



## **ANNUAL PERFORMANCE PLAN**

**2024/25**

**Submitted on 31 January 2024 and revised on 11 March 2024**

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## **THE MINISTER'S FOREWORD**

The Public Finance Management Act requires that every public entity prepares a Strategic Plan setting out the overall strategy for the five years covering the state's Medium-Term Strategic Framework. An Annual Performance Plan is prepared annually and converts the overall strategy into key annual targets. These two Plans are then submitted to the Executive Authority for approval, and budgets are aligned with them.

This is the NCT's 2024-2025 Annual Performance Plan. I have requested that all entity Strategic Plans and Annual Performance Plans align with the Medium-Term Strategic Framework that incorporates the work to develop and implement National Sector Masterplans, trade reforms, investment, and the Department's transformation work.

I accordingly endorse the NCT's Annual Performance Plan.

I wish to thank the management for the work done and wish them well in executing the Annual Performance Plan and aligning their work with the government's overall programmes and priorities.



EBRAHIM PATEL

**MINISTER OF TRADE, INDUSTRY AND COMPETITION**

## Annex

Output targets within the dtic-group of public entities.

### 2024/25 APP Functional focus of outputs

#### Section: 12.1 Functional focus of outputs

Additional outputs (programmatic, enabling or responsive to immediate needs) have been included in the APP. The following tables indicate the functional focus of these outputs. Output numbering refers to the classification in the consolidated table, found in the APP. Pillar numbering refers to the section in dealing with the aims of industrial policy. Outcome numbers refer to: Industrialisation (1), Transformation (2) and Capable State (3) though it should be seen as indicative, as one Output intended to cover a single Outcome can and does have positive spillover-effects on the other Outcomes.

Number	Output	Pillar	Outcome
Output 1	<b>R350 billion</b> in investment pledges secured across the state	4	1
Output 23	<b>100</b> Investor facilitation and unblocking interventions provided	4	1
Output 17	<b>1</b> new SEZs application considered for designation	4	1,2

#### 12.1.2 Industrial production

Number	Output	Pillar	Outcome
Output 2	<b>R60 Billion</b> in additional local output committed or achieved	2	1
Output 11	<b>R 200 Billion</b> in black industrialist output achieved	1	1,2

#### 12.1.3 Exports

Number	Output	Pillar	Outcome
Output 3	<b>R900 Billion</b> in manufacturing exports	3	1
Output 4	<b>R400 Billion</b> in manufacturing exports to other African countries	3	1,2
Output 5	<b>R9 Billion</b> in exports of Global Business Services (GBS)	3	1
Output 27	<b>20</b> Successful Export Interventions to support the implementation of the AfCFTA	3	1
Output 28	<b>10</b> High impact trade interventions completed	3	1,3
Output 41	<b>5</b> Finalisation of legal instruments under the AfCFTA (Tariff offers, Schedule of Commitments, Rules of Origin, Protocols and Annexes to protocols)	3	3

#### 12.1.4 Industrial support

Number	Output	Pillar	Outcome
Output 6	<b>R32 Billion</b> in support programmes administered by or in partnership with <b>the dtic</b> -group	1	1,2,3
Output 7	<b>R15 Billion</b> support programmes to enterprises in areas outside the 5* main metros	1	1,2
Output 8	<b>R8 Billion</b> in financial support programmes and procurement contracts approved to SMMES, women and youth- empowered businesses	1	1
Output 9	<b>R 8 Billion</b> in financial support programmes to enterprises in labour absorbing sectors	1, 6	1
Output 43	<b>1</b> Operationalization of an Adjudication process for incentive applications	1	1, 3

#### 12.1.5 Transformation

Number	Output	Pillar	Outcome
Output 10	<b>R 900 Million</b> in Equity Equivalent Investment Programme agreements	1	1,2
Output 15	<b>20 000</b> additional workers with shares in their companies	1	1
Output 16	<b>10</b> High-impact outcomes on addressing market concentration through the implementation of market inquiry outcomes	1	1,2

#### 12.1.6 Jobs

Number	Output	Pillar	Outcome
Output 12	<b>1 Million</b> jobs supported or covered by <b>the dtic</b> group and/ or master plans	6	2
Output 13	<b>100 000</b> jobs to be created (50 000 social economy fund part-time or temporary job opportunities and 50 000 full-time jobs)	6	1,2
Output 14	<b>160 000</b> jobs in Black Industrialists firms retained	1, 6	1,2

#### 12.1.7 Energy

Number	Output	Pillar	Outcome
Output 18	<b>R 1 Billion</b> Support to enterprises including SMMEs to mitigate impact of load shedding by IDC and NEF	5	1,2
Output 19	<b>1500 Megawatts</b> of energy from projects facilitated	5	1,3
Output 20	<b>550 Megawatts</b> of energy available for the grid	5	1,3
Output 21	<b>3</b> Projects successfully managed through the Energy One-Stop Shop	5	3

Number	Output	Pillar	Outcome
Output 22	<b>2</b> Expedited regulatory amendments and flexibility, to promote energy efficiency	5	1,2,3

#### 12.1.8 Green economy targets

Number	Output	Pillar	Outcome
Output 29	<b>4</b> Interventions to respond to green trade barriers	5	1
Output 30	<b>1 EV</b> white paper implementation	5	1
Output 31	<b>1</b> Green hydrogen commercialisation framework implementation	5	1

#### 12.1.9 Stakeholder engagement and impacts

Number	Output	Pillar	Outcome
Output 25	<b>9</b> Business Forums hosted aimed at supporting increased FDI, exports and outward investment hosted	1	1,2,3
Output 32	<b>1000 Case studies</b> of firms, workers, entrepreneurs, professionals or communities' impacted by <b>the dtic</b> measures; including 12 local films/documentaries telling the SA story	1	1
Output 33	<b>Community outreach</b> programmes by <b>the dtic</b> group in <b>10</b> districts	1	1,2,3
Output 37	<b>2</b> Conferences, summits, and international forums hosted	1	1,2,3
Output 45	<b>10</b> Successful actions completed on price monitoring and excessive pricing or price gouging or price restraint	1	1,2,3

#### 12.1.10 Addressing crime

Number	Output	Pillar	Outcome
Output 24	Grey-listing: <b>2</b> Implementation of remedial actions by CIPC of the Financial Action Task Force (FATF) requirements to meet immediate outcome 5 (IO5) in South Africa's Action Plan	1	3
Output 42	<b>1</b> Metal trading system implemented	1,5	1,2,3

#### 12.1.11 Red tape and state capability targets

Number	Output	Pillar	Outcome
Output 39	<b>9</b> Impact evaluations of <b>dtic</b> programme or sub-programmes	All	3
Output 40	<b>5</b> High-impact measures to reduce red tape or improve turnaround times in administration of incentives and work of agencies		

