovery processes; the filing of factual and expert witness statements; and hearing dates. Hearing dates depend, inter alia, on the availability of all parties, including panel member availability and the parties' legal representatives and economic experts.

Mergers that raise complex competition and public interest issues take longer to adjudicate due inter alia to intervention applications by interested third parties and complexity of cases. The Tribunal must balance the interests of workers, owners and consumers to the benefit of all South Africans, as the Competition Act enjoins it to do.

The table below reflects the case roll as of March 2026 by type of case.

Table 5: Current roll of cases as of March 2026 (by type of case)

Case Type	On the roll from the previous period	Received	No of matters setdown	Number heard	Withdrawn/ Settled/ Abandoned / Removed from Roll	Orders issued	Reasons issued	On the roll at the end of the period
Mergers	18	106	100	101	3	101	100	21
Prohibited Practices	112	18	0	5	19	3	3	108
Consent Orders/ Settlement Agreements	8	16	0	15	0	17	0	7
Interim Reliefs	12	7	0	5	5	3	6	8
Interlocutory/ Procedural Matters	83	61	0	25	31	29	13	84
Exemption Appeals	2	0	0	0	1	0	0	1

Totals	235	208	100	151	59	153	122	229
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Over the past few years, the Tribunal focused its efforts on finalising historic cases while also prioritising newer cases that come in (primarily mergers which are time sensitive). The historic cases are primarily attributable to disruptions caused by the COVID-19 pandemic, during which many cases were put on hold due inter alia to the prioritisation of COVID related cases and mergers.

This was further exacerbated by the increase in volume and complexity of new cases. Post-pandemic economic recovery efforts and heightened regulatory scrutiny resulted in a surge of complaint referrals, merger reviews, and interlocutory applications. These cases often involve intricate legal and economic analyses, requiring extensive deliberation and longer time periods to adjudicate.

Prohibited practices constitute the bulk of the pending cases (i.e. 108 of 229 pending cases). Prohibited practice matters take longer to prosecute and decide due to, *inter alia*, their adversarial nature and the complexity of the legal and economic issues they raise. These cases require lengthy and time-consuming hearings, that together with the current limited number of panel members, results in no other cases being heard during this period.

A panel is constituted by three members (one of which must be a lawyer). While part-time members are generally able to assist with shorter hearings, they are often unavailable to sit in matters that require longer hearings, due to obligations in their full-time employment. Increasing the number of full-time members from two currently to six will improve the Tribunal's efficiencies.

6.4. Policy Environment

The Tribunal operates within a dynamic and evolving policy environment shaped by domestic statutory mandates, regional integration frameworks, and emerging global competition law trends. The Tribunal derives its authority from the Act, which establishes it as an independent adjudicative body. This legislative framework positions the Tribunal as a key institution in promoting competitive markets, protecting consumer welfare, and supporting inclusive economic participation.

Domestically, the Tribunal's work is influenced by the broader national policy architecture, including South Africa's economic development, industrialisation, and public-interest objectives. Amendments to the Competition Act have expanded the Tribunal's role in evaluating mergers, prohibited conduct, and public-interest considerations such as

employment, ownership transformation, and effects on small and medium-sized enterprises.

The Tribunal also aligns its operations with the PFMA, National Treasury Regulations, and principles of administrative law, ensuring accountability, transparency, and procedural fairness.

Regionally and continentally, the Tribunal operates within an increasingly integrated African competition landscape. South Africa's participation in the Southern African Customs Union (SACU) and the Southern African Development Community (SADC) gives rise to interdependent competition jurisdictions and cooperative enforcement arrangements. In addition, the South African competition regime retains strong relations with the competition regime of the Common Market for Eastern and Southern Africa (COMESA). Furthermore, the adoption of the AfCFTA Protocol on Competition Policy in 2023 marks a significant milestone in continental competition regulation.

Internationally, global competition enforcement trends, including digital market regulation, data-driven economies, and heightened scrutiny of large multinational firms, continue to shape the Tribunal's adjudicative context. These developments reinforce the need for ongoing institutional agility, capacity enhancement, and knowledge exchange with peer jurisdictions and international bodies.

6.5. Public policy and participation

The general approach of the Tribunal is to encourage participation of interested parties in its proceedings. This allows for less powerful parties to have access to justice and articulate their interests and maximizes the information available to the Tribunal. In the cases to date, the Tribunal has had representation from competitors, customers, franchisees, trade unions, industry associations, government department/entities and non-government organisations (NGO's).

The Competition Act also allows for the Minister of Trade, Industry and Competition to make representations on public interest grounds in merger transactions. The amendments grant the Minister the right to appeal the Tribunal's decisions where previously the Minister's right was limited to review.

6.6. Stakeholder Profile

Numerous stakeholders may be impacted by the Competition Act. The Tribunal maintains effective relationships with key stakeholders with the aim of promoting consumer welfare of all South Africans.

The Tribunal's external stakeholders may be categorised as follows:

- a) Stakeholders with whom the Tribunal has direct contact in the course of fulfilling its functions. These include:
 - The Commission which refers and prosecutes cases before the Tribunal.
 - Complainants, respondents, interested third parties, expert witnesses and their legal representatives who participate in or have a direct interest in a case before the Tribunal. These may be local or international businesses, trade unions, the Minister, consumers, legal firms, or any other affected individual or organization.
- b) Stakeholders with whom the Tribunal may not be in direct contact but who are affected by the Tribunal's decisions. These include consumers, competitors, customers, and suppliers of firms directly affected by Tribunal decisions.
- c) Sector-specific regulators who enjoy concurrent jurisdiction with the competition authorities, such as the Independent Communications Authority of South Africa (ICASA) and the National Energy Regulator of South Africa (NERSA).
- d) Stakeholders to whom the Tribunal is accountable with respect to its functions. These include the dtic, Parliament, the Minister, National Treasury and the Auditor-General (AG).
- e) Stakeholders who act as reputational agents in providing policy and peer feedback on the standard and quality of work in the Tribunal. These include the media/journalists/editors, the financial press, academics, the judiciary, other competition agencies, the Organisation for Economic Co-operation and Development (OECD), the World Trade Organisation (WTO), Southern African Development Community (SADC), the International Competition Network (ICN) and others.
- f) Government stakeholders that the Tribunal may interact with, for example other government departments, state-owned entities, the Reserve Bank, and Parliament.

7. External environmental analysis

Understanding the external environment in strategic planning is essential for anticipating challenges, seizing opportunities, and making informed decisions. The PESTEL analysis is a common strategic tool used by organisations in trying to map out the external environment.

In conducting its PESTEL analysis, the Tribunal considered external environmental factors that directly and indirectly influence the execution of its mandate and the demand for its services. Accordingly, while some of these factors have an impact on the Tribunal, others fall beyond its direct sphere of control yet remain relevant to its broader operating context.

The table below reflects the Tribunal's PESTEL analysis.

Table 6: PESTEL Analysis

FACTOR	ITEMS
Political Factors	• International ○ Increased focus on national interests ○ Trade agreements and the impact on exports and imports, including AfCFTA ○ Growth of BRICS ○ Growth of the African Union ○ Role of international bodies, such as the UN, WHO, etc ○ Sustainable Development Goals i.e. poverty alleviation, economic growth, reduced inequality, justice and strong institutions. • National ○ Lack of social accord e.g., unions vs business
Economic Factors	• Decreasing fiscal room • Fluctuating merger activity. • High unemployment • Poor economic growth • Cost of living pressures
Social Factors	• Public perception – poor understanding of Tribunal mandate • Increased digitalisation

FACTOR	ITEMS
Technological Factors	• Cyber security • Costs of implementing new technology • Impact of Artificial Intelligence
Environmental Factors	• Climate change and the shift to renewable energy (impact on types of cases and operations)
Legal Factors	• Amendments to the Competition Act • Increased regulation and compliance • International developments in competition law • High stakes, litigious behaviour

A few of the pertinent factors from the Pestel analysis are considered in more detail below:

Economic Factors

The Tribunal has a mandate over all economic activity within or having an effect within South Africa. Consequently, the economic environment in which the Tribunal operates plays a critical contextual role.

South Africa's economic environment remains constrained by persistently low growth, structural inefficiencies, and a complex global context. In recent years, GDP growth has remained low, reflecting weak domestic demand, infrastructure bottlenecks, particularly in energy and logistics, and subdued investment. While there have been intermittent signs of recovery, including improved electricity supply relative to prior periods of load shedding, overall growth remains insufficient.

Unemployment continues to be one of the most pressing socio-economic challenges, with the official rate high by global standards, and even more pronounced when accounting for discouraged work seekers. Poverty and inequality are also deeply entrenched, with a significant proportion of the population reliant on social grants as a primary source of income support. Income and wealth disparities remain among the highest globally, underscoring the limited extent to which economic growth has translated into broad-based gains.

Additional macroeconomic pressures further complicate the outlook. Elevated public debt and constrained fiscal space limit the government's ability to stimulate the economy, while inflationary pressures continue to affect the cost of living, particularly for lower-income households.

These economic conditions place a heightened responsibility on the Tribunal to ensure that its adjudicative and regulatory functions actively promote a more competitive, inclusive, and dynamic economy. In a low-growth, high-unemployment environment, the Tribunal's role in preventing anti-competitive conduct, regulating mergers, and safeguarding market access becomes particularly critical to promoting efficiency, lowering barriers to entry, and enabling broader participation in the economy. At the same time, the continued prevalence of poverty and inequality underscores the importance of carefully weighing public interest considerations, including employment and the greater spread of ownership, in its merger decisions.

AfCFTA Competition Regime

South Africa is a State Party to the African Continental Free Trade Area (AfCFTA), which commenced trading on 1 January 2021. The primary objective of the AfCFTA is to establish a single continental market for goods and services, supported by the free movement of businesspersons, capital, and investments.

On 19 February 2023, the Assembly of Heads of State and Government of the African Union adopted three new protocols to the AfCFTA Agreement, namely the Protocols on Investment, Intellectual Property Rights, and Competition Policy.

The Protocol on Competition Policy provides for the establishment of the AfCFTA Competition Authority as an autonomous institution mandated to administer and enforce the competition-related provisions of the Protocol, including the power to adjudicate conduct matters and approve mergers. In addition, the Protocol establishes the AfCFTA Competition Tribunal as an autonomous adjudicative body responsible for hearing appeals against decisions of the AfCFTA Competition Authority.

The Tribunal participated in the inaugural Heads of Entities Meeting held in Cape Town in May 2025. This is anticipated to be an annual event.

Impact of Artificial Intelligence (AI)

Rapid advancements in AI, including machine learning, natural language processing, and generative technologies, are reshaping the global legal, regulatory, and economic landscape. These developments present both opportunities and responsibilities for adjudicative bodies such as the Tribunal, which operates in a complex evidence-based and procedurally rigorous environment.

AI technologies hold the potential to transform the Tribunal's internal operations, case management systems, and analytical capabilities, as well as influence the nature of matters

brought before it. At the same time, reliance on AI raises governance, ethical, and procedural safeguards to ensure fairness, transparency, and the protection of constitutional and administrative-justice principles.

As part of the process for replacing its existing CMS, the Tribunal has undertaken a feasibility study on how to responsibly incorporate AI into both its operations and adjudicative functions. This project will be undertaken and implemented over the MTEF period.

Regulator Prioritisation

Notwithstanding its inability to target specific sectors or workstream, the Tribunal is also cognisant of the fact that its work is largely determined, *inter alia*, by the Commission's priorities. The work prioritised by the Commission will eventually culminate in referrals or appeals before the Tribunal. The Commission's priority sectors for the period 2025 to 2030 are:

- Agriculture, food and agro-processing
- Healthcare
- Digital markets
- Retail
- Heavy and light industry

Further to this, the Tribunal is also cognisant of the dtic's Masterplans which are sector-specific industrial policy instruments developed in partnership with government, business, and labour. They set out a shared vision, targets, and coordinated interventions to improve competitiveness, deepen value chains, and support inclusive growth in key industries. The dtic has developed the following masterplans:

- Automotive Industry Master Plan
- Poultry Sector Master Plan
- Sugar Value Chain Master Plan
- Steel and Metal Fabrication Master Plan
- Clothing, Textile, Footwear and Leather (R-CTFL) Master Plan
- Furniture Industry Master Plan
- Commercial Forestry Sector Master Plan
- Cultural and Creative Industries (CCI) Master Plan

8. Internal environmental analysis

8.1. Five-year strategy

The Tribunal's five-year strategy for the period 2025-2030 sets out the Tribunal's strategic priorities over the next five years. Over the medium-term period, the Tribunal continues to prioritise strengthening its institutional capacity to effectively execute its mandate in an environment of increasing case complexity, heightened public-interest considerations, and evolving competition law frameworks. While demand for Tribunal services has grown significantly, resourcing levels have remained largely unchanged. To maintain efficiency, enhance adjudicative excellence, and ensure continued responsiveness to economic and policy developments, the Tribunal has identified five core strategic focus areas for the MTDP period:

(i) Strengthening Adjudicative Capacity

The Tribunal needs to expand its complement of full-time and part-time members to address longstanding capacity constraints and support increased case volumes and complexity. The organisational review conducted in 2022/23 identified a significant under-capacity relative to comparable jurisdictions, as well as the need to strengthen legal and economic expertise within the adjudicative function. Over the planning period, the Tribunal continues to prioritise the appointment of additional full-time members within its confines (members are appointed by the President on the recommendation of the Minister). The Tribunal will also prioritise the skilling of the Case Management Division (with legal and economics training), to ensure timely, high-quality decisions and safeguard institutional resilience.

(ii) Enhancing Secretariat Capability

The Tribunal's secretariat is responsible for providing administrative and operational support to the Tribunal. The Tribunal conducted a review of the organisational structure which was completed in April 2023. The new organisational structure is aimed at aligning with the Tribunal's strategic goals, improving efficiency, ensuring the Tribunal is able to adapt to its ever-changing environment and optimizing resource utilization.

The revised organizational structure increased the Tribunal's approved headcount from 35 positions to a total of 68 positions. The Tribunal had intended to implement this plan gradually over the MTEF period and had initially prioritized filling 10 positions, of which only five were been filled before cost containment measures were imposed by National Treasury. This delayed the Tribunal's ability to fully implement its organizational structure as originally

planned. The Tribunal will continue to prioritise the full implementation of its revised organizational structure however achieving this will require support from the dtic and National Treasury to ensure that the Tribunal's funding model adequately supports the execution of its mandate and the achievement of its strategic objectives.

(iii) Expanding Office and Hearing Facilities

As staffing and member numbers increase, the Tribunal will require additional office and hearing-room space to ensure a functional, fit-for-purpose environment. Current premises within the dtic campus are fully utilised, inadequately accommodating current needs, aside from planned growth. There is no additional office space within the dtic Campus to accommodate the Tribunal's growing needs. Importantly, additional courtrooms (one physical and one virtual) are required to support concurrent hearings and hybrid proceedings, contributing to improved case turnaround times and enhanced accessibility.

(iv) Advancing Knowledge Management and Digital Systems

Knowledge management is central to preserving institutional memory, supporting consistent jurisprudence, and maintaining high-quality decision-making. Over the planning cycle, the Tribunal will embed knowledge management as a core organisational value, appoint a dedicated Knowledge Management Manager, implement a modern case management system, and cultivate a culture of knowledge sharing. These investments will enable improved research capability, better judgement referencing, structured institutional learning, and efficient information retrieval.

(v) Strengthening Strategic Collaboration and International Partnerships

The Tribunal will deepen cooperation with domestic and international adjudicative bodies to share best practices, build capacity, and advance thought leadership in competition adjudication. This will involve forming closer relationships with fellow economic adjudicators in South Africa. Further, relationships with bodies such as other competition tribunal and participation in continental and global forums such as the ICN, BRICS+, UNCTAD, AfCFTA and the OECD will continue in order to strengthen peer collaboration and global jurisprudential coherence.

8.2. SWOT Analysis

The narrative provided below provides a description of some of the more important issues that were identified as part of a detailed root cause analysis and SWOT analysis performed by the Tribunal during its strategic planning process. A SWOT analysis is a strategic tool for

evaluating an organisation's internal environment, including its resource capabilities and deficiencies.

The Tribunal's internal strengths and weaknesses, together with the external opportunities and threats referenced earlier, were evaluated to provide a basis for re-aligning, re-prioritising and refining the Tribunal's goals and objectives. Table 6 below highlights the SWOT analysis conducted for the Tribunal.

Table 7: Internal environment - SWOT analysis

Strengths	Weaknesses
• Specialised expertise • Legislative backing • Transparency and independence • Contribution to economic growth • Precedent-setting role	• Lack of members • Resource constraints – budget and capacity • Prolonged adjudication processes – opportunity costs with other matters when members are engaged in long hearings • Knowledge management • Limited outreach and awareness • Dependence on other institutions • Technology gaps in case management system
Opportunities	Threats
• Technological integration • Increased collaboration with international bodies • Public education and outreach programs • Policy advocacy and law reforms	• Evolving market dynamics • Backlog and case load • Global economic uncertainty • Deterioration of staff morale

8.3. IT Strategy

Organizations globally, across both the public and private sectors, are being reshaped by the disruptive, digitally powered forces of the Fourth Industrial Revolution. For the Competition Tribunal of South Africa (Tribunal), this shift presents a critical imperative to evolve. The potential of Information and Communications Technology (ICT) to transform how the Tribunal performs its adjudicative and administrative functions has never been greater.

The Tribunal's IT Strategic Plan was developed at a time when the Tribunal stands at a critical juncture following the development of its five-year strategy for the period 2025 to 2030. In a

rapidly evolving economic landscape, the Tribunal plays a pivotal role in adjudicating matters of national economic significance, balancing legal and economic expertise to deliver sound, transparent, and timely decisions.

The IT Strategic Plan 2025-2030 represents a significant step towards building a digitally transformed Tribunal. It moves beyond a traditional, operational IT plan to embrace a strategic, outcome-driven framework. Reflecting on new opportunities presented by technologies such as cloud computing, data analytics, and artificial intelligence, this strategy aims to position the Tribunal as a leader in the efficient and transparent administration of justice within the competition landscape both locally and beyond.

The strategy is built upon a comprehensive diagnostic of the Tribunal's current digital readiness and converges upon the pivotal intersections of technological strategy and operational efficacy with the ultimate focus on ensuring that the Tribunal's ICT infrastructure adequately supports adjudicative excellence. The vision is to enable a digitally transformed Tribunal that is accessible, efficient, and resilient.