<b>Number</b>	<b>Output</b>	<b>Pillar</b>	<b>Outcome</b>
Output 44	<b>6</b> Impact assessments or enhancements of trade instruments or measures	2,3	1,2,3

#### **12.1.12 Improving the capacity and responsiveness of the state and social partnership**

<b>Number</b>	<b>Output</b>	<b>Pillar</b>	<b>Outcome</b>
Output 26	<b>4</b> Pieces of priority legislation amended, tabled or submitted to Executive Authority, Cabinet or Parliament	All	1,2,3
Output 34	<b>8</b> Master Plans managed	All	1,2,3
Output 35	Oversight of IDC, NEF and ECIC to ensure that at least <b>96%</b> of planned KPIs are achieved	All	1,2,3
Output 36	<b>3</b> Projects to assist industrial innovation and support firms	All	1,2,3
Output 38	<b>50</b> Mergers and acquisitions where public interest conditions have been incorporated	All	1,2





## **ACCOUNTING AUTHORITY'S STATEMENT**

### **Introduction**

The Tribunal was established in terms of the National Credit Act to adjudicate applications and referrals in terms of the Act. The introduction of the Consumer Protection Act subsequently increased the NCT's mandate. The President of South Africa formally established the NCT in September 2006 by appointing independent Tribunal members, including a chairperson.

### **Legislative mandate**

The NCT strives to implement its legislative mandate to promote equity and fairness in South Africa's consumer and credit markets through flexible, efficient, and sustainable resource solutions, and support services.

### **Covid pandemic**

Like the world over, when developing its Strategic Plan for the 2020-2025 period the NCT never envisaged that the COVID pandemic that peaked in 2020/21 would dramatically impact the world, particularly people's personal and corporate relationships. Nevertheless, the NCT's history of agility and adaptation enabled it to continue its operations without meaningful interruption.

### **Information technology and communication infrastructure and development**

In the modern world, no organisation is likely to obtain excellence without aggressively pursuing its information technology and communication offerings. For many organisations, it will be the difference between success and failure. Consequently, the NCT will continue to build digital and face-to-face interfaces that are positive,

productive, intelligent, and responsive to our stakeholders' needs. Our digital strategies will harvest the opportunities brought about by an evolving economy, including using artificial intelligence and data analytics to consistently increase the value delivered to our country, its consumers, credit providers, debt counsellors, and suppliers of goods and services.

## **Finance**

The NCT has not incurred irregular or fruitless expenditure and is proud to have achieved 11 uninterrupted clean audits. The NCT managed to contain expenditure within the constrained state grant allocations. It adopted austerity measures and continued to deliver services to its stakeholders, despite a significant budget reduction of R7.6 million in the 2020/21 financial year. So too with the recent reduction of R1,6 million in the 2023/24 financial year.

## **Human resources**

The NCT's employees are its most important asset. The NCT is aggressively building an internal culture based on the constitutional right to dignity where each individual employee matters, their presence matters, what they do matters and what they have to offer the NCT matters. We encourage them to work with freedom and flair because it provides them with the space to make their very best contribution to the NCT and its stakeholders. The NCT will continue to strengthen its internal relationships as an enabler to achieving great things within its mandate.

## **Achievement of targets and change**

As an engine for delivering a capable state, the NCT is set to achieve all its targets by the end of the current five-year period. However, the NCT is aware that change is inevitable. Albert Einstein told the world that "the only way that we grow is if we change. The only way that we can change is if we learn. The only way we can learn is if we are exposed." In embracing change, the NCT continually strives to improve. We consistently plan and develop our systems, internal resources, and capabilities that increase our efficiency and both our quantitative and qualitative outputs. Some of these measures include increasing stakeholder engagement and building our public profile. It also means doing things better, faster, and more with less.

## **Acknowledgements**



I wish to thank the Honourable Minister of Trade, Industry, and Competition, Mr. E Patel, for the leadership and support he has given to the NCT. The NCT greatly appreciates the ongoing support of the Acting Director-General, the Consumer and Corporate Regulation Division and the Public Entity Oversight Division.

My sincere gratitude goes to all the Tribunal members, governance committee members, the management team, staff, and interns for their commitment and diligence in ensuring the NCT successfully meets its mandate.

### **Conclusion**

The NCT is proud of its adjudicative offering, and its impact on the lives of consumers. The NCT is up to the task and will meet its targets appearing in the 2024-2025 Annual Performance Plan.

A handwritten signature in black ink, appearing to read "T. Bailey".

MR. TREVOR BAILEY

**EXECUTIVE CHAIRPERSON**

**NATIONAL CONSUMER TRIBUNAL**

## OFFICIAL SIGN-OFF

It is hereby certified that this Annual Performance Plan:

- Was developed by the management of the National Consumer Tribunal under the guidance of Mr Trevor Bailey, the Executive Chairperson.
- Considered all the relevant policies, legislation, and other mandates for which the National Consumer Tribunal is responsible.
- Accurately reflects the outcomes and outputs the National Consumer Tribunal will endeavour to achieve from **2024 to 2025**.



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**Mr Ahmed Moolla**  
**Chief Financial Officer**



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**Mr Bax Nomvete**  
**Chief Information Officer**



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**Mr Prenesen Moodley**  
**Acting Registrar**



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**Ms Hazel Alwar**

**Full-time Tribunal Member**

**Approved by:**



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**Mr Trevor Bailey**

**Accounting Authority**

## **PART A: OUR MANDATE**

### **1. CONSTITUTIONAL MANDATE: -THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA**

The NCT carries out its work with due regard to the fundamental rights contained in Chapter 2 of the Bill of Rights of the Constitution of the Republic of South Africa. Specifically, the NCT directly impacts the provision of sections 9, 10, 32, 33, and 34 of the Constitution, as contained below.

#### **Section 9- Equality**

- (1) Everyone is equal before the law and has the right to equal protection and benefit of the law.
- (2) Equality includes the full and equal enjoyment of all rights and freedoms. To promote the achievement of equality, legislative and other measures designed to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken.
- (3) The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.
- (4) No person may unfairly discriminate directly or indirectly against anyone on one or more grounds in terms of subsection (3). National legislation must be enacted to prevent or prohibit unfair discrimination.
- (5) Discrimination on one or more of the grounds listed in subsection (3) is unfair unless it is established that the discrimination is fair.

The Tribunal plays its role in ensuring that parties have the right to equal protection and benefit of the law and that the decisions of the Tribunal are independent and fair.

#### **Section 10- Human Dignity**

- (1) Everyone has inherent dignity and the right to have their dignity respected and protected.

Through the adjudication process, the Tribunal ensures that prohibited conduct, and non-adherence to the NCA and CPA are dealt with in its' judgments or orders, and in doing so, safeguards the

protection of human dignity. Furthermore, the inquisitorial powers of the Tribunal allow for parties to tell their story and in doing so show respect for their human dignity.

### **Section 32- Access to Information**

- (1) Everyone has the right to access to:
  - (a) Any information held by the state, and
  - (b) Any information that is held by another person and that is required for the exercise or protection of any rights.

The Tribunal has developed a policy aligned with the Promotion of Access to Information Act 2 of 2000 (PAIA). The policy allows for persons to request information held by the Tribunal in a simple and methodical manner. The Tribunal expeditiously assesses these requests to ensure the requestor's rights to access is promoted.

### **Section 33- Just Administration**

- (1) Everyone has the right to administrative action that is lawful, reasonable, and procedurally fair.
- (2) Everyone whose right have been adversely affected by administrative action has the right to be given written reasons.
- (3) National legislation must be enacted to give effect to these rights, and must:
  - (a) Provide for the review of administrative action by court, or where appropriate, an independent and impartial tribunal.
  - (b) Impose a duty on the state to give effect to the right in subsections (1) and (2) and,
  - (c) Promote an efficient administration.

The Tribunal issues high-quality and reasoned decisions and orders on all matters heard.

### **Section 34- Access to Courts**

Everyone has the right to have any dispute that can be managed and adjudicated by the application of law decided in a fair public hearing before a court, or where appropriate, another independent and impartial tribunal or forum.

The Tribunal remains accessible to diverse groupings of consumers and credit providers, debt counsellors, providers of goods and services and registrants. Parties can have their matters heard from anywhere in the world and access our remote services 24/7.

## 2. LEGISLATIVE AND POLICY MANDATES

The NCT adjudicates on applications and referrals of prohibited conduct in pursuance of the purpose of the NCA and CPA. These are as set out in Section 3 of these Acts respectively and are in accordance with Section 142 of the National Credit Act, the imperatives of the Constitution and the provisions of the Promotion of Administrative Justice Act (PAJA).

The NCT derives its mandate from **Section 27 of the NCA**. The role of the Tribunal is to adjudicate on:

- Applications made in terms of the NCA or the CPA by consumers, credit providers, credit bureaux, debt counsellors, the National Credit Regulator, and the National Consumer Commission.
- Applications for interim relief and review decisions by the National Credit Regulator and the National Consumer Commission.
- Matters referred to the Tribunal by the National Credit Regulator or the National Consumer Commission regarding complaints related to allegations of prohibited conduct; and
- Applications for debt re-arrangement agreements to be made an order of the Tribunal in terms of the NCA or consent orders in terms of the CPA.

As an **independent adjudicative entity**, the NCT's mandate is to hear and decide on cases involving consumers, suppliers of goods and services, credit providers, regulators, debt counsellors, credit bureaux, payment distribution intermediaries, and alternative dispute resolution agents. In so doing, the Tribunal hears applications and cases that are premised upon the terms outlined within the NCA, CPA, and the Rules of the Tribunal. In pursuing its legislative mandate, the NCT may:

- Adjudicate on any application or referral of prohibited or required conduct that may be made to it in terms of the Acts.
- Effect any order outlined in the Acts, in respect of such an application and / or adjudicate on allegations of prohibited conduct by determining whether.



- In instances where prohibited conduct has occurred, impose a remedy or relief as provided for in the promulgated Acts.
- Grant an order for costs regarding these Acts; and
- Exercise any other power conferred on it by these Acts.

The passing of the **National Credit Amendment Act** (Act No. 7 of 2019) once enforced will extend the work of the NCT going forward. This Act provides for the NCR to submit recommendations to the NCT for decisions relating to debt relief and to suspend credit agreements. This would be in instances where the NCR deems the consumer to have met the qualification criteria for the suspension or expungement of the debt. Its powers include limiting the maximum interest rate, fees or other charges that may be paid under a qualifying credit agreement and suspending the debt for a period not exceeding 12 months. This is accompanied by the possibility of this being extended for a further 12 months on application. The NCT may also make an order that no interest, fees, or charges be payable.

### **3. INSTITUTIONAL POLICIES AND STRATEGIES**

To ensure proper Governance, the Tribunal has various policies and standard operating procedures in place across the different business units. These policies are listed on a Policy Schedule that the Tribunal maintains for control and review purposes. In addition to the policies mentioned above, the Tribunal has various other plans and registers. A compliance monitoring system will be implemented in 2024/2025 to ensure that the Tribunal keeps abreast with the latest legislative changes and that policies are aligned accordingly.

### **4. RELEVANT COURT RULINGS**

There are three higher court decisions that have provided clarity on the interpretation of the CPA and NCA. These decisions have either impacted or confirmed the Tribunal's adjudicative processes and offered guidance to the Tribunal whilst it exercises its adjudicative function.

#### **First Rand Bank Ltd v Annet Ludick (case number: A227/2019) High Court of South Africa, Gauteng Division, Pretoria**

The High Court's clarification on section 166 of the NCA holds significant implications for the jurisdiction of the Tribunal. The court has expressly delineated that the Tribunal lacks authority to deliberate on the

interruption of prescription and is unequivocally tethered to the three-year prescription period stipulated in the NCA. This judicial clarification serves as a paramount guidepost for the Tribunal, solidifying its boundaries and obligating adherence to the legislatively defined prescription framework within the NCA. Subsequently, the Tribunal has diligently ensured the practical implementation of the High Court's interpretation in its adjudicatory proceedings. By aligning its decisions with the clarified legal parameters, the Tribunal contributes to legal consistency and precision, upholding the integrity of the NCA and fostering a coherent and standardised approach to matters falling within its jurisdiction.

**National Credit Regulator v Dacqup Finances CC trading as ABC Financial Services - Pinetown and Another (case number: 382/2021) Supreme Court of Appeal**

The Supreme Court of Appeal (SCA) confirmed two pivotal aspects that resonate with the judgment of the Tribunal. Firstly, the SCA affirmed that the burden for the regulator's reasonable suspicion is lower than the regulator having to obtain prima facie evidence before initiating an investigation. This pivotal confirmation implies that when the Tribunal presides over cases, the regulator bears a reduced burden of proof concerning reasonable suspicion. Secondly, the SCA upheld the Tribunal's authority by confirming that it is within its powers to mandate an audit and order the allocation of costs for said audit. This confirmation solidifies the Tribunal's powers to make an appropriate order in terms of prohibited conduct.