8.4. Tribunal Structure

i. Tribunal Chairperson

The Chairperson of the Tribunal is the Accounting Authority of the Competition Tribunal. The Chairperson therefore is involved in the day-to-day management of the Tribunal which is consistent with the Chairperson's responsibility as Accounting Authority of the institution and is consistent with her powers in terms of the Competition Act. Certain responsibilities have been delegated to the Chief Operating Officer and Divisional Heads. The Chairperson retains ultimate accountability in terms of the PFMA.

The organogram in **Annexure A** illustrates the current structure of the organisation.

Annexure B and C details the names and positions held by Tribunal employees and provide some statistics pertaining to the profile of the secretariat. 81% of the current employees are black with 66% being female. Currently the Tribunal does not employ any persons with disabilities.

ii. Tribunal members

The Competition Act mandates that Tribunal members collectively represent a broad section of South Africa's population and possess expertise in competition law, economics, commerce, industry, or public affairs. Tribunal members, appointed by the President for five-year terms, adjudicate cases of significant economic and public interest, with panels requiring at least one

legally trained member. The amended Act increased the number of Tribunal members from 11 to 15 in anticipation of a growing workload, allowing the Minister to appoint acting part-time members.

Currently, the Tribunal has two full-time members (the Chairperson and one other member), four part-time members. To enhance efficiency, the Tribunal requires at least six full-time members. Vacancies have led to delays, and financial constraints further threaten its ability to fill critical roles.

The budget for the appointment of members was mostly impacted by the budget reductions imposed in 2023/24 over the medium-term period and there is currently insufficient budget for the appointment of members.

iii. Audit and Risk Committee (“ARC”)

The Tribunal’s ARC serves as an independent oversight structure, providing assurance on governance, risk management and internal control, in line with its approved Charter. The ARC supports the Accounting Authority in fulfilling her responsibilities related to financial reporting, legal compliance, the accuracy of performance information against pre-determined objectives and overall governance.

ARC also plays a key role in overseeing the implementation of the Tribunal’s Risk Management Framework, monitoring governance practices and ensuring that systems are in place to prevent, detect and investigate fraud in the workplace.

The ARC is composed of up to three independent, non-executive members who collectively possess the qualifications, experience and skills necessary to carry out their duties effectively. Each member is appointed for a term of three years, with the possibility of re-appointment. The Committee is chaired by an independent non-executive member and convenes at least four times per financial year.

iv. Tribunal Secretariat

The Tribunal’s secretariat provides administrative and operational support within the Tribunal. The revised structure recommends increasing a Tribunal staff complement from 35 to 68 positions in total, which as previously stated will be filled over a three-year period. The Tribunal intends to fill these positions in a phased manner over the MTEF period. In prior financial years, the Tribunal prioritised 10 positions, of which five have since been filled. Subsequently, National Treasury issued cost containment guidelines in September 2023, which included a moratorium on the filling of positions and delayed the ability of the Tribunal to fill the prioritised positions.

The Tribunal organogram currently provides for the following five divisions as expanded on below:

- The Office of the Chief Operating Officer
- The Finance and SCM Division
- The Case Management Division
- Registry
- The Corporate Services Division

Office of the Chief Operating Officer

The Office of the COO plays a critical role in overseeing the operational strategy of the Tribunal. It ensures that all activities align with the Tribunal's strategic goals and promotes efficiency across the organisation. The COO's office coordinates the functions of various divisions, monitors performance, and drives the implementation of key initiatives to achieve the Tribunal's objectives.

Finance and SCM

The Finance and Supply Chain Management (SCM) division is led by the CFO and is responsible for the Tribunal's financial planning, budgeting, and procurement functions. It ensures compliance with relevant legislation and regulations, manages the allocation of resources efficiently, and oversees transparent and effective procurement processes to support the Tribunal's operational needs.

Case Management

The Case Management Division focuses on the seamless handling of cases, from initial filings to final adjudication. It ensures that cases are processed efficiently and transparently, enabling the Tribunal to deliver consistent and timely outcomes. This division works closely with other departments to manage workflows and provide the necessary support for the adjudication process.

Registry

The Registry serves as the central hub for case-related documentation and communication. It maintains accurate records, facilitates the submission of legal filings, and ensures smooth communication between the Tribunal and external stakeholders. The Registry's meticulous record-keeping is essential for ensuring transparency and accountability in the Tribunal's processes.

Corporate Services

The Corporate Services Division provides essential administrative and support services to enable the Tribunal to function effectively. This includes managing human resources, IT systems, facilities, and other operational support functions. By ensuring that the necessary infrastructure and resources are in place, Corporate Services plays a vital role in supporting the Tribunal's mission.

8.5. Capacity Development

The Tribunal is committed to capacity building and recognises that proactive steps need to be taken to train and develop staff given the significant skills gap in South Africa. This is consistent with maximizing the human resource potential of all employees, which is necessary to ensure efficiency and performance excellence.

Training includes in-house and on the job training with respect to case management and is undertaken to aid staff with the development of experience and skills in the area of competition law and economics.

External training service providers are utilized for specialised training courses. Furthermore, exposure to international best practice in competition law and policy is facilitated through attendance at international conferences/workshops, and visits by international experts.

Tribunal members in particular need to keep abreast of international case law in the field as well as legal and economic analysis in academic and practitioner journals in order to be able to perform their duties adequately. With the recent recruitment process undertaken by dtic to appoint full-time members, it is even more imperative that a robust training process is initiated.

Inducting new Tribunal members is critical to ensure they understand the Tribunal's processes and the legal-economic principles required for complex case evaluations. This enables consistent and robust decision-making.

The Tribunal facilitates this process by identifying the training needs of the Tribunal members and continues to facilitate the attendance of Tribunal members at international meetings/conferences (like International Competition Network (ICN) conference/working groups, and the OECD Competition Committee meetings). The Tribunal will also participate in the competition conference and the training initiatives to be hosted under the AfCFTA Competition regime. These meetings provide the Tribunal members with a forum to benchmark their work and to keep up to date with aspects of competition, economics and law.

Full-time Tribunal members continue to lecture university students and will remain active in international bodies such as the ICN. The Tribunal co-founded the ICN, a network of competition authorities from across the world, with the aim of building a platform to facilitate cooperation and dialogue among competition authorities across jurisdictions to promote the adoption of best practices and procedural standards in competition law enforcement. The network now comprises of over 100 jurisdictions, from 14 at inception.

Since 2006 the Tribunal and the Commission have been observer members of the Competition Committee of the OECD, a body at the international cutting edge of new developments in competition law and policy. These bodies enable peer-review and benchmarking on competition issues and ensure best practice in the Tribunal's work.

In the 2026/2027 financial year, the Tribunal will conduct an intensive internal training programme in partnership with a research institute at one of South Africa's universities on competition law and economics. The Tribunal will also conduct training led by members of the judiciary which will focus on drafting of judgements.

8.6. Personnel

The Tribunal is committed to transformation, especially achieving employment equity at the workplace. The Tribunal values diversity and adheres to the constitutional principles of equality and non-discrimination in all its policies, procedures and activities. These principles are adhered to with respect to the recruitment and selection of staff and human resource development.

The Tribunal has a fairly flat structure with limited hierarchy of positions to which professional staff can aspire (see Annexure A). However, some mechanisms have been developed in order to ensure the retention of skilled staff and to provide some career progression as far as possible within the Tribunal's structure.

Finding experienced staff members in the highly specialised field of competition law and economics remains a challenge since the private sector tends to offer more attractive salaries than what the Tribunal can afford. However, the opportunities presented by being able to work closely with Tribunal members and gain valuable knowledge and experience from a regulatory perspective, assist in attracting staff members of a high quality to the Tribunal.

8.6.1. Internship

The Tribunal is a small organisation and is therefore limited in its ability to offer a substantial number of internships. Despite this, the Tribunal has been able to prioritise the opportunity for two interns via its graduate internship programme in the Case Management division and one intern in Human resource management. The Tribunal will continue, subject to the availability of budget, to use the internship programme to provide short-term employment opportunities to unemployed youth which exposes them to valuable work experience.

8.6.2. Job shadowing

The Tribunal has introduced a job shadowing initiative designed to provide participants such as students and recent graduates with practical exposure to the workplace through access to the Tribunal's adjudicative processes and institutional environment. The programme will involve short-term placements where participants observe proceedings, including merger hearings and interlocutory matters, and gain insight into case management, legal analysis, and decision-making processes. Participants will be assigned mentors from within the Tribunal who will guide them through the workflow, explain key concepts in competition law and economics, and provide context on the Tribunal's role within South Africa's broader competition regime.

Further, opportunities will also be available for job shadowing in the Tribunal's Corporate Services Division which includes Human Resources, Finance, Supply Chain Management, ICT, and Facilities. This will allow participants to observe how these units contribute to organisational efficiency, governance, and compliance. Through guided exposure, participants will gain an understanding of internal processes including budgeting, procurement, performance management, and providing administrative support to core adjudicative functions.

9. FINAL MTEF SUBMISSION

9.1. Financial requirements and resources

The Tribunal's expenditure requirements (inclusive of capital expenditure) over the Medium-Term Expenditure Framework (2026/2027 – 2028/2029) is estimated to be **R215.2m**. The Tribunal has budgeted to fund this from the three revenue sources:

- National Treasury and **the dtic** approved grant funding of **R136.4m**.
- Expected filing fee revenue of **R69.5m**; and

- Interest in cash holdings of **R6.00m**.

Since inception, the grant allocated has grown at approximately the rate of inflation as opposed to changes in the Tribunal's operational requirements and additional obligations in line with the 2019 amendments to the Competition Act.

9.1.1. Filing fees

In terms of a Memorandum of Understanding (MOU) between the Commission and the Tribunal, the Tribunal receives 30% of all fees filed with the Commission for large mergers and 5% of the fees filed for intermediate mergers.

There is significant uncertainty regarding both the volume of mergers and the value of the filing fees expected by the Commission. While the MTEF budget is drawn using estimates as a basis, it is possible that we may need to reconsider the budget in the next financial year.

The Tribunal's funding model would need to be revised due to the uncertainty of the filing fees and the increased operational requirements of the Tribunal.

In January 2026, the Minister issued proposed revised filing fees and merger thresholds for public comment. Discussion with the Commission to revise the allocation is currently pending the finalisation of the increased filing fees.

Table 8 Summary of the Budget estimates over the MTEF period

CATEGORY	Final 2025/2026	2026/2027	2027/2028	2028/2029	TOTAL
REVENUE					
FILING FEES	23,154,599	23,154,599	23,154,599	23,154,599	69,463,797
GRANT	46,799,000	43,822,000	45,570,000	46,987,000	136,379,000
INTEREST RECEIVED	2,000,000	2,000,000	2,000,000	2,000,000	6,000,000
TOTAL REVENUE	71,953,599	68,976,599	70,724,599	72,141,599	211,842,797

Annexure D provides a graphical representation of the historic funding and expenditure pertaining to the Tribunal's activities. **Annexure E** reflects the Statement of Financial Performance over the MTEF period included in the ENE submitted in July 2025. **Annexure F**

contains a summarized version of the Tribunal's budgetary requirements over the three-year planning period (from 2026/2027 to 2028/2029 budget). **Annexure G** provides the details of the 2026/2027 budget.

9.1.2. Budgeting

Due to the year-on-year fluctuating number of cases, the Tribunal is unable to accurately predict the number of cases to be heard on an annual basis.

Due to fiscal constraints, the trend over the past five years has been, that actual expenditure closely equates to the budget resulting in smaller variances and lesser surpluses (as illustrated in the table 9 below).

In the 2023/24 financial year, National Treasury instructed national departments and entities to apply more stringent measures to reduce government spending, improve spending efficiencies and maintain a sustainable fiscal framework. This resulted in an immediate reduction of the Tribunal's grant allocation for the 2023/24 financial year and all subsequent years.

A reduction of the Tribunal's budget by R4.3 million in the 2023/24 financial year coupled with a further reduction in our budget by R15.4 million over the MTEF period translated to a reduction of 10% to 12% overall to the Tribunal's budget. This reduction had a substantial impact on the ability of the Tribunal to deliver on its mandate. The nature of the Tribunal's work is human capital intensive such that 70% of the Tribunal's costs are on personnel. There is a need for more resources and capacity, prioritised

The reduction in the budget means that the Tribunal will not be able to fill critical vacancies in the Tribunal as planned and budgeted for, but it also means that we will not be able to sustain the costs of those new employees as required in terms of the Tribunal's revised organisational structure.

The Tribunal has received an additional allocation of R4.2 million from the dtic. The funds were allocated for the enhancement of the case management system.

From a funding perspective, the Tribunal receives about 60% of its funding from government grants and 40% from filing fees. Filing fees generated are not always in direct correlation to the activity levels of the Tribunal and are therefore unpredictable. In the past, other than the

budget reductions imposed, the grant allocation has increased based on inflationary rates and not as per our operational requirements.

The above funding constraints together with the budget reductions further impact the ability of the Tribunal to meet its mandate effectively and efficiently at a time when the effects of the amendments to the Act are now manifesting in real cases.

Table 9 Expenditure against budget for the period 2019/2020 to 2024/2025

Year	Actual expenditure incl. of capital	Budget (in R'm)	% Budget spent	% Budget underspend/ overspend
2019/2020	R49	R60	82.51%	17.49% underspend
2020/2021	R46	R50	92.34%	8% underspend
2021/2022	R45	R58	78.73%	21% underspend
2022/2023	R62	R60	103.73%	4% overspend
2023/2024	R68	R59	115.43%	15% overspend
2024/2025	R66	R63	105.40%	5% overspend

The Tribunal historically underspent its allocated budget, that resulted in surpluses. This has also resulted in the budget over-expenditure seen above.

PART C: MEASURING OUR PERFORMANCE

10. Institutional Programme Performance Information

The Tribunal is aiming to achieve 27 outputs aligned over the 2026/2027 financial year.

10.1. Outcomes, Outputs, Performance Indicators and Targets

In this section we identify the outputs that will assist the Tribunal to achieve its stated outcomes in each of the Tribunal's focus areas, namely Sound, Efficient and Responsive Adjudication and Transparent, Accountable and Sustainable Entity. Indicators to measure the performance/achievement of the outputs against agreed targets are given. Where applicable annual targets are cascaded down to quarterly targets. If the target is applicable in 2026/2027

or was applicable in prior years, performance against these targets is reflected in the matrix. If the indicator is new but there is existing information regarding the prior performance against the indicator, it is also reflected in the matrix (even if it is not an audited outcome).

10.1.1. Adjudication

Table 10: Outcomes / outputs / indicators / targets related to adjudication

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
Sound, Efficient and Responsive Adjudication	1. Efficient case management procedures to ensure hearings are set down within legislated timeframes.	Percentage of mergers set down for a hearing within 10 business days of filing.	90% of mergers set down for a hearing within 10 business days of filing.	94% of mergers set down for a hearing within 10 business days of filing.	98% of mergers set down for a hearing within 10 business days of filing.	99% of mergers set down for a hearing within 10 business days of filing.	95% of mergers set down for a hearing within 10 business days of filing.	95% of mergers set down for a hearing within 10 business days of filing.	95% of mergers set down for a hearing within 10 business days of filing.

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
Sound, Efficient and Responsive Adjudication	Efficient and timeous issuing of orders and reasons	Percentage of merger <u>orders</u> issued to parties within 10 business days following conclusion of the hearing ³ .	100% of merger <u>orders</u> issued to parties within 10 business days following conclusion of the hearing.	100% of merger <u>orders</u> issued to parties within 10 business days following conclusion of the hearing.	100% of merger <u>orders</u> issued to parties within 10 business days following conclusion of the hearing.	100% of merger <u>orders</u> issued to parties within 10 business days following conclusion of the hearing.	100% of merger <u>orders</u> issued to parties within 10 business days following conclusion of the hearing.	100% of merger <u>orders</u> issued to parties within 10 business days following conclusion of the hearing.	100% of merger <u>orders</u> issued to parties within 10 business days following conclusion of the hearing.

3 The hearing is considered concluded after information (if any) is submitted, post the hearing.

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
		Percentage of <u>reasons</u> for mergers issued to parties within 20 business days of order being issued.	88% of <u>reasons</u> for mergers issued to parties within 20 business days of order being issued.	81% of <u>reasons</u> for mergers issued to parties within 20 business days of order being issued.	91% of <u>reasons</u> for mergers issued to parties within 20 business days of order being issued.	84% of <u>reasons</u> for mergers issued to parties within 20 business days of order being issued.	84% of <u>reasons</u> for mergers issued to parties within 20 business days of order being issued.	84% of <u>reasons</u> for mergers issued to parties within 20 business days of order being issued.	84% of <u>reasons</u> for mergers issued to parties within 20 business days of order being issued.

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
		<u>Percentage of Reasons</u> ⁴ for prohibited practice cases issued to parties within 90 business days following the conclusion of the hearing.	0% of reasons for prohibited practice cases issued to parties within 90 business days following the conclusion of the hearing.	25% of reasons for prohibited practice cases issued to parties within 90 business days following the conclusion of the hearing.	No reasons issued for prohibited practice cases issued to parties within 90 business days following the conclusion of the hearing.	33% of reasons for prohibited practice cases issued to parties within 90 business days following the conclusion of the hearing.	50% of reasons for prohibited practice cases issued to parties within 90 business days following the conclusion of the hearing.	60% of reasons for prohibited practice cases issued to parties within 90 business days following the conclusion of the hearing.	70% of reasons for prohibited practice cases issued to parties within 90 business days following the conclusion of the hearing.

4 In exceptional cases an order may be issued before reasons but in most instances orders and reasons are issued simultaneously and therefore reasons date is taken as the indicator. Furthermore, the target has been adjusted to accommodate the approximate cases that fall into this category.

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
			n of the hearing.	n of the hearing.	n of the hearing.		of the hearing.	of the hearing.	of the hearing.
		Percentage of procedural matter ⁵ <u>orders</u> issued to parties within 45 business days following conclusion of a hearing.	57% of procedural matter <u>orders</u> issued to parties within 45 business days following conclusion of a hearing.	40% of procedural matter <u>orders</u> issued to parties within 45 business days following conclusion of a hearing.	87% of procedural matter <u>orders</u> issued to parties within 45 business days following conclusion of a hearing.	92% of procedural matter <u>orders</u> issued to parties within 45 business days following conclusion of a hearing.	70% of procedural matter <u>orders</u> issued to parties within 45 business days following conclusion of a hearing.	70% of procedural matter <u>orders</u> issued to parties within 45 business days following conclusion of a hearing.	70% of procedural matter <u>orders</u> issued to parties within 45 business days following conclusion of a hearing.