**Lewis Stores (Pty) Ltd v Summit Financial Partners (Pty) Ltd and Others (case no 314/2020) Supreme Court of Appeal**

The SCA clarified a significant legal distinction by holding that a ruling on a leave to refer a matter to the Tribunal does not constitute a 'decision' or an 'order' as specified in section 150 of the NCA. Rather, such a ruling involves the exercise of the Tribunal's 'other powers' as outlined in sections 27 and 150. Consequently, the leave ruling is non-appealable under section 148 to the Higher Courts. The SCA's interpretation exempts rulings on applications for leave to refer from the necessitating a public hearing or formal application. This nuanced understanding has led to a practical implication where, in light of the SCA's ruling, the Tribunal has elected to adjudicate all leave to refer applications in chambers. This procedural adjustment aligns with the legal framework articulated by the SCA, streamlining the process and offering a more expeditious means of handling such matters within the Tribunal's adjudicative purview.

## PART B: OUR STRATEGIC FOCUS

### 5. SITUATIONAL ANALYSIS

#### 5.1.1 External Environment Analysis

Political, Economic, Social, Technological, Legal, and Environmental (PESTLE)

POLITICAL	ECONOMIC
<ul style="list-style-type: none"> <li>• Legislative Amendments.</li> <li>• Long decision lead times.</li> <li>• Changing political priorities (change of administration).</li> <li>• Perceptions created about public sector corruption, ethics, and procurement practices.</li> <li>• Ongoing service delivery challenges.</li> </ul>	<ul style="list-style-type: none"> <li>• Increase in online business, personal transactions, education, and learning.</li> <li>• Increase in government borrowing.</li> <li>• Deepening recession impacting negatively on the economy and already financially stressed consumers and businesses.</li> <li>• Increase in consumers' defaulting on payments may impact ability to comply with debt-rearrangement orders.</li> <li>• Impact of load shedding and water restrictions.</li> <li>• Financial constraints and austerity measures on the fiscus with cuts in budgets of government departments and public sector entities.</li> </ul>
SOCIAL	TECHNOLOGICAL
<ul style="list-style-type: none"> <li>• Increasingly high levels of unemployment.</li> <li>• Awareness of the Tribunal.</li> <li>• Increase in flexible working practices.</li> <li>• Increased levels of anxiety, isolation, and psychological stress in society.</li> <li>• Poor standard of the SA educational system holds back technology adoption.</li> <li>• Rise of digital inter-connectedness.</li> </ul>	<ul style="list-style-type: none"> <li>• Advances in technology in line with the 'Fourth and emerging Fifth Industrial Revolution'.</li> <li>• Impact of social media and greater internet penetration. The rise of 'big data,' predictive.</li> <li>• Analytics, artificial intelligence, and intelligent forecasting.</li> <li>• The power of automation, including cognitive automation.</li> <li>• Cyber-attacks / ransomware.</li> </ul>

LEGAL	ENVIRONMENTAL
<ul style="list-style-type: none"> <li>• More laws, increasing moral prescription rather than reliance on ethics or moral guidance.</li> <li>• POPIA in force.</li> <li>• Rise of concerns regarding the ethical use of algorithms.</li> <li>• Legislative amendments.</li> </ul>	<ul style="list-style-type: none"> <li>• Pandemics.</li> <li>• Environmentally friendly practices- reducing our carbon footprint.</li> <li>• Climate change.</li> <li>• Increasing resource scarcity – water and electricity.</li> </ul>

### 5.1.2 Internal Environment Analysis-Strengths, Weaknesses, Opportunities, and Threats(SWOT)

STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> <li>• Deep understanding of consumer and credit legislation.</li> <li>• Consistent and impartial approach followed by NCT in relation to adjudication.</li> <li>• Increased accessibility and limited cost saving because of accelerated automation of systems including e-filing.</li> <li>• NCT offers an affordable alternative to the courts.</li> <li>• Quick case-flow turnaround times.</li> <li>• Strong financial controls – achievement of clean audits – eleven years in succession.</li> <li>• non-DRA adjudications being conducted virtually have significantly reduced costs.</li> <li>• Collaboration with other agencies to develop shared ICT architectures, thereby leveraging costs.</li> <li>• Good corporate Governance.</li> <li>• Strong leadership and strategic direction.</li> </ul>	<ul style="list-style-type: none"> <li>• Non-compliance with policies and procedures.</li> <li>• Budgetary constraints.</li> <li>• Human Capacity.</li> <li>• Flat structure.</li> <li>• Lack of proper records management</li> <li>• Too many transitional changes at leadership and management level.</li> <li>• Lack of upskilling and reskilling initiatives in response to changing demand for skills, particularly in digital analytics.</li> <li>• Lack of employee benefits.</li> </ul>

OPPORTUNITIES	THREATS
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<ul style="list-style-type: none"> <li>• Knowledge sharing with other national, regional and international consumer protection agencies.</li> <li>• Assist other regulators and Consumer Protection agencies with the implementation of, and where relevant, integration of, case management and adjudication systems, thereby improving efficiency and overall service delivery.</li> <li>• Increased potential for Alternative Dispute Resolution, including potential use of mediation as a way of enabling litigants to resolve differences.</li> <li>• Increase stakeholder and consumer awareness.</li> <li>• Become an employer of choice.</li> </ul>	<ul style="list-style-type: none"> <li>• Uncertainty regarding the pace of increase in future caseload.</li> <li>• Length of time required to make changes to enabling legislation.</li> <li>• ICT security threats and safeguarding of public information - vulnerability to cyber-terrorism and ransomware.</li> <li>• Competition for high-end skills.</li> <li>• Lack of institutional memory.</li> <li>• Reliance on fixed-term contracts.</li> </ul>
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## PART C: MEASURING OUR PERFORMANCE

### 6. INSTITUTIONAL PROGRAMME PERFORMANCE INFORMATION

#### 6.1 Programme 1: Case Management and Adjudication

##### 6.1.1. Purpose of the programme

To provide the necessary administrative and adjudicative and other related services to ensure that the NCT delivers successfully on its mandate.

##### Case Management

The purpose is to provide services to ensure that all cases are timeously prepared, that filing parties and applicants are communicated with, and that all pertinent information is recorded and disseminated. The case management process involves numerous steps, from the capturing of an application to the management of the flow of a case to initiating adjudication, and finally to the issuing of judgments to the parties.

##### Adjudication

The purpose is to adjudicate on both substantive and interlocutory applications. It ensures that competent, professional, impartial Tribunal members are available to attend to matters, that the procedures followed

are fair, and that Tribunal Members' decision-making is substantively sound in accordance with legal precedents and requirements.

### **Contribution to the dtic's outputs and indicators**

The Tribunal operates within a distinct mandate focused on adjudicating consumer and consumer credit applications. Despite this specific jurisdiction, our objectives, outputs, and indicators are intentionally designed to align seamlessly with the broader goals and indicators set by the Department of Trade, Industry, and Competition (**the dtic**). While our primary responsibility is to ensure fair and just resolution in matters pertaining to consumers and consumer credit, we recognise the inherent link between our decisions and the broader economic landscape overseen by **the dtic**.

Our commitment to supporting **the dtic's** outputs is evident in the strategic alignment of our activities. By prioritising transparency, fairness, and efficiency in consumer-related adjudications, we contribute indirectly to the overarching objectives of **the dtic**. This synergy allows the Tribunal to fulfil its specific mandate while concurrently playing a constructive role in advancing the broader economic and trade goals championed by **the dtic**. The intentional harmonisation of our objectives ensures that, despite the specificity of our mandate, the Tribunal remains an integral part of the collective effort towards achieving shared success with **the dtic**.

**The dtic** has 45 outputs.

#### **Output 40: High-impact measures to reduce red tape or improve turnaround times in the administration of incentives and work of agencies.**

The Tribunal is committed to delivering a responsive and timeous service to stakeholders (NCT's -output indicator 1,2 and 3) in line with its mandate of adjudicating consumer and consumer credit applications. This commitment directly aligns with **the dtic's** focus on reducing red tape and improving state capability. By providing efficient and timely resolution of consumer-related matters, the Tribunal contributes to streamlining processes and reducing bureaucratic impediments in the realm of consumer affairs. This not only enhances the overall effectiveness of state capabilities but also aligns with **the dtic's** broader mission of creating a more responsive and agile regulatory environment that ultimately benefits both consumers and businesses alike. The symbiotic relationship between the Tribunal's commitment to responsive service and **the dtic's** focus on reducing red tape underscores a shared objective of fostering a more efficient and customer-centric regulatory landscape.

#### **Output 32 - 1000 Case studies of firms, workers, entrepreneurs, professionals or communities impacted by the dtic measures; including 12 local films/documentaries telling the SA story.**

By issuing of judgments and orders, the Tribunal plays a pivotal role in the lives of consumers and the economy (NCT- output indicator 4). This output is closely linked to one of **the dtic's** focuses of making



an impact on the lives of South Africans. The Tribunal's decisions carry significant weight in shaping consumer rights and economic practices. By ensuring fair and just outcomes in consumer-related matters, the Tribunal actively participates in safeguarding the well-being of individuals and businesses, aligning with **the dtic's** commitment to positively impact the lives of South Africans. The synergy between the Tribunal's impactful decisions and **the dtic's** overarching goal reinforces a shared dedication to fostering a regulatory environment that serves the best interests of the nation's citizens and contributes to sustained economic growth.

Through the impact reports, the NCT will tell the story of how its judgments and orders make a difference in the lives of South Africans.

### 6.1.1.1. Outcomes, Outputs, Performance Indicators and Targets

No.	Outcomes	Alignment to dtic outputs/ outcome	Output	Output Indicators	Annual Targets						
					Audited/Actual Performance			Estimated Performance	MTEF Period		
					2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
1	Confidence in the NCT- inspired by high-quality adjudication and case management	Output 40	DRA's issued	Average number of days from the date of filing of DRA to date of issuing an order to parties.	64.18 days	30.74 days	29.15 days	55 days	50 days	48 days	45 days
2	Confidence in the NCT- inspired by high-quality adjudication and case management	Output 40	Set downs issued	Average number of days from the date of close of pleadings on a non-DRA to issuing a first notice of set down to the parties.	5.31 days	9.86 days	6.85 days	15 days	15 days	14 days	12 days
3	Confidence in the NCT- inspired by high-quality adjudication and	Output 40	Non-DRA orders issued	Average number of days from the date of final adjudication of non-DRA to date of issuing an order.	8.86 Days	10.96 days	17.43 days	20 days	20 days	20 days	20 days



	case management										
4	Confidence in the NCT- inspired by high- quality adjudication and case management	Output 32	Impact reports on DRA and non-DRA judgments and order	Number of impact reports on DRA or non-DRA judgments and orders of the Tribunal	-	-	-	-	12	16	20

**6.1.1.2 Indicators, Annual and Quarterly Targets**

Output Indicators	Annual Target 2024/25	Q1	Q2	Q3	Q4
Average number of days from the date of filing of DRA to date of issuing an order to parties.	50 days	50 days	50 days	50 days	50 days
Average number of days from the date of close of pleadings on a non-DRA to issuing a first notice of set down to the parties.	15 days	15 days	15 days	15 days	15 days

Output Indicators	Annual Target 2024/25	Q1	Q2	Q3	Q4
Average number of days from the date of final adjudication of non-DRA to date of issuing an order.	20 days	20 days	20 days	20 days	20 days
Number of impact reports on DRA or non-DRA judgments and orders of the Tribunal	12	3	3	3	3

## 6.2 Programme 2: Administration

### 6.2.1 Purpose of the programme

Provide strategic leadership to Tribunal to ensure the successful implementation of its legislative mandate through flexible, efficient, and sustainable resources and supporting services.

#### 6.2.1.1 The Tribunal will be contributing to the dtic's Outputs as follows:

##### **Output 40 : High-impact measures to reduce red tape or improve turnaround times in the administration of incentives and work of agencies.**

The NCT has embarked on a project to fast-track the payments of Tribunal members. Tribunal members payments are processed on a weekly basis, ensuring greater commitment and availability of our members. The finance output of paying suppliers within 20 business days, on average will contribute to reducing the administrative burden and supporting SMME's as per the Outcome 2 of **the dtic** that relates to Transformation.

The NCT's outputs with regard to the up-time of its systems, its security and business continuity initiatives contribute to ensuring that the NCT does not suffer major setbacks and that the Case Management system is available to the filing parties as well as Tribunal members 24/7. The implementation of an Artificial Intelligence and Knowledge Management system will further enhance efficiency in adjudication. These outputs therefore contribute to Output 40.

The Human Resource outputs will ensure that the right people, with the right skills are available to provide support to the NCT in achieving its various strategies to improve efficiencies. Concerted efforts in youth development and its various initiatives through its BBBEE implementation plan, are aligned to **the dtic's** Outcome 2 relating to Transformation.

An unqualified audit opinion, Compliance and Risk management, the Human resources outputs on training, organisational culture and occupational and health, Records Management, and Stakeholder engagements are outputs that are critical to **the dtic's** Outcome 1 on ensuring a Capable State.