8 Not all procedural/interlocutory matters require reasons to be issued.

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
		Percentage of <u>orders</u> for consent orders and settlement agreements issued to parties within 10 business days following conclusion of a hearing.	100% of <u>orders</u> for consent orders and settlement agreements issued to parties within 10 business days following conclusio	100% of <u>orders</u> for consent orders and settlement agreements issued to parties within 10 business days following conclusio	94% of <u>orders</u> for consent orders and settlement agreements issued to parties within 10 business days following conclusio	75% of <u>orders</u> for consent orders and settlement agreements issued to parties within 10 business days following conclusion of a hearing.	95% of <u>orders</u> for consent orders and settlement agreement s issued to parties within 10 business days following conclusion of a hearing.	95% of <u>orders</u> for consent orders and settlement agreement s issued to parties within 10 business days following conclusion of a hearing.	95% of <u>orders</u> for consent orders and settlement agreement s issued to parties within 10 business days following conclusion of a hearing.

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
			n of a hearing.	n of a hearing.	n of a hearing.				
		Percentage of <u>reasons</u> in interim relief matters issued to parties within 40 business days following conclusion of a hearing.	0% of <u>reasons</u> in interim relief matters issued to parties within 40 business days following	33% of <u>reasons</u> in interim relief matters issued to parties within 40 business days following	0% of <u>reasons</u> in interim relief matters issued to parties within 40 business days following	No reasons Issued so far in interim relief matters issued to parties within 40 business days following conclusion of a hearing.	70% of reasons in interim relief matters issued to parties within 40 business days following	70% of reasons in interim relief matters issued to parties within 40 business days following	70% of reasons in interim relief matters issued to parties within 40 business days following

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
			conclusion of a hearing.	conclusion of a hearing.	conclusion of a hearing.		conclusion of a hearing.	conclusion of a hearing.	conclusion of a hearing.

Adjudication represents the core business of the Tribunal. The Competition Act provides for the Tribunal to regulate two broad areas of competition, mergers and acquisitions on the one hand and prohibited practices on the other.

Table 11: Annual and Quarterly Targets Related to Adjudications

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
Percentage of mergers set down for a hearing within 10 business days of filing.	95% of mergers set down for a hearing within 10 business days of filing.	95% of mergers set down for a hearing within 10 business days of filing.	95% of mergers set down for a hearing within 10 business days of filing.	95% of mergers set down for a hearing within 10 business days of filing.	95% of mergers set down for a hearing within 10 business days of filing.

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
Percentage of merger orders issued to parties within 10 business days following conclusion of the hearing. ⁶	100% of merger orders issued to parties within 10 business days following conclusion of the hearing.	100% of merger orders issued to parties within 10 business days following conclusion of the hearing.	100% of merger orders issued to parties within 10 business days following conclusion of the hearing.	100% of merger orders issued to parties within 10 business days following conclusion of the hearing.	100% of merger orders issued to parties within 10 business days following conclusion of the hearing.
Percentage of reasons for mergers issued to parties within 20 business days of order being issued.	84% of reasons for mergers issued to parties within 20 business days of order being issued.	84% of reasons for mergers issued to parties within 20 business days of order being issued.	84% of reasons for mergers issued to parties within 20 business days of order being issued.	84% of reasons for mergers issued to parties within 20 business days of order being issued.	84% of reasons for mergers issued to parties within 20 business days of order being issued.
Percentage of reasons for prohibited practice cases are issued to parties within 90 business days following conclusion of the hearing.	50% of reasons for prohibited practice cases are issued to parties within 90 business days following conclusion of the hearing.	50% of reasons for prohibited practice cases are issued to parties within 90 business days following conclusion of the hearing.	50% of reasons for prohibited practice cases are issued to parties within 90 business days following conclusion of the hearing.	50% of reasons for prohibited practice cases are issued to parties within 90 business days following conclusion of the hearing.	50% of reasons for prohibited practice cases are issued to parties within 90 business days following conclusion of the hearing.

⁶ The hearing is considered concluded after information (if any) is submitted, post the hearing.

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
Percentage of procedural matter ⁷ orders issued to parties within 45 business days following conclusion of the hearing.	70% of procedural matter orders issued to parties within 45 business days following conclusion of the hearing.	70% of procedural matter orders issued to parties within 45 business days following conclusion of the hearing.	70% of procedural matter orders issued to parties within 45 business days following conclusion of the hearing.	70% of procedural matter orders issued to parties within 45 business days following conclusion of the hearing.	70% of procedural matter orders issued to parties within 45 business days following conclusion of the hearing.
Percentage of orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing.	95% of orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing.	95% of orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing.	95% of orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing.	95% of orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing.	95% of orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing.
Percentage of reasons in interim relief matters issued to parties within 40 business days following conclusion of the hearing.	70% of reasons in interim relief matters issued to parties within 40 business days following conclusion of the hearing.	70% of reasons in interim relief matters issued to parties within 40 business days following conclusion of the hearing.	70% of reasons in interim relief matters issued to parties within 40 business days following conclusion of the hearing.	70% of reasons in interim relief matters issued to parties within 40 business days following conclusion of the hearing.	70% of reasons in interim relief matters issued to parties within 40 business days following conclusion of the hearing.

7 Not all procedural/interlocutory matters require reasons to be issued.

10.1.2. Communication

The purpose of this focus area within the Tribunal is to provide a focussed process to create and enhance awareness of the work of the Tribunal. The outcomes, outputs, indicators and targets are detailed in matrix format in Table 12 below.

Table 12: Outcomes / outputs / indicators / targets related to communication

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
Transparent, Accountable and Sustainable Tribunal	Effective communication and information sharing	Percentage of press releases of final merger decisions issued within 3 business days of the order date and after finalisation of	99% of press releases of final merger decisions issued within 3 business days of the order date and	100% of press releases of final merger decisions issued within 3 business days of the order date and	99% of press releases of final merger decisions issued within 3 business days of the order date and	98% of press releases of final merger decisions issued within 3 business days of the order date and after finalisation of confidentiality claims.	90% of press releases of final merger decisions issued within 3 business days of the order date and after	90% of press releases of final merger decisions issued within 3 business days of the order date and after	90% of press releases of final merger decisions issued within 3 business days of the order date and after

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
		confidentiality claims.	after finalisation of confidentiality claims.	after finalisation of confidentiality claims.	after finalisation of confidentiality claims.		finalisation of confidentiality claims.	finalisation of confidentiality claims.	finalisation of confidentiality claims.
		Percentage of press releases for final prohibited practice decisions (excluding interlocutories) issued within 3 business days of the	100% of press releases for final prohibited practice decisions (excluding interlocutories) issued within 3 business	100% of press releases for final prohibited practice decisions (excluding interlocutories) issued within 3 business	No prohibited practice decisions issued	100% of press releases for final prohibited practice decisions (excluding interlocutories) issued within 3 business days of the order date and confidentiality claims.	90% of press releases for final prohibited practice decisions (excluding interlocutories) issued within 3 business days of the	90% of press releases for final prohibited practice decisions (excluding interlocutories) issued within 3 business days of the	90% of press releases for final prohibited practice decisions (excluding interlocutories) issued within 3 business days of the

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
		order date and after finalisation of confidentiality claims.	days of the order date and after finalisation of confidentiality claims.	days of the order date and after finalisation of confidentiality claims.			order date and confidential ity claims.	order date and confidential ity claims.	order date and confidential ity claims.
		Number of Tribunal newsletters issued	New indicator				Two Tribunal newsletters issued	Two Tribunal newsletters issued	Two Tribunal newsletters issued
		School outreach programme	New indicator				One School outreach programme	One School outreach programme	One School outreach programme

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
		Percentage increase of engagement through social media	New indicator				20% increase of engagement through social media	30% increase of engagement through social media	50% increase of engagement through social media

Table 13: Annual and Quarterly Targets Related to Communication

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
Percentage of press releases of final merger decisions issued within 3 business days of the order date and after finalisation of confidentiality claims.	90% of press releases of final merger decisions issued within 3 business days of the order date and after finalisation of confidentiality claims.	90% of press releases of final merger decisions issued within 3 business days of the order date and after finalisation of confidentiality claims.	90% of press releases of final merger decisions issued within 3 business days of the order date and after finalisation of confidentiality claims.	90% of press releases of final merger decisions issued within 3 business days of the order date and after finalisation of confidentiality claims.	90% of press releases of final merger decisions issued within 3 business days of the order date and after finalisation of confidentiality claims.
Percentage of press releases for final prohibited practice decisions (excluding interlocutories) issued within 3 business days of the order date and after finalisation of confidentiality claims.	90% of press releases for final prohibited practice decisions (excluding interlocutories) issued within 3 business days of the order date and after finalisation of confidentiality claims.	90% of press releases for final prohibited practice decisions (excluding interlocutories) issued within 3 business days of the order date and after finalisation of confidentiality claims.	90% of press releases for final prohibited practice decisions (excluding interlocutories) issued within 3 business days of the order date and after finalisation of confidentiality claims.	90% of press releases for final prohibited practice decisions (excluding interlocutories) issued within 3 business days of the order date and after finalisation of confidentiality claims.	90% of press releases for final prohibited practice decisions (excluding interlocutories) issued within 3 business days of the order date and after finalisation of confidentiality claims.
Number of Tribunal newsletters issued	Two Tribunal newsletters issued	No target	One Tribunal newsletters issued	No target	One Tribunal newsletters issued

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
School outreach programme	One School outreach programme	No target	One School outreach programme	No target	No target
Percentage increase of engagement through social media	20% increase of engagement through social media	20% increase of engagement through social media	20% increase of engagement through social media	20% increase of engagement through social media	20% increase of engagement through social media

10.1.3. Governance

The main purpose of governance as a focus area/function within the Tribunal is to ensure that the entity is managed in a sound, accountable and transparent way. The focus area/function is also responsible for compliance with statutory requirements.

Table 14: Outcome / output / indicator / target related to governance

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
Transparent, Accountable and Sustainable Tribunal	Sound governance	Percentage of prior financial year audit findings resolved in terms of agreed timelines with auditors	100% of prior financial year audit findings resolved in terms of agreed timelines with auditors.	100% of prior financial year audit findings resolved in terms of agreed timelines with auditors.	100% of prior financial year audit findings resolved in terms of agreed timelines with auditors.	100% of prior financial year audit findings resolved in terms of agreed timelines with auditors.	100% of prior financial year audit findings resolved in terms of agreed timelines with auditors.	100% of prior financial year audit findings resolved in terms of agreed timelines with auditors.	100% of prior financial year audit findings resolved in terms of agreed timelines with auditors.

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
		Audit Outcome	Unqualified audit opinion	Unqualified audit opinion	Unqualified audit opinion	Unqualified audit opinion	Unqualified audit opinion	Unqualified audit opinion	Unqualified audit opinion

Table 15: Annual and Quarterly Targets Related to Sound Governance

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
Percentage of prior financial year audit findings (internal and external) resolved in terms of agreed timelines with the auditors.	100% of prior financial year audit findings resolved in terms of agreed timelines with auditors.	100% of prior financial year audit findings resolved in terms of agreed timelines with auditors.	100% of prior financial year audit findings resolved in terms of agreed timelines with auditors.	100% of prior financial year audit findings resolved in terms of agreed timelines with auditors.	100% of prior financial year audit findings resolved in terms of agreed timelines with auditors.
Audit Outcome	Unqualified audit opinion	No target	Unqualified audit opinion	No target	No target

10.1.4. Financial management

The purpose of the financial management function/focus area is to ensure the optimal management of financial resource allocation and utilisation. The function is also responsible for ensuring compliance with financial reporting requirements.

Table 16: Outcome / Output / Indicator / Targets Related to Financial Management

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
Transparent, Accountable and Sustainable Tribunal	1.Effective financial management	Percentage of expenditure against budget	96% of expenditure against budget	112% of expenditure against budget	102% of expenditure against budget	90% of expenditure against budget	90% of expenditure against budget	90% of expenditure against budget	90% of expenditure against budget
		Percentage of supplier invoices paid within 20 days from date of acceptance	New indicator		100% of supplier invoices paid within 20 days from date of acceptance	96% of supplier invoices paid within 20 days from date of acceptance	96% of supplier invoices paid within 20 days from date of acceptance	96% of supplier invoices paid within 20 days from date of acceptance	96% of supplier invoices paid within 20 days from date of acceptance

Table 17: Annual and Quarterly Targets Related to Financial Management

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
Percentage of expenditure against budget	90% of expenditure against budget	90% of expenditure against budget	90% of expenditure against budget	90% of expenditure against budget	90% of expenditure against budget
Percentage of supplier invoices paid within 20 days from date of acceptance.	96% of supplier invoices paid within 20 days from date of acceptance	96% of supplier invoices paid within 20 days from date of acceptance	96% of supplier invoices paid within 20 days from date of acceptance	96% of supplier invoices paid within 20 days from date of acceptance	96% of supplier invoices paid within 20 days from date of acceptance

10.1.5. Transformation in Procurement

The purpose of the transformation in procurement outcome is to monitor the Tribunal's employment of procurement as a tool for driving transformation by ensuring that the Tribunal procures from B-BBEE compliant suppliers, suppliers owned by woman, youth and people with disabilities, as well as EME and QSE suppliers.

Table 18: Outcome / Output / Indicator / Targets Related to Financial Management

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
Transparent, Accountable and Sustainable Tribunal	Transformation in procurement practices	Percentage of expenditure on Broad-Based Black Economic Empowerment suppliers	97,15% of expenditure spent on suppliers between Broad-Based Black Economic Empowerment levels 1-4	98.66% of expenditure spent on suppliers between Broad-Based Black Economic Empowerment levels 1-4	99,63% of expenditure spent on suppliers between Broad-Based Black Economic Empowerment levels 1-4	127% of expenditure spent on suppliers between Broad-Based Black Economic Empowerment levels 1-4	100% of expenditure spent on suppliers between Broad-Based Black Economic Empowerment levels 1-4	100% of expenditure spent on suppliers between Broad-Based Black Economic Empowerment levels 1-4	100% of expenditure spent on suppliers between Broad-Based Black Economic Empowerment levels 1-4
		Percentage of	22% of which was	42% of which will	40% of	46% of which will be on women, youth or persons with disabilities	30% of which will	30% of which will	30% of which will

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
		expenditure on suppliers owned by women, youth or persons with disabilities	on women, youth or persons with disabilities	be on women, youth or persons with disabilities	which will be on women, youth or persons with disabilities		be on women, youth or persons with disabilities	be on women, youth or persons with disabilities	be on women, youth or persons with disabilities
		Percentage of expenditure on Exempt Micro Enterprises and Qualifying Small	New Indicator	55.41% of expenditure on suppliers that are classified as Exempt Micro Enterprises suppliers	44.02% of expenditure on suppliers that are classified as Exempt Micro Enterprises suppliers	36.14% of expenditure on suppliers that are classified as Exempt Micro Enterprises suppliers	30% of expenditure on suppliers that are classified as Exempt Micro Enterprise	30% of expenditure on suppliers that are classified as Exempt Micro Enterprises and	30% of expenditure on suppliers that are classified as Exempt Micro Enterprises and

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
		Enterprise suppliers					s and Qualifying Small Enterprise suppliers	Qualifying Small Enterprise suppliers	Qualifying Small Enterprise suppliers

Table 19: Annual and Quarterly Targets Related to Transformation in Procurement

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
Percentage of expenditure on Broad-Based Black Economic Empowerment suppliers	100% of expenditure spent on suppliers between Broad-Based Black Economic Empowerment Levels 1-4	100% of expenditure spent on suppliers between Broad-Based Black Economic Empowerment Levels 1-4	100% of expenditure spent on suppliers between Broad-Based Black Economic Empowerment Levels 1-4	100% of expenditure spent on suppliers between Broad-Based Black Economic Empowerment Levels 1-4	100% of expenditure spent on suppliers between Broad-Based Black Economic Empowerment Levels 1-4
Percentage of expenditure on suppliers owned by women, youth and persons with disabilities	30% of expenditure on suppliers owned by women, youth or persons with disabilities	30% of expenditure on suppliers owned by women, youth or persons with disabilities	30% of expenditure on suppliers owned by women, youth or persons with disabilities	30% of expenditure on suppliers owned by women, youth or persons with disabilities	30% of expenditure on suppliers owned by women, youth or persons with disabilities
Percentage of expenditure on Exempt Micro Enterprises and Qualifying Small Enterprise suppliers	30% of expenditure on suppliers that are classified as Exempt Micro Enterprises and Qualifying Small Enterprise suppliers	30% of expenditure on suppliers that are classified as Exempt Micro Enterprises and Qualifying Small Enterprise suppliers	30% of expenditure on suppliers that are classified as Exempt Micro Enterprises and Qualifying Small Enterprise suppliers	30% of expenditure on suppliers that are classified as Exempt Micro Enterprises and Qualifying Small Enterprise suppliers	30% of expenditure on suppliers that are classified as Exempt Micro Enterprises and Qualifying Small Enterprise suppliers

10.1.6. Transformation, human capacity development, retention and training

The purpose of the transformation, human capacity development, retention and training function/focus area is to ensure that the Tribunal effectively leverages employee skills by recruiting, retaining and development of high-quality performing people in terms of the Employment Equity plan, in line with **the dtic's** joint/integrated outputs of a Transparent, Accountable and Sustainable Tribunal. The outcome/output/indicators/targets associated with this function/focus area are illustrated in matrix format in Table 15 below.

Table 20: Outcomes / outputs / indicators / targets related to transformation, human capacity development, retention and training

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
Transparent, Accountable and Sustainable Tribunal	Transformation, human capacity development, retention and training	Percentage of staff retention	90% of staff retention	94% of staff retention	91% of staff retention	99% of staff retention	80% of staff retention	80% of staff retention	80% of staff retention
		Percentage of staff training expenditure against total employee costs	New Indicator	2% of staff training expenditure against total	2% of staff training expenditure against total	0% of staff training expenditure against total employee costs	2% of staff training expenditure against total	2% of staff training expenditure against total	2% of staff training expenditure against total

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
				employee costs	employee costs		employee costs	employee costs	employee costs
		Number of staff capacity building/training initiatives conducted	New Indicator				4 staff capacity building/training initiatives conducted	4 staff capacity building/training initiatives conducted	4 staff capacity building/training initiatives conducted
		Number of interns provided with opportunities within the Tribunal	2 interns provided with opportunities within the Tribunal	2 interns provided with opportunities within the Tribunal	2 interns provided with opportunities within the Tribunal	3 interns provided with opportunities within the Tribunal	3 interns provided with opportunities within the Tribunal	3 interns provided with opportunities within the Tribunal	3 interns provided with opportunities within the Tribunal
		Number of job	New indicator				8 job shadowin	8 job shadowin	8 job shadowin

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
		shadowing opportunities					g opportunities	g opportunities	g opportunities
		Percentage of employment equity representation of employees from the designated groups	New indicator	94% of employment equity representation of employees from the designated groups	94% of employment equity representation of employees from the designated groups	93% of employment equity representation of employees from the designated groups	80% of employment equity representation of employees from the designated groups	80% of employment equity representation of employees from the designated groups	80% of employment equity representation of employees from the designated groups
		Improved Broad-Based Black	New indicator				Achieve Broad-Based Bla	Achieve Broad-Based Bla	Achieve Broad-Based Bla

OUTCOME	OUTPUT	OUTPUT INDICATOR	AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
			2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
		Economic Empowerment compliance					ck Economic Empowerment level 8	ck Economic Empowerment level 5	ck Economic Empowerment level 3

Table 21: Annual and Quarterly Targets Related to transformation, human capacity development and training

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
Percentage of staff retention	80% of staff retention	80% of staff retention	80% of staff retention	80% of staff retention	80% of staff retention
Percentage of staff training expenditure against total employee costs	2% of staff training expenditure against total employee costs	No target	No target	No target	2% of staff training expenditure against total employee costs
Number of staff capacity building/training initiatives conducted.	Four (4) staff capacity building/training workshops conducted	One staff capacity building/training workshops conducted	One staff capacity building/training workshops conducted	One staff capacity building/training workshops conducted	One staff capacity building/training workshops conducted
Number of interns provided with opportunities within the Tribunal	3 Interns provided with opportunities within the Tribunal	3 Interns provided with opportunities within the Tribunal	3 Interns provided with opportunities within the Tribunal	3 Interns provided with opportunities within the Tribunal	3 Interns provided with opportunities within the Tribunal

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
Number of job shadowing opportunities	Eight job shadowing opportunities	Two job shadowing opportunities	Two job shadowing opportunities	Two job shadowing opportunities	Two job shadowing opportunities
Percentage of employment equity representation of employees from the designated groups	80% of employment equity representation of employees from the designated groups	80% of employment equity representation of employees from the designated groups	80% of employment equity representation of employees from the designated groups	80% of employment equity representation of employees from the designated groups	80% of employment equity representation of employees from the designated groups
Improved Broad-Based Black Economic Empowerment compliance	Achieve Broad-Based Black Economic Empowerment level 8	No target	No target	Achieve Broad-Based Black Economic Empowerment level 8	No target

10.1.7. Improved knowledge management

As noted above, the Tribunal's recently developed five-year IT Strategy has prioritised improving knowledge management through the modernisation of the Tribunal's systems, focusing on leveraging technology to enhance efficiency, streamline workflows, and improve case management processes. This includes upgrading the Case Management System (CMS) with improved functionalities such as automation, real-time case tracking, artificial intelligence, enhanced document management, and improved data security. These technological improvements will ensure seamless access to information, facilitate better reporting, and support knowledge management, ultimately strengthening the Tribunal's operational capabilities. To give effect to these strategic priorities, the Tribunal has also prioritised the capacitation of its knowledge management function.

Table 22: Outcomes / outputs / indicators / targets related to Improved knowledge management

OUTCOME	OUTPUT	OUTPUT INDICATOR		AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
				2022/ 23	2023/ 24	2024/ 25	2025/26	2026/27	2027/28	2028/29
Transparent, Accountable and Sustainable Tribunal	Improved knowledge management	Enhancement of Case Management System	New indicator	New indicator			Feasibility study conducted on current Case Management System and requirements	Approve and initiate the design and development phase	Implementation of new Case Management System.	

OUTCOME	OUTPUT	OUTPUT INDICATOR		AUDITED ACTUAL PERFORMANCE			ESTIMATED PERFORMANCE	MTEF PERIOD TARGETS		
				2022/ 23	2023/ 24	2024/ 25	2025/26	2026/27	2027/28	2028/29
								of the Case Management System in line with project implementation plan		

Table 23: Annual and Quarterly Targets Related to Improved knowledge management

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
Enhancement of Case Management System	Approve and initiate the design and development phase of the Case Management System in	N/A	Approve project implementation plan	N/A	50% completion of design and development phase of the Case Management System

OUTPUT INDICATOR	Annual Targets	Q1	Q2	Q3	Q4
	line with project implementation plan				in line with project implementation plan

10.2. Explanation of planned performance over the medium-term period

The two outcomes identified in the Strategic Plan enable the Tribunal to operate within its mandate as a credible institution within the public sector and pursue its commitment to keep the public informed. Seven outputs have been identified that will enable the Tribunal to achieve these two outcomes. In turn we have identified 27 indicators linked to these outputs that are measured quarterly and annually.

The scorecards reflected under paragraph 8.1 above reflect the specific outcomes, the outputs aligned to each outcome, output indicators and targets assigned for the three-year period. Where possible it also reflects performance in the prior periods and the estimated performance for 2025/2026.

The targets set by the Tribunal against the outcomes and outputs related to the adjudicative process in particular are generally constant over the three-year period as the Tribunal is a service organisation providing a constant level of service to its clients.

Targets have been set at less than 100% as non-performance is not always attributable to the Tribunal but sometimes due to the request of the parties who may have valid reasons for the delays. In addition, the complexity of matters may result in delays in the issuing of reasons. In attaining the outcomes and the output indicators the Tribunal identified, a number of strategic interventions will be implemented over the MTEF period.

To achieve “**Sound, Efficient and Responsive Adjudication**” the following interventions may be implemented:

- Compile regular case updates on significant developments within the Competition Act.
- Conduct bi-weekly case management meetings.
- Maintain a process whereby Case Managers check files regularly.
- Continuous development and improvement of a practice whereby Case Managers play a stronger oversight role in the whole case management process.
- Conduct regular training sessions; and
- Improve the case management system for ease of search and reporting functionality.

The Tribunal aims to be a “**Transparent, Accountable and Sustainable Entity**” and in order to achieve that the following interventions may be implemented:

- Review effectiveness of communication with various stakeholders.
- Establish mechanisms or processes for knowledge transfer.
- Review and enhance the employee performance management system.
- Conduct a skills and competency audit that informs the training and capacity development plan.
- Development, adherence and regular reporting against an annual institutional procurement plan.
- Periodic institutional benchmarking against similar institutions or professions.
- Conduct quarterly performance review workshops before finalising and submitting the quarterly reports.
- Review and update the employee and Tribunal member induction process.
- Investigate and conclude a financial model for the Tribunal with **the dtic** and National Treasury.
- Development and implement a competency evaluation framework.
- Implement skills development and HR retention strategy and plan; and
- Conduct regular internal climate surveys.

11. Financial considerations and the 2026/2027 budget

11.1. Expenditure Estimates

A final detailed one-year budget for the **2026/2027** year is included in **Annexure G**.

As stated in the Strategic Plan, the Tribunal is an adjudicative body and hence is reactive in terms of the cases brought before it. It is therefore not possible to accurately predict the number of cases to be heard annually, resulting in estimation uncertainty as expenditure is driven by the estimated number of cases to be heard in that year. The net result is that variances in actual expenditure, as opposed to budgeted expenditure, do arise.

In drafting the 2026/2027 final budget, the Tribunal has considered the main assumptions listed below. The Tribunal's budget is an operational budget and is not programme or project driven. 70% of the budget is allocated to personnel expenses (excluding fees payable to part-time Tribunal members).

The main assumptions made in drafting the 2026/2027 budget are as follows:
Competition Tribunal - Annual Performance Plan 2026/2027

- i) The budgets included in the ENE were drawn based on the average consumer price index (CPI) of 4.2%.
- ii) The leasing fee payable to **the dtic** is in line with the 2025/2026 actual costs.
- iii) Cost of living increase for all Tribunal staff has been based on the average CPI.
- iv) Part-time member expenditure is based on a daily rate of R9 000.00 + CPI for 4 part-time members for hearing days (actual and preparation days) and retainer costs equivalent to 10 days per member, annually. The daily rate has not been increased in over 10 years and a request to revisit this will be progressed with the dtic.

Table 23 below illustrates the Tribunal's budget allocation across the various expenditure categories for both the current and the next financial year.

Table 24 Percentage budget allocation across category expenditure for 2025/2026 and 2026/27 financial years

CATEGORY	2025/2026	2025/2026 % of Total Expenditure	2026/2027	2026/2027 % of Total Expenditure
EXPENDITURE				
PERSONNEL	49,362,435	73%	50,042,639	73%
PT TRIBUNAL MEMBERS	4,000,000	6%	4,000,000	6%
TRAINING	500,000	1%	500,000	1%
CONFERENCE/SEMINARS	111,580	0%	126,579	0%
SHARED SERVICES CCSA	849,013	1%	884,927	1%
FACILITY FEE/LEASE	5,816,509	9%	6,107,334	9%
CONSULTING	94,419	0%	98,413	0%
LEGAL FEES	59,012	0%	61,508	0%
TRANSCRIPTION SERVICES	940,320	1%	982,446	1%
AUDIT EXPENSES	1,358,370	2%	1,419,361	2%
RECRUIT COSTS	42,740	0%	44,548	0%
ADMIN EXPENSES	891,466	1%	929,175	1%
DEPRECIATION	600,750	1%	626,162	1%
AMORTISATION	427,962	1%	446,065	1%
IT EXPENSES	2,500,000	4%	2,500,000	4%
REPAIRS/MAINTENANCE	34,022	0%	35,461	0%
APPEALS COURT	165,000	0%	171,980	0%
CAPITAL EXPENDITURE	-	-	-	
TOTAL EXPENDITURE	67,753,599	100%	68,976,599	100%

Approximately **70%** of the Tribunal’s 2026/2027 budget will be spent on personnel expenses which includes full time member costs. If fees paid to the part-time Tribunal members are included in this category, this increases to **79%**. “Shared service fee” refers to the payments made to the Commission for shared services (in terms of a Memorandum of Understanding), accounting for **1%** of the budget.

Costs associated with audits (internal, external audit fees and audit committee expenses) account for **2%** of the budget while administrative expenses account for **1%** of the budgeted expenditure.

11.2. Relating Expenditure Estimates to Outcomes and Outputs

The Tribunal, being an adjudicative body that responds to matters brought before it, is not project or programme driven and for this reason the budget is primarily an operational/administrative budget.

The Tribunal’s strategic outcomes and associated outputs relate primarily to its mandate and core business but also include strategic outcomes and outputs related to oversight and financial management.

Table 24 below indicates the allocation of the annual budget across the two outcomes. The Tribunal has managed to allocate **98%** of the annual budget across the two outcomes.

Table 25: Budget allocation by outcome

Outcome	Budget R'000	% of budget
Sound, Efficient and Responsive Adjudication	37,276	54%
Accountable, transparent and sustainable entity	30,877	44%
Other expenditure	1,051	2%
Total	69,204	100%

11.3. Reconciling targets with the budget and MTEF

As indicated above the Tribunal has allocated 99% of its budget against the stated strategic outcomes. In addition, the budget is further divided by output with linkages to the six identified focus areas as illustrated in table 19 below.

Table 26: Budget allocation by focus areas, output and outcome

FOCUS AREA	OUTPUTS	BUDGET
Sound, Efficient and Responsive Adjudication	Effective and timeous issuing of orders and reasons	32,749,023
	Effective case management procedures to ensure hearings are set down within legislated timeframes	8,960,940
Communication	Effective communication and information sharing	2,704,204
Business Process, Governance, Financial Management, Human Resources	Effective record management	2,008,274
	Sound governance	2,561,665
	Effective financial management	4,098,620
	Capacity development, retention and training	1,842,369
Other expenses	Administration (incl. depreciation)	14,125,294
	Capital Expenditure	-
	Competition Appeal Court	153,210
TOTAL BUDGET		69,203,599

The adjudication and case management costs include the total salaries of the full-time Tribunal members and all Case Managers/researchers and registry staff as they perform functions related to the Tribunal's core mandate.

The Tribunal's electronic case management system (CMS), currently in operation, enables it to extract data related to the cost of hearings and thereby determine, to some extent, the ratio between case and non-case related work. Over time, the Tribunal will investigate this issue further in order to arrive at a more accurate costing of the Tribunal's core business. The Tribunal will, on a quarterly basis, report on progress with regards to the achievement of targets and costs to the dtic, National Treasury and to other stakeholders.

11.4. The Competition Appeal Court

The Competition Act set up a triad of institutions (the Commission, the Tribunal and the CAC) with exclusive jurisdiction over competition matters (specifically, chapters 2 and 3 of the Competition Act).

The CAC is a specialised division of the High Court comprising at least 3 Judges, each of whom must be a Judge of the High Court. The CAC may review or consider an appeal arising from any Tribunal decision.

CAC Judges are appointed by the President, on the advice of the Judicial Services Commission. The tenure of office, remuneration and terms and conditions of service of a Judge of the High Court is not affected by his/her appointment to the CAC. The Tribunal secretariat provides the registry function for the CAC and the Registrar of the Tribunal also acts as the Registrar of the CAC.

At present the Tribunal includes the CAC as a line item in its budget and is responsible for the financing of administrative aspects of the CAC, excluding for personnel expenses. As is the case with the Tribunal, it is difficult to predict the number of appeals that may be lodged against Tribunal decisions and as a result budgeting becomes difficult and variances do occur. All expenditure associated with training or overseas travel has been reduced as some CAC hearings will take place online. The budget is therefore R 150,000.

Table 27 Percentage CAC budget allocation across expenditure categories

CATEGORY	2026/2027 BUDGET
Local travel	20%
Administrative expenses	70%
Conferences attendance and overseas travel	0%
High Court meetings/training	10%
Total	100%

PART D: TECHNICAL INDICATOR DESCRIPTORS (TID)

12. Technical Indicator descriptors by focus area

12.1. Adjudication

Outcome	Sound, Efficient and Responsive Adjudication
1. Indicator Title	Percentage of mergers set down for a hearing within 10 business days of filing.
Definition	This performance indicator measures the efficiency of the Tribunal in setting down hearing dates for mergers within the stipulated timeframe.
Source of data	➤ Merger referral documents received by the Tribunal. ➤ Request for consideration received by the Tribunal. ➤ Set down notices issued by the Tribunal. ➤ Any correspondence and notices received and issued between the Tribunal, the Commission and parties. ➤ CMS reports. ➤ QlikView reports (reporting tool placed on top of CMS) that reflect turnaround times. ➤ Hearing calendar. ➤ Transcriptions.
Method of Calculation/ Assessment	The method of calculation is a percentage calculated as follows: Percentage of mergers set down for the beginning of a hearing (including pre-hearings) within 10 business days of the filing of a merger referral = $(a/b) \times 100$; where a = total number of mergers set down for the beginning of a hearing (including pre-hearing) within 10 business days b = total number of mergers set down.

Outcome	Sound, Efficient and Responsive Adjudication
	In terms of the Rules of the Tribunal, the time period for scheduling a prehearing may be extended to a period of 10 business days by the Chairperson, and a further extension may be granted subject to agreement with the parties. In those cases where such an extension has been granted, the extended period will be used in the calculation.
Means of Verification	➤ Workflows built into CMS either prevents further updating or alerts the user if case data is missing. ➤ The Registry Administrator extracts monthly reports from QlikView and saves them in the shared folder. ➤ Data reflected on QlikView (originally captured on CMS), and source document reviewed to verify data against source document and ensure accuracy. ➤ Registry Administrator will contact official required to input missing data or make corrections on CMS. ➤ Errors and corrections that affect prior period reporting are communicated to Registrar/COO via email. ➤ The Registrar reviews monthly reports each month and records their name and date as proof of review. ➤ Registry Administrator completes the performance information report quarterly using QlikView reports as the basis for data collection. ➤ Same process as above followed annually thus providing further opportunity to review monthly information and quarterly reports. ➤ Performance Information reports are reviewed and verified by Registrar and COO and signed off by Registrar as proof of review.
Assumptions	➤ The Tribunal has the financial resources and the capacity to perform its adjudicative function. ➤ There will be no substantial changes to the Tribunal's mandate or the Competition Act that will impact on stipulated timeframes and targets. ➤ Tribunal has aligned to the dtic's joint/integrated outputs relating to delivery/capable State, industrialisation and transformation in consideration of competition and public interest issues in mergers. ➤ That the Tribunal maintains systems, processes and procedures that facilitate the target being achieved. ➤ The parties and their legal representatives are available. Time periods are subject to the availability of the parties and counsel and may be extended depending on the circumstances of each case.

Outcome	Sound, Efficient and Responsive Adjudication			
Disaggregation of Beneficiaries (where applicable)	• N/A			
Spatial Transformation (where applicable)	• N/A			
Calculation Type	• Percentage (Cumulative)			
Reporting Cycle	• Quarterly and annually			
Desired performance	The aim of the Tribunal is to meet the target that has been set.			
Indicator Responsibility	➤ Data collection, filing/archiving collected data – Registry Administrator ➤ Data extraction – Registry Administrator Verification of accuracy and completeness of extracted and captured information - First level – Registry Administrator, Second level – Registrar (monthly/quarterly and annually), Third level - COO (quarterly and annually)			
Baseline *Estimated performance	2021/22	2022/23	2023/24*	2024/25
	80%/65% of mergers set down for a hearing within 10 business days of filing.	90% of mergers set down for a hearing within 10 business days of filing.	85% of mergers set down for a hearing within 10 business days of filing.	85% of mergers set down for a hearing within 10 business days of filing.
Annual Targets	2025/26	2026/27	2027/28	2028/29
	92% of mergers set down for a hearing within 10 business days of filing.	95% of mergers set down for a hearing within 10 business days of filing.	95% of mergers set down for a hearing within 10 business days of filing.	95% of mergers set down for a hearing within 10 business days of filing.