### 6.2.1.2 Outcome, Outputs, Performance Indicators and targets

No.	Outcomes	Alignment to dtic outputs/ Outcomes	Output	Output Indicators	Annual Targets				MTEF period		
					Audited/Actual Performance			Estimated Performance			
					2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
5	Reliable, secure and sustainable asset utilisation	Outcome 1	Unqualified opinion	An unqualified opinion issued by the external auditors on the Annual financial statement and with no material findings on compliance with legislation and on the Annual Performance Report.	-	-	-	-	An unqualified opinion issued by the external auditors on the Annual financial statement and with no material findings on compliance with legislation and on the Annual Performance Report.	An unqualified opinion issued by the external auditors on the Annual financial statement and with no material findings on compliance with	An unqualified opinion issued by the external auditors on the Annual financial statement and with no material findings on compliance with

No.	Outcomes	Alignment to dtic outputs/ Outcomes	Output	Output Indicators	Annual Targets				MTEF period		
					Audited/Actual Performance			Estimated Performance			
					2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
										legislation and on the Annual Performance Report.	legislation and on the Annual Performance Report.
6	Reliable, secure and sustainable asset utilisation	Output 40	Suppliers paid	Average number of days taken to pay suppliers	-	-	-	-	20 days	20 days	20 days
7	Reliable, secure and sustainable asset utilisation	Outcome 1	Financial sustainability report	Number of financial sustainability reports approved by the Executive Chairperson	-	-	-	-	1	1	1
8	An intelligent, digitally transformed and enabled NCT	Output 40	Systems availability	Average percentage availability of systems during business hours.	99.59%	98.15%	99.38%	98%	98%	98%	98%

No.	Outcomes	Alignment to dtic outputs/ Outcomes	Output	Output Indicators	Annual Targets				MTEF period		
					Audited/Actual Performance			Estimated Performance			
					2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
9	An intelligent, digitally transformed and enabled NCT	Outcome 1	Security assessment audits	Number of designated security assessment audits conducted	2 (1 Internal and 1 external) penetration tests were completed and the results reviewed.	2 (1 Internal and 1 external) penetration tests were completed and the results reviewed.	2 (1 Internal and 1 external security audit)	2 (1 Internal and 1 external security audit)	2 (1 Internal and 1 external security audit)	2 (1 Internal and 1 external security audit)	
10	An intelligent, digitally transformed and enabled NCT	Outcome 1	Disaster recovery tests	Number of ICT Disaster recovery tests completed.	-	-	-	-	2	2	2
11	An intelligent, digitally transformed and enabled NCT	Output 40	An Artificial Intelligence and Knowledge Management System	Implementation of an Artificial Intelligence and Knowledge Management system for Case Management/ Adjudication.	-	-	-	-	1 Research paper approved by the Executive Chairperson	1 Business requirements document approved by the Executive Chairperson	1 Functional Technical specification document approved by the Executive Chairperson

No.	Outcomes	Alignment to dtic outputs/ Outcomes	Output	Output Indicators	Annual Targets				MTEF period		
					Audited/Actual Performance			Estimated Performance			
					2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
12	Reliable, secure and sustainable asset utilisation	Outcome 1	Compliance monitoring system	Number of compliance monitoring systems developed and implemented	-	-	-	-	1 compliance monitoring system developed	4 compliance system reports	4 compliance system reports
13	Reliable, secure and sustainable asset utilisation	Outcome 1	Risk and Compliance workshops	Number of risk and compliance training workshops conducted	-	-	-	-	1 risk training workshop and 1 compliance training workshop conducted	1 risk training workshop and 2 compliance training workshops conducted	1 risk training workshop and 2 compliance training workshops conducted
14	Reliable, secure and sustainable asset utilisation	Outcome 2	Positions filled	Percentage of filled positions against approved organisational structure	89.56%	95.86%	95.75%	90%	85%	85%	85%
15	Reliable, secure and sustainable asset utilisation	Outcome 2	Interns employed	Number of interns appointed	6	8	8	8	5	5	5

No.	Outcomes	Alignment to dtic outputs/ Outcomes	Output	Output Indicators	Annual Targets				MTEF period		
					Audited/Actual Performance			Estimated Performance			
					2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
16	Reliable, secure and sustainable asset utilization	Outcome 1	Occupational Health and Safety audit	Number of Occupational Health and Safety compliance audit reports	-	-	-	-	2	2	2
17	Reliable, secure and sustainable asset utilisation	Outcome 1	Workplace Skills Plan	Number of Workplace Skills Plan submitted to PSETA	-	-	-	-	1	1	1
18	Reliable, secure and sustainable asset utilisation	Outcome 1	Culture/ wellness surveys or interventions	Number of culture/wellness surveys or interventions conducted	-	-	-	-	2	2	2
19	A readily accessible NCT that shares information and co-operates with stakeholders	Outcome 1	Engagements with external stakeholders	Number of structured interactions and engagements with external stakeholders	41	29	51	20	24	32	32



No.	Outcomes	Alignment to dtic outputs/ Outcomes	Output	Output Indicators	Annual Targets				MTEF period		
					Audited/Actual Performance			Estimated Performance			
					2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
20	Reliable, secure and sustainable asset utilisation	Outcome 1	Staff trained on Records management	Number of records management training conducted within the Tribunal.	-	-	-	-	1	1	1

### 6.2.1.3 Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target 2024/25	Q1	Q2	Q3	Q4
An unqualified opinion issued by the external auditors on the Annual financial statement and with no material findings on compliance with legislation and on the Annual Performance Report.	An unqualified opinion issued by the external auditors on the Annual		An unqualified opinion issued by the external auditors on the Annual financial statement		

Output Indicators	Annual Target 2024/25	Q1	Q2	Q3	Q4
	financial statement and with no material findings on compliance with legislation and on the Annual Performance Report		and with no material findings on compliance with legislation and on the Annual Performance Report.		
Average number of days taken to pay suppliers	20 days	20 days	20 days	20 days	20 days
Number of financial sustainability reports approved by the Executive Chairperson	1	-	1	-	
Average percentage availability of systems during business hours.	98%	98%	98%	98%	98%