Outcome	Sound, Efficient and Responsive Adjudication
2. Indicator Title	Percentage of merger orders issued to parties within 10 business days following conclusion of the hearing
Definition	This performance indicator measures the efficiency of the Tribunal in issuing decisions for mergers. Tribunal's decisions are contained in an "order".
Source of data	➤ Orders issued by the Tribunal to merger parties. ➤ Any correspondence and notices received and issued between the Tribunal, the Commission and parties. ➤ Case Management System (electronic case management system run by the Tribunal hereinafter referred to as CMS) reports. ➤ QlikView reports (reporting tool placed on top of CMS) that reflect turnaround times. ➤ Hearing calendar. ➤ Press releases referring to decisions made by the Tribunal. ➤ Transcriptions.
Method of Calculation / Assessment	The method of calculation is a percentage, and it is calculated as follows: Percentage of merger orders issued within ten business days following conclusion of the hearing = $(a/b) \times 100$; where: a = total number of orders for mergers issued within ten business days of the last hearing date b = total number of orders for mergers issued. Calculated as at the date of the last information received by the Tribunal.
Means of Verification	➤ Workflows built into CMS either prevents further updating or sends alerts if case data is missing. ➤ The Registry Administrator extracts monthly reports from QlikView and saves them in the shared folder. ➤ Data reflected on QlikView (originally captured on CMS), and source document reviewed to verify data against source document and ensure accuracy. ➤ Registry Administrator will contact the staff member required to input missing data or make corrections on CMS. ➤ Errors and corrections that affect prior period reporting are communicated to the Registrar/COO via email. ➤ The Registrar reviews monthly reports each month and records their name and date as proof of review.. ➤ Quarterly Registry Administrator completes the performance information report using QlikView reports as the basis for

Outcome	Sound, Efficient and Responsive Adjudication
	data collection. ➤ The same processes explained above are followed annually thus providing further opportunity to review monthly information and reports. ➤ Performance Information reports are reviewed and verified by Registrar and COO and signed off by Registrar as proof of review.
Assumptions	➤ The Tribunal has the financial resources and the capacity to perform its adjudicative function. There will be no substantial changes to the Tribunal's mandate or the Competition Act that will impact on stipulated timeframes and targets. ➤ The Tribunal has aligned to the dtic's joint/integrated outputs relating to delivery/capable State, industrialisation and transformation in consideration of competition and public interest issues in mergers. ➤ The Tribunal maintains systems, processes and procedures that facilitate the target being achieved. ➤ That all information is received on conclusion of the physical (or virtual) hearings
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Percentage (Cumulative)
Reporting Cycle	Quarterly and annually
Desired performance	The aim of the Tribunal is to meet the target that has been set.
Indicator Responsibility	➤ Data collection, filing/archiving collected data – Registry Administrator ➤ Data extraction – Registry Administrator

Outcome	Sound, Efficient and Responsive Adjudication			
	➤ Verification of accuracy and completeness of extracted and captured information - First level – Registry Administrator, Second level – Registrar (monthly/quarterly and annually), Third level - COO (only quarterly and annually)			
Baseline *Estimated performance	2021/22	2022/23	2023/24*	2024/25
	95%/70% of merger orders issued to parties within 10 business days following conclusion of the hearing	100% of merger orders issued to parties within 10 business days following conclusion of the hearing	85% of merger orders issued to parties within 10 business days following conclusion of the hearing	85% of merger orders issued to parties within 10 business days following conclusion of the hearing
Annual Targets	2025/26	2026/27	2027/28	2028/29
	92% of merger orders issued to parties within 10 business days following conclusion of the hearing	100% of merger orders issued to parties within 10 business days following conclusion of the hearing	100% of merger orders issued to parties within 10 business days following conclusion of the hearing	100% of merger orders issued to parties within 10 business days following conclusion of the hearing

Outcome	Sound, Efficient and Responsive Adjudication
3. Indicator Title	Percentage of reasons for mergers issued to parties within 20 business days of order being issued.
Definition	This performance indicator measures the efficiency of the Tribunal in issuing reasons for the decisions (through an order) it makes within stipulated time frames
Source of data	➤ Reasons issued by the Tribunal. ➤ Orders issued by the Tribunal. ➤ Official correspondence and notices received and issued by the Tribunal. ➤ CMS reports. ➤ QlikView reports (reporting tool placed on top of CMS) that reflects turnaround times. ➤ Hearing calendar. ➤ Transcriptions.
Method of Calculation / Assessment	The method of calculation used is a percentage and the percentage is calculated as follows: Percentage of reasons for mergers issued to parties within 20 business days = $(a/b) \times 100$; where: a = total number of reasons for mergers issued to parties within 20 business days of the date the order was issued, b = total number of reasons for mergers issued.
Means of Verification	➤ Workflows built into CMS either prevents further updating or sends alerts if case data is missing. ➤ The Registry Administrator extracts monthly reports from QlikView and saves them in the shared folder. ➤ Data reflected on QlikView (originally captured on CMS), and source document reviewed to verify data against source. document and ensure accuracy. ➤ Registry Administrator will contact official required to input missing data or make corrections on CMS. ➤ Errors and corrections that affect prior period reporting are communicated to Registrar/COO via email. ➤ The Registrar reviews monthly reports each month and records their name and date as proof of review..

Outcome	Sound, Efficient and Responsive Adjudication
	➤ Quarterly Registry Administrator completes the performance information. report using QlikView reports as the basis for data collection. ➤ The same processes explained above are followed annually thus providing further opportunity to review monthly information and reports. ➤ Performance Information reports are reviewed and verified by Registrar and COO and signed off by Registrar as proof of review.
Assumptions	➤ The Tribunal has the financial resources and the capacity to perform its adjudicative function. ➤ There will be no substantial changes to the Tribunal's mandate or the Competition Act that will impact on stipulated timeframes and targets. ➤ The Tribunal has aligned to the dtic's joint/integrated outputs relating to delivery/capable State, industrialisation and transformation in consideration of competition and public interest issues in mergers. ➤ That the Tribunal maintains systems, processes and procedures that facilitate the target being achieved.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Percentage (Cumulative)
Reporting Cycle	Quarterly and annually
Desired performance	The aim of the Tribunal is to meet the target that has been set.
Indicator Responsibility	➤ Data collection, filing/archiving collected data – Registry Administrator ➤ Data extraction – Registry staff

Outcome	Sound, Efficient and Responsive Adjudication			
	Verification of accuracy and completeness of extracted and captured information - First level – Registry Administrator, Second level – Registrar (monthly/quarterly and annually), Third level - COO (only quarterly and annually).			
Baseline	2021/22	2022/23	2023/24*	2024/25
*Estimated performance	70%/50% of reasons for mergers issued to parties within 20 business days of order being issued.	75% of reasons for mergers issued to parties within 20 business days of order being issued.	88% of reasons for mergers issued to parties within 20 business days of order being issued.	75% of reasons for mergers issued to parties within 20 business days of order being issued.
Annual Targets	2025/26	2026/27	2027/28	2028/29
	80% of reasons for mergers issued to parties within 20 business days of order being issued.	84% of reasons for mergers issued to parties within 20 business days of order being issued.	84% of reasons for mergers issued to parties within 20 business days of order being issued.	84% of reasons for mergers issued to parties within 20 business days of order being issued.

Outcome	Sound, Efficient and Responsive Adjudication
4. Indicator Title	Percentage of reasons ⁸ for prohibited practice cases issued to parties within 90 business days following conclusion of the hearing.
Definition	This performance indicator measures the efficiency of the Tribunal in issuing reasons for prohibited practice cases in the stipulated timeframes.
Source of data	➤ Reasons in prohibited practice cases issued to parties. ➤ CMS reports. ➤ QlikView reports (reporting tool placed on top of CMS) that reflect turnaround times. ➤ Press releases. ➤ Hearing calendar. ➤ Transcriptions.
Method of Calculation / Assessment	The method of calculation is a percentage and is calculated as follows: Percentage of reasons for prohibited practices issued within 90 business days of last hearing date= $(a/b) \times 100$; where: a = total number of reasons for prohibited practices issued within 90 business days following conclusion of the hearing, b = total number of reasons for prohibited practices issued. In calculating the percentage, public holidays and the period between 15 December and 5 January of the following year is not considered.
Means of Verification	➤ Workflows built into CMS either prevents further updating or sends alerts if case data is missing. ➤ The Registry Administrator extracts monthly reports from QlikView and saves them in the shared folder. ➤ Data reflected on QlikView (originally captured on CMS), and source document reviewed to verify data against source document and ensure accuracy.

¹³ In exceptional cases an order may be issued before reasons but in most instances orders and reasons are issued simultaneously and therefore reasons date is taken as the indicator.

Outcome	Sound, Efficient and Responsive Adjudication
	➤ Registry Administrator will contact the staff member required to input missing data or make corrections on CMS. ➤ Errors and corrections that affect prior period reporting are communicated to Registrar/COO via email. ➤ The Registrar reviews monthly reports each month and records their name and date as proof of review.. ➤ Quarterly Registry Administrator completes the performance information report using QlikView reports as the basis for data collection. ➤ The processes explained above are followed annually thus providing further opportunity to review monthly information and quarterly reports. ➤ Performance Information reports are reviewed and verified by Registrar and COO and signed off by Registrar as proof of review.
Assumptions	➤ The Tribunal has the financial resources and the capacity to perform its adjudicative function. ➤ There will be no substantial changes to the Tribunal's mandate or the Competition Act that will impact on stipulated timeframes and targets. ➤ That the Tribunal maintains systems, processes and procedures that facilitate the target being achieved. ➤ The Tribunal has aligned to the dtic's joint/integrated outputs relating to delivery/capable State, industrialisation and transformation in consideration of complaints, where applicable.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Percentage (Cumulative)
Reporting Cycle	Quarterly and annually
Desired performance	The aim of the Tribunal is to meet the target that has been set.
Indicator Responsibility	➤ Data collection, filing/archiving collected data – Registry Administrator

Outcome	Sound, Efficient and Responsive Adjudication			
	➤ Data extraction – Registry Administrator ➤ Verification of accuracy and completeness of extracted and captured information - First level – Registry Administrator, Second level – Registrar (monthly/quarterly and annually), Third level - COO (only quarterly and annually)			
Baseline	2021/22	2022/23	2023/24*	2024/25
*Estimated performance	75%/65%/65% of reasons for prohibited practice cases issued to parties within 90 business days following conclusion of the hearing.	0% of reasons for prohibited practice cases issued to parties within 90 business days following conclusion of the hearing.	75% of reasons for prohibited practice cases issued to parties within 90 business days following conclusion of the hearing.	65% of reasons for prohibited practice cases issued to parties within 90 business days following conclusion of the hearing.
Annual Targets	2025/26	2026/27	2027/28	2028/29
	70% of reasons for prohibited practice cases issued to parties within 90 business days following conclusion of the hearing.	50% of reasons for prohibited practice cases issued to parties within 90 business days following conclusion of the hearing.	60% of reasons for prohibited practice cases issued to parties within 90 business days following conclusion of the hearing.	70% of reasons for prohibited practice cases issued to parties within 90 business days following conclusion of the hearing.

Outcome	Sound, Efficient and Responsive Adjudication
5. Indicator Title	Percentage of procedural matter ⁹ orders issued to parties within 45 business days following conclusion of the hearing.
Definition	This performance indicator measures the efficiency of the Tribunal in issuing orders for procedural matters within the stipulated timeframes.
Source of data	➤ Orders in procedural matters issued to parties. ➤ CMS reports. ➤ QlikView reports (reporting tool placed on top of CMS) that reflect turnaround times. ➤ Hearings calendar. ➤ Transcriptions.
Method of Calculation / Assessment	The method of calculation used is a percentage and it is calculated as follows: Percentage of procedural matters orders issued to parties within 45 days of the last hearing date = $(a/b) \times 100$; where a = total number of orders for procedural matters issued within 45 business days following conclusion of the hearing. b = total number of orders for procedural matters issued. In calculating the percentage, public holidays and the period between 15 December and 5 January of the following year is not considered.
Means of Verification	➤ Workflows built into CMS either prevents further updating or sends alerts if case data is missing. ➤ The Registry Administrator extracts monthly reports from QlikView and saves them in the shared folder. ➤ Data reflected on QlikView (originally captured on CMS), and source document reviewed to verify data against source document and ensure accuracy. ➤ Registry Administrator will contact official required to input missing data or make corrections on CMS. ➤ Errors and corrections that affect prior period reporting are communicated to Registrar/COO via email. ➤ The Registrar reviews monthly reports each month and records their name and date as proof of review..

13 Procedural matters include various interlocutory applications that are necessary or incidental to the performance of its functions in terms of this Act. These arise in both prohibited practice matters as well as mergers and include, inter alia, exception applications, discovery applications, confidentiality applications, intervention applications, variation Applications, and points in limine. .

Outcome	Sound, Efficient and Responsive Adjudication
	➤ Quarterly Registry Administrator completes the performance information report using QlikView reports as the basis for data collection. Same process as above followed annually thus providing further opportunity to review monthly information and quarterly reports. Performance Information reports are reviewed and verified by Registrar and COO and signed off by Registrar as proof of review.
Assumptions	➤ The Tribunal has the financial resources and the capacity to perform its adjudicative function. ➤ There will be no substantial changes to the Tribunal's mandate or the Competition Act that will impact on stipulated timeframes and targets. ➤ That the Tribunal maintains systems, processes and procedures that facilitate the target being achieved.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Percentage (Cumulative)
Reporting Cycle	Quarterly and annually
Desired performance	The aim of the Tribunal is to meet the target that has been set.
Indicator Responsibility	➤ Data collection, filing/archiving collected data – Registry Administrator ➤ Data extraction – Registry Administrator ➤ Verification of accuracy and completeness of extracted and captured information - First level – Registry Administrator, Second level – Registrar (monthly/quarterly and annually), Third level - COO (only quarterly and annually)

Outcome	Sound, Efficient and Responsive Adjudication			
Baseline	2021/22	2022/23	2023/24*	2024/25
*Estimated performance	65% of procedural matter orders issued to parties within 45 business days following conclusion of the hearing	57% of procedural matter orders issued to parties within 45 business days following conclusion of the hearing	65% of procedural matter orders issued to parties within 45 business days following conclusion of the hearing	65% of procedural matter orders issued to parties within 45 business days following conclusion of the hearing
Annual Targets	2025/26	2026/27	2027/28	2028/29
	70% of procedural matter orders issued to parties within 45 business days following conclusion of the hearing	70% of procedural matter orders issued to parties within 45 business days following conclusion of the hearing	70% of procedural matter orders issued to parties within 45 business days following conclusion of the hearing	70% of procedural matter orders issued to parties within 45 business days following conclusion of the hearing

Outcome	Sound, Efficient and Responsive Adjudication
6. Indicator Title	Percentage of orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing.
Definition	This performance indicator measures the efficiency of the Tribunal in issuing orders for consent orders and settlement agreements in the stipulated timeframes.
Source of data	➤ Consent order or settlement agreement issued by the Tribunal. ➤ Any correspondence and notices received and issued between the Tribunal, the Commission and parties. ➤ CMS reports. ➤ QlikView reports (reporting tool placed on top of CMS) that reflect turnaround times. ➤ Hearings calendar. ➤ Press releases. ➤ Transcriptions.
Method of Calculation / Assessment	The method of calculation is a percentage and is calculated as follows: Percentage of orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing= $(a/b) \times 100$; where: a = total number of orders for consent orders and settlement agreements issued within 10 business days following conclusion of the hearing, b = total number of orders for consent orders and settlement agreements issued. In calculating the percentage, public holidays and the period between 15 December and 5 January of the following year is not considered.
Means of Verification	➤ Workflows built into CMS either prevents further updating or sends alerts if case data is missing. ➤ The Registry Administrator extracts monthly reports from QlikView and saves them in the shared folder.. ➤ Data reflected on QlikView (originally captured on CMS), and source document reviewed to verify data against source document and ensure accuracy.

Outcome	Sound, Efficient and Responsive Adjudication
	➤ Registry Administrator will contact staff member required to input missing data or make corrections on CMS. ➤ Errors and corrections that affect prior period reporting are communicated to Registrar/COO via email. ➤ The Registrar reviews monthly reports each month and records their name and date as proof of review.. ➤ Quarterly Registry Administrator completes the performance information report using QlikView reports as the basis for data collection. Same process as above followed annually thus providing further opportunity to review monthly information and quarterly reports. ➤ Performance Information reports are reviewed and verified by Registrar and COO and signed off by Registrar as proof of review.
Assumptions	➤ The Tribunal has the financial resources and the capacity to perform its adjudicative function. ➤ There will be no substantial changes to the Tribunal's mandate or the Competition Act that will impact on stipulated timeframes and targets. ➤ That the Tribunal maintains systems, processes and procedures that facilitate the target being achieved.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Percentage (Cumulative)
Reporting Cycle	Quarterly and annually
Desired performance	The aim of the Tribunal is to meet the target that has been set.
Indicator Responsibility	➤ Data collection, filing/archiving collected data – Registry Administrator ➤ Data extraction – Registry Administrator ➤ Verification of accuracy and completeness of extracted and captured information - First level – Registry Administrator, Second level – Registrar (monthly/quarterly and annually), Third level - COO (only quarterly and annually)

Outcome	Sound, Efficient and Responsive Adjudication			
Baseline	2021/22	2022/23	2023/24*	2024/25
*Estimated performance	75% of orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing.	75% of orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing.	100% of orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing.	80% of orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing.
Annual Targets	2025/26	2026/27	2027/28	2028/29
	95% of orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing.	95% of orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing.	95% of orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing.	95% of orders for consent orders and settlement agreements issued to parties within 10 business days following conclusion of the hearing.

Outcome	Sound, Efficient and Responsive Adjudication
7. Indicator Title	Percentage of reasons in interim relief matters issued to parties within 40 business days following the conclusion of the hearing.
Definition	This performance indicator measures the efficiency of the Tribunal in issuing reasons in interim relief matters to parties within stipulated timeframes.
Source of data	➤ Reasons issued for interim relief cases. ➤ Any correspondence and notices received and issued between the Tribunal, the Commission and parties. ➤ CMS reports. ➤ QlikView reports (reporting tool placed on top of CMS) that reflect turnaround times. ➤ Hearing calendar. ➤ Press releases. ➤ Transcriptions.
Method of Calculation / Assessment	The method of calculation is a percentage and is calculated as follows: Percentage of reasons for interim relief issued to parties within 40 business days following conclusion of the hearing = $(a/b) \times 100$; where: a = total number of reasons in interim relief issued to parties within 40 business days following conclusion of the hearing, b = total number of reasons for interim relief issued to parties. In calculating the percentage, public holidays and the period between 15 December and 5 January of the following year is not considered.
Means of Verification	➤ Workflows built into CMS either prevents further updating or sends alerts if case data is missing. ➤ The Registry Administrator extracts monthly reports from QlikView and saves them in the shared folder.. ➤ Data reflected on QlikView (originally captured on CMS), and source document reviewed to verify data against source document and ensure accuracy. ➤ Registry Administrator will contact staff member required to input missing data or make corrections on CMS. ➤ Errors and corrections that affect prior period reporting are communicated to Registrar/COO via email. ➤ The Registrar reviews monthly reports each month and records their name and date as proof of review..