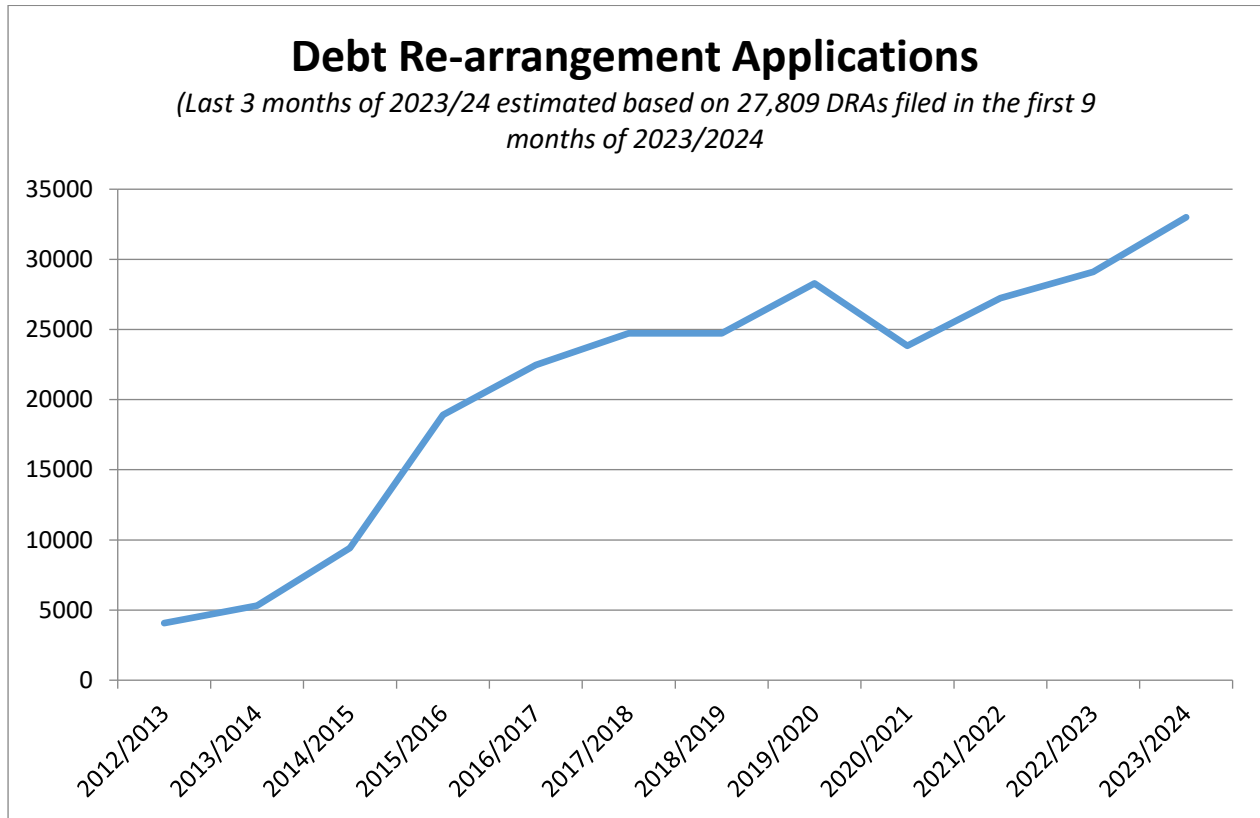
Output Indicators	Annual Target 2024/25	Q1	Q2	Q3	Q4
Number of designated security assessment audits conducted	2 (1 internal and 1 external security audit)	-	-	2 (1 internal and 1 external security audit)	-
Number of ICT Disaster recovery tests completed.	2	-	1	-	1
Implementation of an Artificial Intelligence and Knowledge Management system for Case Management/Adjudication.	1 Research paper approved by the Executive Chairperson	-	-	-	1 Research paper approved by the Executive Chairperson
Number of compliance monitoring systems developed and implemented	1 compliance monitoring system developed			1 compliance monitoring system developed	

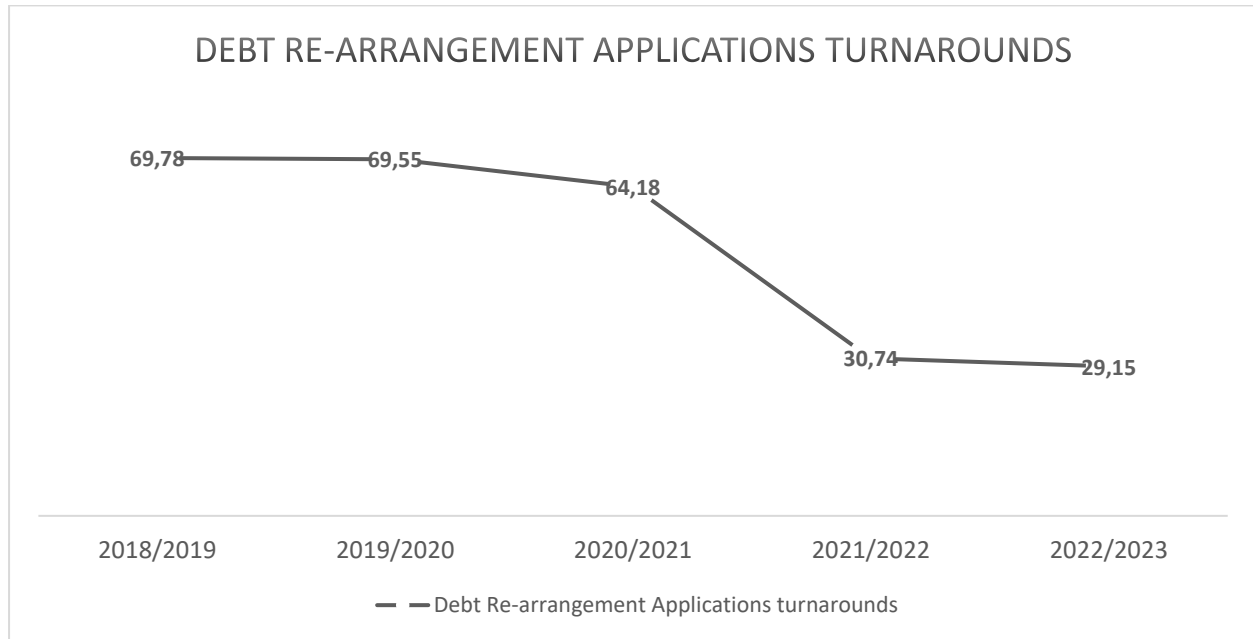
Output Indicators	Annual Target 2024/25	Q1	Q2	Q3	Q4
Number of risk and compliance training workshops conducted	1 risk and 1 compliance training workshop conducted		1 risk training workshop conducted		1 compliance training workshop conducted
Percentage of filled positions against approved organisational structure	85%	85%	85%	85%	85%
Number of interns appointed	5	-	-	-	5
Number of Occupational Health and Safety compliance audit reports	2	-	1	-	1

Output Indicators	Annual Target 2024/25	Q1	Q2	Q3	Q4
Number of Workplace Skills Plan submitted to PSETA	1	1	-	-	-
Number of culture/wellness surveys or interventions conducted	2	-	1	-	1
Number of structured interactions and engagements with external stakeholders	24	6	6	6	6
Number of records management training conducted within the Tribunal.	1	-	-	-	1

## 7. EXPLANATION OF PLANNED PERFORMANCE OVER THE MEDIUM-TERM PERIOD

### 7.1 Contribution of outputs towards achieving the outcomes and impact in the Strategic Plan aligned to the Mandate





### 7.1.1 Outcome 1: Confidence in the NCT-inspired by high-quality adjudication and case management.

The graphs above depict the significant increase in caseload in the past 5 years and the ability of the NCT to continue to increase its levels of efficiency.