Outcome	Sound, Efficient and Responsive Adjudication			
	➤ Quarterly Registry Administrator completes the performance information report using QlikView reports as the basis for data collection. Same process as above followed annually thus providing further opportunity to review monthly information and quarterly reports. ➤ Performance Information reports are reviewed and verified by Registrar and COO and signed off by Registrar as proof of review.			
Assumptions	➤ The Tribunal has the financial resources and the capacity to perform its adjudicative function. ➤ There will be no substantial changes to the Tribunal's mandate or the Competition Act that will impact on stipulated timeframes and targets. ➤ The Tribunal has aligned to the dtic's joint/integrated outputs. ➤ That the Tribunal maintains systems, processes and procedures that facilitate the target being achieved.			
Disaggregation of Beneficiaries (where applicable)	N/A			
Spatial Transformation (where applicable)	N/A			
Calculation Type	Percentage (Cumulative)			
Reporting Cycle	Quarterly and annually			
Desired performance	The aim of the Tribunal is to meet the target that has been set.			
Indicator Responsibility	➤ Data collection, filing/archiving collected data – Registry Administrator ➤ Data extraction – Registry Administrator ➤ Verification of accuracy and completeness of extracted and captured information - First level – Registry Administrator, Second level – Registrar (monthly/quarterly and annually), Third level - COO (only quarterly and annually).			
Baseline	2021/22	2022/23	2023/24*	2024/25

Outcome	Sound, Efficient and Responsive Adjudication			
*Estimated performance	65% of reasons in interim relief matters issued to parties within 40 business days following the conclusion of the hearing	0% of reasons in interim relief matters issued to parties within 40 business days following the conclusion of the hearing	65% of reasons in interim relief matters issued to parties within 40 business days following the conclusion of the hearing	65% of reasons in interim relief matters issued to parties within 40 business days following the conclusion of the hearing
Annual Targets	2025/26	2026/27	2027/28	2028/29
	70% of reasons in interim relief matters issued to parties within 40 business days following the conclusion of the hearing	70% of reasons in interim relief matters issued to parties within 40 business days following the conclusion of the hearing	70% of reasons in interim relief matters issued to parties within 40 business days following the conclusion of the hearing	70% of reasons in interim relief matters issued to parties within 40 business days following the conclusion of the hearing

12.2. Communication

Outcome	Transparent, Accountable and Sustainable Entity
8. Indicator Title	Percentage press releases of final merger decisions issued within 3 business days of order date and after finalization of confidentiality claims.
Definition	This indicator measures the percentage of final merger decisions for which a press release was issued during the financial year per quarter and cumulatively for the year to date
Source of data	➤ Press releases issued by the Communications Manager ➤ Merger orders issued by the Tribunal. ➤ Any correspondence between the Communications Manager and stakeholders i.e. case managers and members ➤ Information from Mailchimp, the electronic database through which press releases are issued, and the Tribunal website. ➤ Case Management System (electronic case management system run by the Tribunal hereinafter referred to as CMS) reports. ➤ QlikView reports (reporting tool placed on top of CMS) that reflect turnaround times. ➤ Tribunal press release lists
Method of Calculation / Assessment	Percentage final merger decisions in which a press release is issued by the Tribunal = $(a/b) \times 100$; where: a = total number of final merger decision press releases issued within 3 business days of order date and after finalization of confidentiality claims b = total number of final merger decisions issued.
Means of Verification	➤ Quarterly Communications Reports ➤ Quarterly dashboard reports ➤ Press releases published on Tribunal website ➤ Mailchimp press release database ➤ Data reflected on QlikView (originally captured on CMS), and source document reviewed to verify data against source document and ensure accuracy. ➤ Electronic email files maintained for an entire financial year and therefore no risk of duplication of source documents which can lead to inaccuracies in data capturing. In addition, same source documents are used for quarterly and annual review.

Outcome	Transparent, Accountable and Sustainable Entity			
Assumptions	➤ Tribunal has the necessary financial resources and capabilities. ➤ Confidentiality claims by parties have been resolved.			
Disaggregation of Beneficiaries (where applicable)	N/A			
Spatial Transformation (where applicable)	N/A			
Calculation Type	Percentage (Cumulative)			
Reporting Cycle	Quarterly and annually			
Desired performance	The target is met or exceeded			
Indicator Responsibility	Communications Manager			
Baseline *Estimated performance	2021/22	2022/23	2023/24*	2024/25
	77% of press releases of final merger decisions issued within 3 business days of order date and after finalization of confidentiality claims.	99% of press releases of final merger decisions issued within 3 business days of order date and after finalization of confidentiality claims.	90% of press releases of final merger decisions issued within 3 business days of order date and after finalization of confidentiality claims.	90% of press releases of final merger decisions issued within 3 business days of order date and after finalization of confidentiality claims.
Annual Targets	2025/26	2026/27	2027/28	2028/29
	90% of press releases of final merger decisions issued within 3 business days of	90% of press releases of final merger decisions issued within 3 business days of	90% of press releases of final merger decisions issued within 3 business days of	90% of press releases of final merger decisions issued within 3 business days of

Outcome	Transparent, Accountable and Sustainable Entity			
	order date and after finalization of confidentiality claims.	order date and after finalization of confidentiality claims.	order date and after finalization of confidentiality claims.	order date and after finalization of confidentiality claims.

Outcome	Transparent, Accountable and Sustainable Entity
9. Indicator Title	Percentage press releases – for final prohibited practice decisions (excluding interlocutory matters) issued within 3 business days of order date and after finalization of confidentiality claims.
Definition	This indicator measures the percentage of final prohibited practice decisions (excluding interlocutory matters) for which a press release was issued during the financial year.
Source of data	➤ Press releases issued by the Communications Manager. ➤ Prohibited practice orders issued by the Tribunal. ➤ Any correspondence between the Communications Manager and stakeholders i.e. case managers and members. ➤ Information from Mailchimp, the electronic database through which press releases are issued. ➤ QlikView reports (reporting tool placed on top of CMS) that reflect turnaround times. ➤ Tribunal press release lists.
Method of Calculation/ Assessment	Percentage of press releases issued for final prohibited practice decisions issued by the Tribunal = $(a/b) \times 100$; where: a = total number of final prohibited practice decision press releases issued within 3 business days of order date and after finalization of confidentiality claims. b = total number of final prohibited practice decisions issued during the delivery period.
Means of Verification	➤ Quarterly Communications Reports ➤ Quarterly dashboard reports ➤ Press releases published on Tribunal website ➤ Mailchimp press release database ➤ Data reflected on QlikView (originally captured on CMS), and source document reviewed to verify data against source document and ensure accuracy.

Outcome	Transparent, Accountable and Sustainable Entity			
	➤ Electronic email files maintained for an entire financial year and therefore no risk of duplication of source documents which can lead to inaccuracies in data capturing. In addition, same source documents are used for quarterly and annual review.			
Assumptions	The Tribunal has been issuing press releases for final merger decisions for many years within stipulated timeframes and therefore if all systems, processes and procedures are maintained the outcome will be achieved, pending the finalisation of confidentiality claims.			
Disaggregation of Beneficiaries (where applicable)	N/A			
Spatial Transformation (where applicable)	N/A			
Calculation Type	Percentage (Cumulative)			
Reporting Cycle	Quarterly and annually			
Desired performance	The target is met or exceeded			
Indicator Responsibility	Communications Manager			
Baseline	2021/22	2022/23	2023/24*	2024/25
*Estimated performance	0% of press releases – for final prohibited practice decisions (excluding interlocutory matters) issued within 3 business days of order date and after	100% of press releases – for final prohibited practice decisions (excluding interlocutory matters) issued within 3 business days of order date and after	90% of press releases – for final prohibited practice decisions (excluding interlocutory matters) issued within 3 business days of order date and after	90% of press releases – for final prohibited practice decisions (excluding interlocutory matters) issued within 3 business days of order date and after

Outcome	Transparent, Accountable and Sustainable Entity			
	finalization of confidentiality claims.	finalization of confidentiality claims.	finalization of confidentiality claims.	finalization of confidentiality claims.
Annual Targets	2025/26	2026/27	2027/28	2028/29
	90% of press releases – for final prohibited practice decisions (excluding interlocutory matters) issued within 3 business days of order date and after finalization of confidentiality claims.	90% of press releases – for final prohibited practice decisions (excluding interlocutory matters) issued within 3 business days of order date and after finalization of confidentiality claims.	90% of press releases – for final prohibited practice decisions (excluding interlocutory matters) issued within 3 business days of order date and after finalization of confidentiality claims.	90% of press releases – for final prohibited practice decisions (excluding interlocutory matters) issued within 3 business days of order date and after finalization of confidentiality claims.

Outcome	Transparent, Accountable and Sustainable Entity
10. Indicator Title	Number of Tribunal newsletters issued
Definition	This indicator measures the number of Tribunal newsletters issued during the financial year. The Tribunal newsletter is the Tribunal's external newsletter, featuring articles authored by case managers and other staff, alongside key performance highlights and statistics. It serves as a platform to communicate the Tribunal's work, insights and impact to a broader external audience.
Source of data	➤ Tribunal newsletters ➤ Information from Mailchimp, the electronic database through which press releases are issued, and the Tribunal website. ➤ Tribunal press release lists
Method of Calculation / Assessment	Simple count
Means of Verification	➤ Quarterly Communications Reports ➤ Quarterly dashboard reports ➤ Press releases published on Tribunal website ➤ Mailchimp press release database ➤ Electronic email files maintained for an entire financial year and therefore no risk of duplication of source documents which can lead to inaccuracies in data capturing. In addition, same source documents are used for quarterly and annual review.
Assumptions	➤ Tribunal has the necessary financial resources and capabilities.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Count (cumulative)

Outcome	Transparent, Accountable and Sustainable Entity			
Reporting Cycle	Quarterly and annually			
Desired performance	The target is met or exceeded			
Indicator Responsibility	Communications Manager			
Baseline	2021/22	2022/23	2023/24*	2024/25
*Estimated performance	New indicator	New indicator	New indicator	New indicator
Annual Targets	2025/26	2026/27	2027/28	2028/29
	New indicator	2 Tribunal newsletters issued	2 Tribunal newsletters issued	2 Tribunal newsletters issued

Outcome	Transparent, Accountable and Sustainable Entity
11. Indicator Title	Number of school outreach programs
Definition	This indicator measures the number of Tribunal school outreach programmes conducted during the financial year. The Tribunal's Schools Programme brings business studies learners from disadvantaged areas to the Tribunal for a curriculum-aligned day, including observing live hearings and engaging with Tribunal staff on competition law and economics. It adds value by linking theory to practice, deepening learners' understanding of competition law while broadening awareness of career opportunities and the role of competition policy in inclusive economic development.
Source of data	➤ School program report back memo ➤ Signed registers
Method of Calculation / Assessment	Simple count
Means of Verification	➤ Quarterly Communications Reports ➤ Quarterly dashboard reports ➤ School program report back memo
Assumptions	➤ Tribunal has the necessary financial resources and capabilities.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Count (cumulative)
Reporting Cycle	Quarterly and annually
Desired performance	The target is met or exceeded

Outcome	Transparent, Accountable and Sustainable Entity			
Indicator Responsibility	Communications Manager			
Baseline	2021/22	2022/23	2023/24*	2024/25
*Estimated performance	New indicator	New indicator	New indicator	New indicator
Annual Targets	2025/26	2026/27	2027/28	2028/29
	New indicator	1 school outreach program	1 school outreach program	1 school outreach program

Outcome	Transparent, Accountable and Sustainable Entity
12. Indicator Title	Increased engagement through social media
Definition	This indicator measures the Tribunal's increased engagement with its stakeholder through its various social media platforms including, <i>inter alia</i> , LinkedIn, Facebook and X.
Source of data	➤ Social media impressions ➤ Social media activity memos
Method of Calculation / Assessment	The method of calculation is a percentage calculated as follows: Percentage increase in social media engagement = $(a-b)/b \times 100$; where a = social media impressions across the Tribunal's various social media platforms b = baseline social media impressions across the Tribunal's various social media platforms which is set at 335 618 based on the Tribunal's social media impressions in the 2025/2026 financial year
Means of Verification	➤ Quarterly Communications Reports ➤ Quarterly dashboard reports ➤ Social media activity memos
Assumptions	➤ Tribunal has the necessary financial resources and capabilities. ➤ Social media platforms remain active
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Percentage (cumulative)
Reporting Cycle	Quarterly and annually
Desired performance	The target is met or exceeded
Indicator Responsibility	Communications Manager

Outcome	Transparent, Accountable and Sustainable Entity			
Baseline	2021/22	2022/23	2023/24*	2024/25
*Estimated performance	New indicator	New indicator	New indicator	New indicator
Annual Targets	2025/26	2026/27	2027/28	2028/29
	New indicator	20% of increased engagement through social media	30% of increased engagement through social media	50% of increased engagement through social media

12.3. Governance

Outcome	Transparent, Accountable and Sustainable Entity
13. Indicator Title	Percentage of prior financial year audit (internal and external) findings resolved in terms of agreed timelines with auditors.
Definition	The Tribunal will report on the number of audit findings made in the prior year and then report on the number resolved in terms of the agreed timelines with auditors.
Source of data	➤ Internal and external audit reports. ➤ Follow up audits. ➤ Internal and external audit findings tracker.
Method of Calculation / Assessment	Percentage of prior financial year audit findings resolved = $(a/b) \times 100$; where: a = total number of prior year internal and external audit findings resolved in the current financial year, b = total number of prior year internal and external audit findings which have reached their due date.
Means of Verification	➤ Audit trackers maintained by the Tribunal verify progress made against audit findings. ➤ Follow up audit conducted annually by internal audit tests the documented action and indicates the number of prior period internal audit findings resolved. ➤ External audit in management report documents resolution of prior year audit findings.
Assumptions	The Tribunal has required processes in place to evaluate resolution of audit findings and progress is addressed in external/internal audits
Disaggregation of Beneficiaries (where applicable).	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Percentage (Cumulative)

Outcome	Transparent, Accountable and Sustainable Entity			
Reporting Cycle	Quarterly and annually			
Desired performance	To have 100% resolution of internal and external audit findings which have reached their due date.			
Indicator Responsibility	CFO and COO			
Baseline	2021/22	2022/23	2023/24	2024/25
*Estimated performance	100% of prior financial year audit (internal and external) findings resolved in terms of agreed timelines with auditors	100% of prior financial year audit (internal and external) findings resolved in terms of agreed timelines with auditors	100% of prior financial year audit (internal and external) findings resolved in terms of agreed timelines with auditors	100% of prior financial year audit (internal and external) findings resolved in terms of agreed timelines with auditors
Annual Targets	2025/26	2026/27	2027/28	2028/29
	100% of prior financial year audit (internal and external) findings resolved in terms of agreed timelines with auditors	100% of prior financial year audit (internal and external) findings resolved in terms of agreed timelines with auditors	100% of prior financial year audit (internal and external) findings resolved in terms of agreed timelines with auditors	100% of prior financial year audit (internal and external) findings resolved in terms of agreed timelines with auditors

Outcome	Transparent, Accountable and Sustainable Entity			
14. Indicator Title	Audit Outcome.			
Definition	This performance indicator measures the extent to which the Tribunal has adequate and effective controls in order to avoid material findings.			
Source of data	➤ Findings reflected in internal and external audit reports. ➤ Procurement documentation (RFQ's/RFP's)			
Method of Calculation / Assessment	Target not calculated. Qualitative statement but value of material findings will be reflected			
Means of Verification	➤ Value can be verified in GL in Pastel accounting system. ➤ Final audit report by Auditor-General.			
Assumptions	All applicable policies and procedures will be followed in order to prevent findings of this nature.			
Disaggregation of Beneficiaries (where applicable)	N/A			
Spatial Transformation (where applicable)	N/A			
Calculation Type	Target is not calculated but the value of material findings can be determined.			
Reporting Cycle	Annual			
Desired performance	To meet the target			
Indicator Responsibility	Procurement Officer, CFO and COO			
Baseline	2021/22	2022/23	2023/24	2024/25
*Estimated performance	No findings	No findings	No findings	Unqualified audit opinion
Annual Targets	2025/26	2026/27	2027/28	2028/29
	Unqualified audit opinion	Unqualified audit opinion	Unqualified audit opinion	Unqualified audit opinion

12.4. Financial management

Outcome	Transparent, Accountable and Sustainable Entity
15. Indicator Title	Percentage of expenditure against budget.
Definition	Actual expenditure against budget is measured. It may not be possible to spend 100% of the budget (given factors outside the Tribunal's control, e.g. The budget is based on an estimate of case load. This, however, provides guidance for future budget preparation and focus areas.
Source of data	➤ Approved budget ➤ Expenditure against budget ➤ Accounting system
Method of Calculation / Assessment	Actual expenditure for the financial year expressed as a percentage of approved annual budget = $(a/b) \times 100$; where a = actual expenditure incurred for the financial year under review, b = approved budget for the financial year under review, It can be expressed inclusive of capital expenditure and exclusive of capital expenditure.
Means of Verification	➤ Monthly, quarterly and annual financial statements that reflect both expenditure and approved budget. ➤ Pastel accounting system contains all figures that are captured into the financial system.
Assumptions	➤ The Tribunal has, in the past, not spent its entire budget and therefore does not anticipate a 100% spend. ➤ Accurate calculation is dependent on a system and processes that are accurate and updated regularly
Disaggregation of Beneficiaries (where applicable)	N/A.
Spatial Transformation (where applicable)	N/A.
Calculation Type	Percentage (Cumulative)
Reporting Cycle	Quarterly and annually
Desired performance	To meet or exceed the target but not to be more than 100% of budget

Outcome	Transparent, Accountable and Sustainable Entity			
Indicator Responsibility	CFO			
Baseline	2021/22	2022/23	2023/24	2024/25
*Estimated performance	90% of expenditure against budget.	96% of expenditure against budget.	102% of expenditure against budget.	90% of expenditure against budget.
Annual Targets	2025/26	2026/27	2027/28	2028/2029
	90% of expenditure against budget.	90% of expenditure against budget.	90% of expenditure against budget.	90% of expenditure against budget.

Outcome	Transparent, Accountable and Sustainable Entity			
16. Indicator Title	Percentage of supplier invoices paid within 20 days from date of receipt/acceptance.			
Definition	Percentage of supplier invoices paid within 20 days from date of receipt/acceptance. The purpose of the indicator is to ensure an efficient supply chain service which does not disadvantage the service providers, most importantly the SMMEs and firms owned by HDPs.			
Source of data	➤ Invoice listing ➤ Proof of payment			
Method of Calculation / Assessment	Number of invoices paid within 20 days from receipt or acceptance/total number of invoices for the financial year which have reached 20 days = $(a/b) \times 100$; where a = Number of invoices paid within 20 days from receipt/acceptance, b = total number of invoices for financial year which have reached 20 days.			
Means of Verification	➤ Monthly, quarterly and invoice listings reflecting dates received/accepted. ➤ Approved bank batches/statements with proof of payments			
Assumptions	➤ Invoices are correct and confirmed that goods were received, or services were rendered satisfactorily. ➤ Accurate calculation is dependent on a system and processes that are accurate and updated regularly			
Disaggregation of Beneficiaries (where applicable)	N/A.			
Spatial Transformation (where applicable)	N/A.			
Calculation Type	Percentage (Cumulative)			
Reporting Cycle	Quarterly and annually			
Desired performance	100%			
Indicator Responsibility	CFO			
Baseline	2021/22	2022/23	2023/24	2024/25

Outcome	Transparent, Accountable and Sustainable Entity			
*Estimated performance	New indicator	New indicator	New indicator	90% of supplier invoices paid within 20 days from date of receipt/acceptance.
Annual Targets	2025/26	2026/27	2027/28	2028/29
	90% of supplier invoices paid within 20 days from date of receipt/acceptance.	96% of supplier invoices paid within 20 days from date of receipt/acceptance.	96% of supplier invoices paid within 20 days from date of receipt/acceptance.	96% of supplier invoices paid within 20 days from date of receipt/acceptance.

Outcome	Transparent, Accountable and Sustainable Entity			
17. Indicator Title	Percentage of expenditure on Broad Based Black Economic Empowerment suppliers			
Definition	100% of expenditure spent on suppliers on the Broad Based Black Economic Empowerment levels 1-4.			
Source of data	Quarterly reports compiled by the Finance Division			
Method of Calculation / Assessment	Actual expenditure on B-BBEE suppliers for the financial year multiplied by the relevant BBBEE level, expressed as a percentage of total expenditure on suppliers= $[(axb)/c] \times 100$; where a = actual expenditure on B-BBEE level 1-4 suppliers incurred for the financial year under review, b = BBBEE level percentage of supplier as per certificate/CSD, c = total expenditure on suppliers incurred for the financial year (excluding government departments expenditure). It can be expressed inclusive of capital expenditure and exclusive of capital expenditure.			
Means of Verification	Quarterly reports send to the dtic			
Assumptions	➤ The Finance Division to collect and analyse the relevant data and complete the quarterly report.			
Disaggregation of Beneficiaries (where applicable)	N/A			
Spatial Transformation (where applicable)	N/A			
Calculation Type	Percentage (Cumulative)			
Reporting Cycle	Quarterly and annually			
Desired performance	To meet the target			
Indicator Responsibility	CFO, COO			
Baseline	2021/22	2022/23	2023/24	2024/25
*Estimated performance	New indicator	New indicator	80% of expenditure on Broad Based	100% of expenditure on Broad Based

Outcome	Transparent, Accountable and Sustainable Entity			
			Black Economic Empowerment suppliers	Black Economic Empowerment suppliers
Annual Targets	2025/26	2026/27	2027/28	2028/29
	100% of expenditure on Broad Based Black Economic Empowerment suppliers	100% of expenditure on Broad Based Black Economic Empowerment suppliers	100% of expenditure on Broad Based Black Economic Empowerment suppliers	100% of expenditure on Broad Based Black Economic Empowerment suppliers

Outcome	Transparent, Accountable and Sustainable Entity
18. Indicator Title	Percentage of expenditure on suppliers owned by women, youth or people with disabilities.
Definition	30% of expenditure spent on suppliers owned by women, youth or people with disabilities.
Source of data	Quarterly reports compiled by the Finance Division
Method of Calculation / Assessment	Actual expenditure on suppliers owned by women, youth or persons with disabilities, expressed as a percentage of total expenditure on suppliers= (a/b) x 100, where a = actual expenditure on suppliers owned by women, youth or people with disabilities incurred for the financial year under review, b = total expenditure on suppliers incurred for the financial year (excl. government departments expenditure). It can be expressed inclusive of capital expenditure and exclusive of capital expenditure.
Means of Verification	Quarterly reports send to the dtic
Assumptions	➤ The Finance Division to collect and analyse the relevant data and complete the quarterly report.

Outcome	Transparent, Accountable and Sustainable Entity			
Disaggregation of Beneficiaries (where applicable)	N/A			
Spatial Transformation (where applicable)	N/A			
Calculation Type	Percentage (Cumulative)			
Reporting Cycle	Quarterly and annually			
Desired performance	To meet the target			
Indicator Responsibility	CFO, COO			
Baseline	2021/22	2022/23	2023/24	2024/25
*Estimated performance	New indicator	New indicator	New indicator	20% of expenditure on suppliers owned by women, youth or people with disabilities.
Annual Targets	2025/26	2026/27	2027/28	2028/29
	20% of expenditure on suppliers owned by women, youth or people with disabilities.	30% of expenditure on suppliers owned by women, youth or people with disabilities.	30% of expenditure on suppliers owned by women, youth or people with disabilities.	30% of expenditure on suppliers owned by women, youth or people with disabilities.

Outcome	Transparent, Accountable and Sustainable Entity
19. Indicator Title	Percentage of expenditure on Exempt Micro Enterprises and Qualifying Small Enterprise suppliers.

Outcome	Transparent, Accountable and Sustainable Entity			
Definition	30% of expenditure spent on suppliers classified as Exempted Micro-Enterprises (EMEs) and Qualifying Small Enterprises (QSEs) which are entities with annual turnovers of R10 million or less, and between R10 million and R50 million, respectively.			
Source of data	Quarterly reports compiled by the Finance Division			
Method of Calculation / Assessment	Actual expenditure on EME suppliers and QSE for the financial year expressed as a percentage of total expenditure on suppliers= (a/b) x 100; where a = actual expenditure on EME and QSE suppliers incurred for the financial year under review, b = total expenditure on suppliers incurred for the financial year (excl. government departments expenditure) Can be expressed inclusive of capital expenditure and exclusive of capital expenditure. Measured at end of quarter and annually			
Means of Verification	Quarterly reports send to the dtic			
Assumptions	➤ The Finance Division to collect and analyse the relevant data and complete the quarterly report.			
Disaggregation of Beneficiaries (where applicable)	N/A			
Spatial Transformation (where applicable)	N/A			
Calculation Type	Percentage (Cumulative)			
Reporting Cycle	Quarterly and annually			
Desired performance	To meet the target			
Indicator Responsibility	CFO, COO			
Baseline	2021/22	2022/23	2023/24	2024/25
*Estimated performance	New indicator	New indicator	30% of expenditure on Exempt Micro	30% of expenditure on Exempt Micro

Outcome	Transparent, Accountable and Sustainable Entity			
			Enterprises and Qualifying Small Enterprise suppliers.	Enterprises and Qualifying Small Enterprise suppliers.
Annual Targets	2025/26		2026/2027	2027/28
	30% of expenditure on Exempt Micro Enterprises and Qualifying Small Enterprise suppliers.	30% of expenditure on Exempt Micro Enterprises and Qualifying Small Enterprise suppliers.	30% of expenditure on Exempt Micro Enterprises and Qualifying Small Enterprise suppliers.	30% of expenditure on Exempt Micro Enterprises and Qualifying Small Enterprise suppliers.

12.5. Transformation, Human capital development and training

Outcome	Transparent, Accountable and Sustainable Entity
20. Indicator Title	Percentage of staff retention.
Definition	Monitoring that the retention rate remains at an acceptable level (the target) and therefore ensures that the Tribunal is adequately capacitated to provide technical and administrative support to the adjudication process.
Source of data	➤ Tribunal's payroll system ➤ Summary reports compiled by the HR Manager
Method of Calculation / Assessment	Percentage of staff = $(a/b) \times 100$ Where: a = total headcount of existing full-time staff at start of quarter b = total headcount of full-time staff at end of quarter • Measured at end of quarter and year to date
Means of Verification	➤ Head count of full-time staff vs funded posts ➤ Compensation of employee's budget ➤ Approved structure ➤ Summary reports by the HR Manager
Assumptions	➤ The Tribunal has sufficient budget allocated for the funded secretariat positions. ➤ That optimal capacity exists through a low vacancy rate.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-Cumulative (simple count)

Outcome	Transparent, Accountable and Sustainable Entity			
Reporting Cycle	Measured quarterly but report annually against target.			
Desired performance	To meet and not exceed the retention rate			
Indicator Responsibility	HR Manager			
Baseline	2021/22	2022/23	2023/24	2024/25
*Estimated performance	12% of staff retention.	90% of staff retention.	80% of staff retention.	80% of staff retention.
Annual Targets	2025/26	2026/27	2027/28	2028/29
	80% of staff retention.	80% of staff retention.	80% of staff retention.	80% of staff retention.

Outcome	Transparent, Accountable and Sustainable Entity			
21. Indicator Title	Percentage of staff training expenditure against total employee costs.			
Definition	The indicator measures the employee training expenditure as a percentage of total employee costs.			
Source of data	➤ Tribunal's payroll system ➤ Summary reports compiled by the HR Manager ➤ Annual financial reports compiled by the Finance Division			
Method of Calculation / Assessment	Percentage of training expenditure = $(a/b) \times 100$ Where: a = total training expenditure incurred for the year b = total employee cost expenditure incurred for the year Measured annually			
Means of Verification	➤ Annual report sent to the dtic			
Assumptions	➤ The Finance Division to collect and analyse the relevant data and complete the quarterly report.			
Disaggregation of Beneficiaries (where applicable)	N/A			
Spatial Transformation (where applicable)	N/A			
Calculation Type	Percentage (Cumulative)			
Reporting Cycle	Annually			
Desired performance	To meet the target			
Indicator Responsibility	COO			
Baseline	2021/22	2022/23	2023/24*	2024/25
*Estimated performance	New indicator	New indicator	2% of staff training expenditure against total employee costs.	2% of staff training expenditure against total employee costs.

Outcome	Transparent, Accountable and Sustainable Entity			
Annual Targets	2025/26	2026/27	2027/28	2028/29
	2% of staff training expenditure against total employee costs.	2% of staff training expenditure against total employee costs.	2% of staff training expenditure against total employee costs.	2% of staff training expenditure against total employee costs.

Outcome	Transparent, Accountable and Sustainable Entity
22. Indicator Title	Number of staff capacity building/ training initiatives/workshops conducted.
Definition	This measures whether capacity building and training initiatives have been held whereby Case Managers and Tribunal members receive the requisite training in Competition law and economics to expand their skills and increase their level of competency in their specific field. These include the annual capacity building workshop, formal internal training workshops, external training workshops and other formal training for case management and/or Tribunal members.
Source of data	➤ HR summary report compiled by HR Manager ➤ Training report completed by staff attending the workshop
Method of Calculation / Assessment	Simple count
Means of Verification	➤ Training reports completed by delegates. ➤ Tribunal accounting system reflects transactions pertaining to conference attendance. ➤ Attendance register
Assumptions	➤ The field of competition law is wide, complex and constantly evolving. Tribunal members and staff must be kept abreast of national and international developments in competition law and economics. ➤ Assumption that there are skilled and competent facilitators with knowledge of case law. ➤ Assumption that there are sufficient financial resources for the Tribunal to host such a workshop and cover all expected costs

Outcome	Transparent, Accountable and Sustainable Entity				
Disaggregation of Beneficiaries (where applicable)	N/A				
Spatial Transformation (where applicable)	N/A				
Calculation Type	Simple count (cumulative)				
Reporting Cycle	Quarterly and annually				
Desired performance	To meet the required target				
Indicator Responsibility	Head of Case Management				
Baseline *Estimated performance	2021/22	2022/23	2023/24*	2024/25	
	New indicator	1 staff capacity building/ training initiatives/workshops conducted.	1 staff capacity building/ training initiatives/workshops conducted.	1 staff capacity building/ training initiatives/workshops conducted.	
Annual Targets	2025/26	2026/27		2026/27	2028/29
	1 staff capacity building/ training initiatives/workshops conducted.	4 staff capacity building/ training initiatives/workshops conducted.		4 staff capacity building/ training initiatives/workshops conducted.	4 staff capacity building/ training initiatives/workshops conducted.

Outcome	Transparent, Accountable and Sustainable Entity			
23. Indicator Title	Number of interns provided with opportunities within the Tribunal			
Definition	This performance indicator measures the extent to which the Tribunal has provided work opportunities to at least two interns for the financial year.			
Source of data	➤ Payroll system ➤ HR summary reports compiled by the HR Manager			
Method of Calculation / Assessment	Simple head count at the end of the period			
Means of Verification	➤ Actual head count ➤ Signed offer and appointment letters. ➤ Signed contracts. ➤ Personnel expenditure against budget			
Assumptions	➤ Assumption that the candidates applying for the positions met the internship requirements. ➤ Assumption that the Tribunal has financial resources to employ these interns. ➤ Assumption that there are the required space and technological resources required to employ these interns			
Disaggregation of Beneficiaries (where applicable)	N/A			
Spatial Transformation (where applicable)	N/A			
Calculation Type	Simple count (Non - Cumulative)			
Reporting Cycle	Measured Quarterly and Annually against target			
Desired performance	To meet the required target			
Indicator Responsibility	HR Manager			
Baseline	2021/22	2022/23	2023/24	2024/25

Outcome	Transparent, Accountable and Sustainable Entity			
*Estimated performance	2 interns provided with opportunities within the Tribunal	2 interns provided with opportunities within the Tribunal	2 interns provided with opportunities within the Tribunal	2 interns provided with opportunities within the Tribunal
Annual Targets	2025/26	2026/27	2027/28	2028/29
	2 interns provided with opportunities within the Tribunal	3 interns provided with opportunities within the Tribunal	3 interns provided with opportunities within the Tribunal	3 interns provided with opportunities within the Tribunal

Outcome	Transparent, Accountable and Sustainable Entity			
24. Indicator Title	Number of job shadowing opportunities granted by the Tribunal			
Definition	This performance indicator measures the extent to which the Tribunal has provided job shadowing opportunities to unemployed youths for the financial year.			
Source of data	➤ HR summary reports compiled by the HR Manager			
Method of Calculation / Assessment	Simple head count			
Means of Verification	➤ Actual head count ➤ Signed job shadowing letters.			
Assumptions	➤ Assumption that there are the required space and technological resources required to accommodate job shadowing candidates			
Disaggregation of Beneficiaries (where applicable)	N/A			
Spatial Transformation (where applicable)	N/A			
Calculation Type	Simple count (Cumulative)			
Reporting Cycle	Measured Quarterly and Annually against target			
Desired performance	To meet the required target			
Indicator Responsibility	HR Manager			
Baseline	2021/22	2022/23	2023/24	2024/25
*Estimated performance	New indicator	New indicator	New indicator	New indicator
Annual Targets	2025/26	2026/27	2027/28	2028/29
	New indicator	8 job shadowing opportunities granted by the Tribunal	8 job shadowing opportunities granted by the Tribunal	8 job shadowing opportunities granted by the Tribunal

Outcome	Transparent, Accountable and Sustainable Entity			
25. Indicator Title	Percentage of employment equity representation of employees from the designated groups			
Definition	Maintain 80% of employment equity representation of employees from the designated groups.			
Source of data	➤ Quarterly HR reports compiled by the HR Manager			
Method of Calculation / Assessment	Percentage of employment equity representation of employees from designated groups = $(a/b) \times 100$ Where: a = total number of employees represented from designated groups for the quarter b = total number of employees for the quarter Measured at end of quarter and annually			
Means of Verification	➤ Quarterly reports completed and submitted to the dtic .			
Assumptions	➤ HR Manager collects and analyses the data and compiles a quarterly report.			
Disaggregation of Beneficiaries (where applicable)	N/A			
Spatial Transformation (where applicable)	N/A			
Calculation Type	Percentage (Non-Cumulative)			
Reporting Cycle	Quarterly report to the dtic but reported on annually.			
Desired performance	To meet the required target			
Indicator Responsibility	HR Manager, COO			
Baseline	2021/22	2022/23	2023/24*	2024/25
*Estimated performance	New indicator	85% of employment equity representation of	75% of employment equity representation of	75% of employment equity representation of

Outcome	Transparent, Accountable and Sustainable Entity			
		employees from the designated groups	employees from the designated groups	employees from the designated groups
Annual Targets	2025/26	2026/27	2026/27	2028/29
	75% of employment equity representation of employees from the designated groups	80% of employment equity representation of employees from the designated groups	80% of employment equity representation of employees from the designated groups	80% of employment equity representation of employees from the designated groups

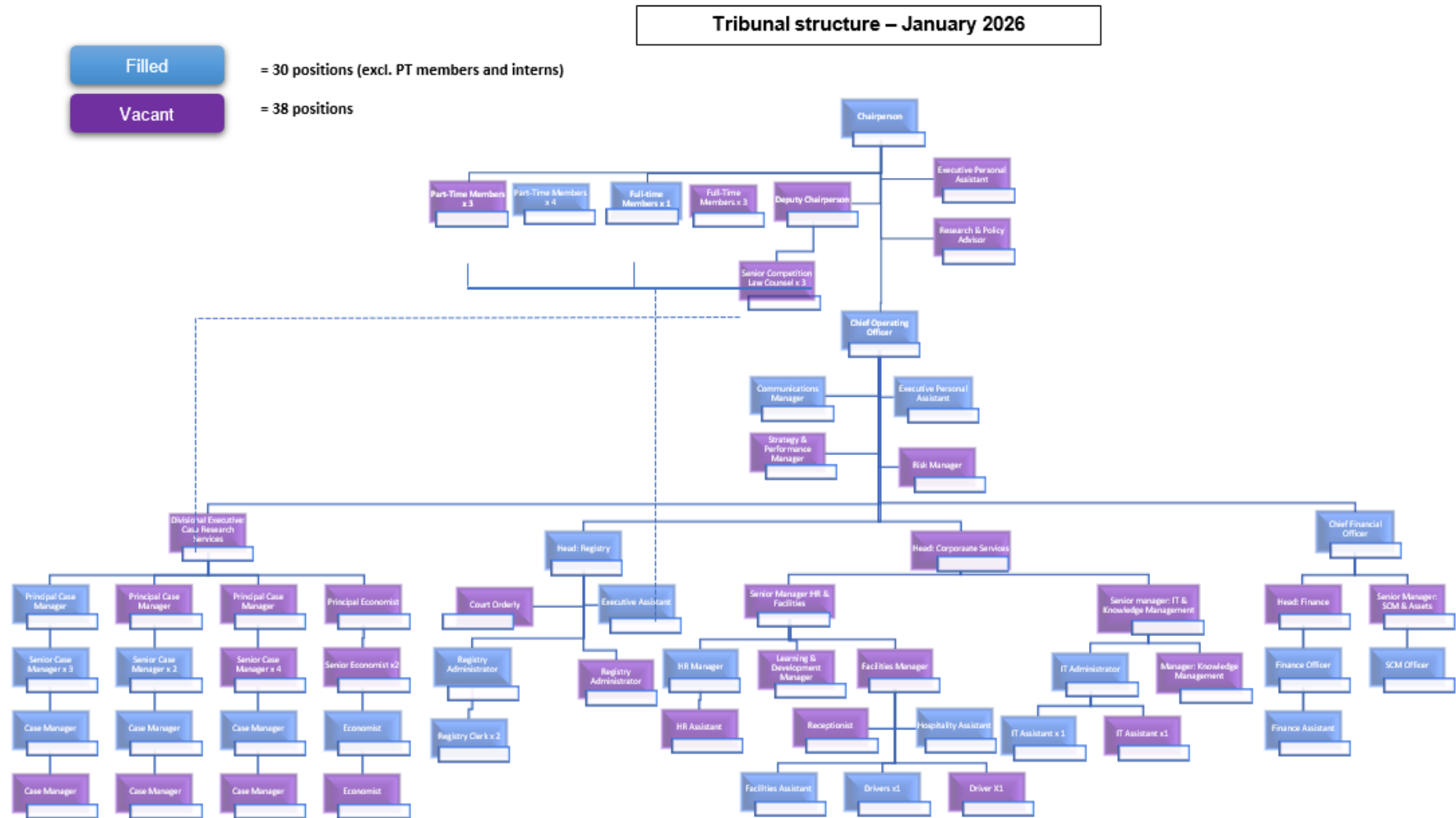
Outcome	Transparent, Accountable and Sustainable Entity			
26. Indicator Title	Improved Broad-Based Economic Empowerment compliance rating			
Definition	This indicator measures the Tribunal's compliance with B-BBEE legislation as measured by a registered B-BBEE verification agents			
Source of data	➤ Annual B-BBEE compliance audit			
Method of Calculation / Assessment	Target not calculated. Qualitative statement on B-BBEE level achieved following annual B-BBEE audit.			
Means of Verification	➤ Annual B-BBEE audit report.			
Assumptions	➤ The Tribunal continues to have the resources necessary to comply with B-BBEE legislation.			
Disaggregation of Beneficiaries (where applicable)	N/A			
Spatial Transformation (where applicable)	N/A			
Calculation Type	Target not calculated. Qualitative statement on B-BBEE level achieved following annual B-BBEE audit.			
Reporting Cycle	Annually.			
Desired performance	To meet the required target			
Indicator Responsibility	HR Manager, COO			
Baseline	2021/22	2022/23	2023/24*	2024/25
*Estimated performance	New indicator	New indicator	New indicator	New indicator
Annual Targets	2025/26	2026/27	2026/27	2028/29
	New indicator	Achieve Broad-Based Economic Empowerment level 8	Achieve Broad-Based Economic Empowerment level 5	Achieve Broad-Based Economic Empowerment level 3

12.6. Improved Knowledge Management

Outcome	Transparent, Accountable and Sustainable Entity
27. Indicator Title	Enhancement of case management system
Definition	This indicator measures the progress made in the design and development of the new CMS in line with the approved implementation plan. The enhancement of the CMS is crucial for streamlining case management workflows, reducing case turnaround times, improving transparency, and ensuring seamless tracking of cases from initiation to resolution. It supports the Tribunal's broader strategic goals of digital transformation and operational efficiency.
Source of data	➤ Implementation of the design and development phase of the CMS in line with project implementation plan ➤ Approved implementation plan ➤ Approved progress report
Method of Calculation / Assessment	Qualitative
Means of Verification	➤ Approved implementation plan ➤ Approved progress report ➤ Procurement documentation (RFQ's/RFP's, signed SLA)
Assumptions	➤ Availability of budget and resources for system upgrades ➤ Successful integration with existing IT infrastructure ➤ Timely initiation of procurement processes
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Not applicable
Reporting Cycle	Annual
Desired performance	Target met

Outcome				Transparent, Accountable and Sustainable Entity				
Indicator Responsibility				COO and IT Manager				
Baseline *Estimated performance				2021/22	2022/23	2023/24	2024/25	
	New indicator							
Annual Targets				2025/26		2026/27	2027/27	2028/29
				Feasibility study conducted on current Case Management System and requirements		Approve and initiate the design and development phase of the Case Management System in line with project implementation plan	Implementation of new Case Management System	

Annexure A: Structural Organogram¹⁶



Annexure B: Members of the Competition Tribunal

Chairperson

- Mondo Mazwai (BJuris, LLB), from 2013 to 31 July 2029 (second term as Chairperson)

Deputy Chairperson

- Vacant

Full-time Members

- Andreas Wessels (BCom, BCom Hons, MCom (Economics)), from 01 August 2024 to 31 July 2029 (fourth term as full-time Member)
- Vacant- 3 x Members

Part-time Members

- Andiswa Ndoni (BProc, LLB, Post Graduate Diploma Business Management, Cert-Corporate Governance) from 01 August 2009 to 31 July 2029 (fourth term)
- Imraan Valodia (BCom Hons, MSc, DEcon) from 01 January 2013 to 31 January 2028 (thirdterm)
- Thando Vilakazi (BSc, MCom, PhD) from 01 August 2019 to 31 July 2029 (second term)
- Geoff Budlender from 17 June 2025 to 31 March 2026 (second term)

Annexure C: Competition Tribunal Secretariat

Office of the Chairperson

- 1) Vacant – Research & Policy Advisor (New)
- 2) Vacant - Executive Personal Assistant (New)
- 3) Vacant – Special Competition Law Counsel
- 4) Vacant - Special Competition Law Counsel (New)

Office of the COO

- 1) Ratshi Maphwanya - Chief Operating Officer
- 2) Lufuno Ramaru - Executive Administrator (Chairperson, COO)
- 3) Gillian de Gouveia- Communications Manager
- 4) Vacant – Strategy & Performance Officer (New)
- 5) Governance, Compliance and Risk Manager (New)

Case Management

- 1) Jabulani Ngobeni - Head of Case Management
- 2) Vacant - Principal Case Manager - Legal (New)
- 3) Vacant – Principal Case Manager – Economist (New)
- 4) Nomakhosi Mthethwa-Motsa - Senior Case Manager
- 5) Princess Ka-Siboto - Senior Case Manager
- 6) Vacant – Senior Case Manager (New)
- 7) Andriza Liebenberg – Senior Case Manager
- 8) Juliana Munyembate – Senior Case Manager
- 9) Matshidiso Tseki – Senior Case Manager
- 10) Ofentse Motshudi – Case Manager
- 11) Sinethemba Mbeki – Case Manager
- 12) Tarryn Simpson-Case Manager
- 13) Thabiso Poswa - Economist

Registry

- 1) Tebogo Mputle- Head: Registry
- 2) Sibongile Moshoeshe- Registry Administrator
- 3) Themba Chauke- Registry Clerk
- 4) Nkuli Mpepuka- Executive Assistant
- 5) Cyriel Mpaketsane- Registry Assistant
- 6) Vacant – Court Orderly

- 7) Vacant - Registry Administrator (New)

Corporate Services

- 1) Vacant – Head: Corporate Services
- 2) Vacant – Senior Manager: IT & Knowledge Management (New)
- 3) Bellah Kekana - Human Resources Manager
- 4) Sabinah Monareng - Facilities and Support Services Assistant
- 5) Maggie Mkhonto - Hospitality Assistant
- 6) Enos Sekhabi – Driver
- 7) Vacant – Receptionist (New)
- 8) Colin Venter - IT Support and Network Administrator
- 9) Rendani Neswiswi - IT Assistant

Finance

- 1) Sarie Treeby – Chief Financial Officer
- 2) Vacant- Head: Finance
- 3) Tumelo Kekana - Financial Officer
- 4) Ongezwa Dlulane- Financial Assistant
- 5) Patricia Froude- Procurement Officer

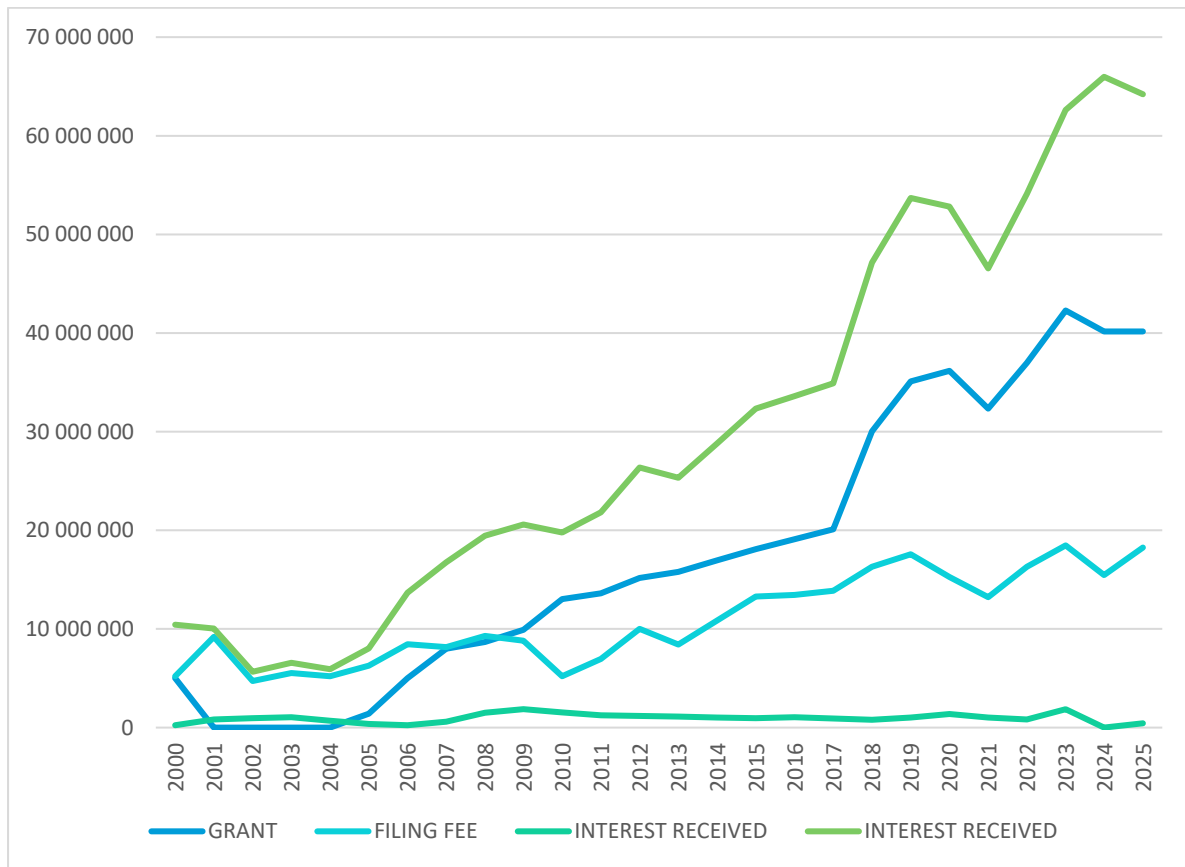
The approved organisational structure of 68 positions as reflected in **Annexure A** above will be phased in over the MTEF, and ten of the new positions was prioritised in 2024/25 financial year as reflected in the divisional staff list above, of which five were filled. The rest of the positions will be filled in the outer years in line with the availability of funding.

Gender and Race Composition – full-time staff

Gender	Black	White	Coloured	Asian	Total	Percentage
Male	9	2	0	0	11	37%
Female	14	4	1	0	19	63%
Total	23	6	1	0	30	100%
Percentage	77%	20%	3%	0%	100%	

Annexure D: Historical Representation of Expenditure and Funding

Figure 3 Representation of the Tribunal historical funding and expenditure (2000-2025)



Annexure E: Statement of Financial Performance – MTEF July 2025

Statement of financial performance				Approved budget	Average growth rate (%)	Expenditure/total: Average (%)	Medium-term estimate			Average growth rate (%)	Expenditure/total: Average (%)
Audited outcome	Audited outcome	Audited outcome					2022/23	2023/24	2024/25		
R thousand	2022/23	2023/24	2024/25	2025/26	2022/23-2025/26		2026/27	2027/28	2028/29	2025/26 - 2028/29	
Revenue											
Tax revenue	–	–	–	–	–	–	–	–	–	–	–
Non-tax revenue	20,358	18,288	18,683	25,155	7.3%	33.4%	25,155	25,155	25,155	–	35.8%
Sale of goods and services other than capital assets	18,472	15,461	18,257	23,155	7.8%	30.5%	23,155	23,155	23,155	–	32.9%
Sales of goods and services produced by entity	18,472	15,461	18,257	23,155	7.8%	30.5%	23,155	23,155	23,155	–	32.9%
of which:											
Administrative fees	18,472	15,461	18,257	23,155	7.8%	30.5%	23,155	23,155	23,155	–	32.9%
Sales by market establishment	–	–	–	–	–	–	–	–	–	–	–
Other sales	–	–	–	–	–	–	–	–	–	–	–
Sales of scrap, waste, arms and other used current goods	–	–	–	–	–	–	–	–	–	–	–
Other non-tax revenue	1,886	2,827	426	2,000	2.0%	2.9%	2,000	2,000	2,000	–	2.8%
Transfers received	42,286	38,433	40,159	42,599	0.2%	66.6%	44,049	46,041	48,123	4.1%	64.2%
Total revenue	62,644	56,721	58,842	67,754	2.6%	100.0%	69,204	71,196	73,278	2.6%	100.0%
Expenses											
Current expenses	61,156	65,978	64,213	67,754	3.5%	100.0%	69,204	71,196	73,278	2.6%	100.0%
Compensation of employees	37,824	41,082	41,994	49,246	9.2%	65.5%	48,840	50,800	51,960	1.8%	71.4%
Goods and services	22,377	23,898	21,185	17,425	-8.0%	32.9%	19,232	19,218	20,087	4.9%	27.0%
Depreciation	907	947	1,034	1,029	4.3%	1.5%	1,075	1,118	1,169	4.3%	1.6%
Interest, dividends and rent on land	48	50	1	54	4.2%	0.1%	57	60	63	4.9%	0.1%
Transfers and subsidies	–	–	–	–	–	–	–	–	–	–	–
Total expenses	61,156	65,978	64,213	67,754	3.5%	100.0%	69,204	71,196	73,278	2.6%	100.0%
Surplus/(Deficit)	1,488	(9,257)	(5,371)	–	-100.0%		–	–	–	–	

Annexure F: Summarised Three-Year Budget 2026/2027 – 2028/2029

CATEGORY	2025/2026	2026/2027	2027/2028	2028/2029	TOTAL
REVENUE					
FILING FEES	23,154,599	23,154,599	23,154,599	23,154,599	69,463,797
GRANT	46,799,000	43,822,000	46,041,000	48,122,974	137,985,974
OTHER INCOME					-
INTEREST RECEIVED	2,000,000	2,000,000	2,000,000	2,000,000	6,000,000
TOTAL REVENUE	71,953,599	68,976,599	71,195,599	73,277,573	213,449,771
EXPENDITURE					
PERSONNEL	49,362,434	50,042,639	51,998,746	53,389,263	155,430,648
PT TRIBUNAL MEMBERS	4,000,000	4,000,000	4,000,000	4,000,000	12,000,000
TRAINING	500,000	500,000	500,000	522,750	1,522,750
CONFERENCE/SEMINARS	111,580	126,579	142,212	148,683	417,475
SHARED SERVICES CCSA	849,013	884,927	922,359	964,326	2,771,612
FACILITY FEE/LEASE	5,816,509	6,107,334	6,107,334	6,385,218	18,599,886

CONSULTING	94,419	98,413	102,576	107,243	308,233
LEGAL FEES	59,012	61,508	64,110	67,027	192,645
TRANSCRIPTION SERVICES	940,320	982,446	1,026,460	1,073,164	3,082,070
AUDIT EXPENSES	1,358,370	1,419,361	1,483,090	1,550,571	4,453,022
RECRUIT COSTS	42,740	44,548	46,432	48,545	139,525
ADMIN EXPENSES	891,466	929,175	968,480	1,012,545	2,910,200
DEPRECIATION	600,750	626,162	652,649	682,344	1,961,155
AMORTISATION	427,962	446,065	464,934	486,088	1,397,087
IT EXPENSES	2,500,000	2,500,000	2,500,001	2,613,751	7,613,752
REPAIRS/MAINTENANCE	34,022	35,461	36,961	38,643	111,066
APPEALS COURT	165,000	171,980	179,254	187,410	538,644
CAPITAL EXPENDITURE	-	-	-	-	-
TOTAL EXPENDITURE	67,753,599	68,976,599	71,195,599	73,277,572	213,449,768
SHORTFALL/ ADDITIONAL GRANT	4,200,000	0	0	1	-

Annexure G: Detailed Two Year Budget – 2026/2027

CATEGORY	2025/2026	2025/2026 % of Total Expenditure	2026/2027	2026/2027 % of Total Expenditure
EXPENDITURE				
PERSONNEL	49,362,435	73%	50,042,639	73%
PT TRIBUNAL MEMBERS	4,000,000	6%	4,000,000	6%
TRAINING	500,000	1%	500,000	1%
CONFERENCE/SEMINARS	111,580	0%	126,579	0%
SHARED SERVICES CCSA	849,013	1%	884,927	1%
FACILITY FEE/LEASE	5,816,509	9%	6,107,334	9%
CONSULTING	94,419	0%	98,413	0%
LEGAL FEES	59,012	0%	61,508	0%
TRANSCRIPTION SERVICES	940,320	1%	982,446	1%
AUDIT EXPENSES	1,358,370	2%	1,419,361	2%
RECRUIT COSTS	42,740	0%	44,548	0%
ADMIN EXPENSES	891,466	1%	929,175	1%
DEPRECIATION	600,750	1%	626,162	1%
AMORTISATION	427,962	1%	446,065	1%
IT EXPENSES	2,500,000	4%	2,500,000	4%
REPAIRS/MAINTENANCE	34,022	0%	35,461	0%
APPEALS COURT	165,000	0%	171,980	0%
CAPITAL EXPENDITURE	-	-	-	
TOTAL EXPENDITURE	67,753,599	100%	68,976,599	100%