Section 142 of the NCA requires the Tribunal to adjudicate on matters expeditiously. There are 3 output indicators that focus on the average turnaround times to ensure the efficient processing and adjudication of applications before it. The Tribunal will focus on compiling impact reports that show how its decisions and orders impact the lives of consumers, the economy and the consumer and credit landscape.

Debt counselling and debt re-arrangement have a significant role to play in the credit landscape. Consumers can now repay their debt with dignity through debt counselling, especially in an unsecured credit lending market. Through the finalisation of debt re-arrangement agreements, the Tribunal will continue to give meaning to the constitutional right to dignity, to relieve financial and emotional stress in families and to help consumers save their homes and vehicles from being repossessed.

As an adjudicative entity, the NCT is bound by the law and the facts of each case that the regulators, consumers, suppliers, and registrants place before it. The Tribunal through its judgments creates certainty in our jurisprudence, and the consumer and credit markets. The continuous increase in cases received by the Tribunal in each year, is significant, and a testament to the NCT's efforts to give meaning to the constitutional

right of access to justice before a court or impartial tribunal and that the Tribunal has inspired confidence through its work. In instances whereby the Tribunal has made a finding of prohibited conduct, consumers can obtain a Certificate of Prohibited conduct from the Chairperson of the Tribunal and can thereafter approach the courts for damages without having to argue the merits of the matter. The Tribunal aims to continue increasing stakeholder confidence through expeditious judgment writing and developing a unique South African credit and consumer jurisprudence.

### **7.1.2 Outcome 2: An intelligent, digitally transformed and enabled NCT**

By elevating the Information and Communication Technology (ICT) infrastructure to the status of a strategic asset, the Tribunal is poised to transform itself into an intelligent, digitally empowered avenue for consumer justice. This strategic shift involves a wholistic approach to information security, ensuring that sensitive data is shielded from potential cyber threats. Implementing robust backup mechanisms guarantees the preservation and safety of critical information, fostering resilience against unforeseen events. Furthermore, by embracing automation and Artificial Intelligence (AI), the Tribunal can optimize its operations, enhance efficiencies, and streamline processes, ultimately resulting in a significant reduction in costs. This digital transformation not only fortifies the security and reliability of information but also positions the Tribunal as a technologically advanced and forward-thinking institution ready to meet the demands of a rapidly evolving legal landscape. ICT has made significant digital strides over the past 5 years. The Tribunal's case management system has already led to a throughput of 10 times faster and significant cost management efficiencies than prior to its technological interventions. Considering the success of its previous projects, and its intention to exploit the benefits of AI, the Tribunal is looking forward to helping consumers and businesses alike in a way that exceeds their expectations.

### **7.1.3 Outcome 3: A readily accessible NCT that shares information and co-operates with stakeholders**

The NCT's communication strategy will be aimed to build the NCT's profile by creating awareness of the NCT's adjudicative offerings and the possibilities for consumers, suppliers, and registrants to obtain redress. Stakeholder engagements will also focus on making debt counsellors more aware of how easy it has become to file cases with the Tribunal 24/7 from various devices through a quick, easy and cost-effective manner by utilising the Case Management system. Filing a debt re-arrangement agreement with the Tribunal is much more cost effective than the Magistrate's courts. ICT will once again play a pivotal role in creating an interactive website that showcases the work of the Tribunal in real-time and the difference we are making on a daily basis in the lives of consumers through our decisions. Issuing press releases on important decisions that have a broader impact on the consumer and credit industry will be another avenue to create awareness.



#### **7.1.4 Outcome 4: Reliable, secure and sustainable asset utilisation**

In terms of Section 26(1)(c) of the NCA, the NCT is a Tribunal of Record and as such the Tribunal is required to ensure that its case information is kept and maintained. In keeping with this legislative requirement, the records function is aligned to the requirements of the National Archives Act.

Sustainable asset utilisation requires of the NCT to be financially sustainability as such over the years the Tribunal has continuously had to introduce various cost saving measure, from the grouping of a number of hearings to be held on one day, adjudicating on some matters in chambers to introducing billing guidelines for Tribunal members. The output relating to reports on financial stability will further the NCT's thinking of alternate avenues to generate income and to introduce creative and innovative ways to cut costs in order to do more with less. As a Schedule 3 A Public entity it is important to pay suppliers as quickly as possible in support of SMME's and this the Tribunal will aim to achieve by paying suppliers within a shorter period of time, while at the same time ensuring that it receives value for money. Maintaining sound financial management practices and internal controls will lead to the Tribunal achieving an unqualified audit.

To have reliable, secure, and sustainable assets, human resources and its people are important and valuable assets to the NCT. Building a sound organisational culture and a nurturing environment supporting employee wellness will enhance our human resource capability.

As an adjudicative body, it is imperative that the NCT remains compliant with legislation and best practices. Therefore, compliance monitoring, reporting and risk management are important imperatives. Good corporate governance and monitoring compliance with legislation is strategically aligned to developing a capable and ethical state. An integrated risk management approach will ensure that the strategy and mandate can be achieved, through proactively identifying strategic risks and implementing actions to mitigate and address the risks.

### **7.2 Outcomes and Explanation of the planned performance in relation to outputs**

#### **Registrar's Office**

The office of the Registrar serves as the linchpin in the entire lifecycle of a case within the Tribunal, playing a pivotal role in its inception and finalisation. Functioning as the driving force behind the delivery of consumer justice, the Registrar's office has meticulously designed its internal processes to facilitate a seamless flow of cases. The Tribunal's role is to serve the parties filing matters with the Tribunal, and is committed to fostering strong stakeholder relations with filing parties. This commitment is evident in its pursuit of efficiency and effectiveness, ensuring that its processing aligns with the principles of natural justice. The Registrar's team is technically proficient and passionate about inspiring and driving innovative practices, thereby assisting in positioning technology as a strategic asset to add public value. It plays a crucial support function in the adjudication process by ensuring that Tribunal Members are placed in possession of relevant information in line with the Tribunal Rules to ensure high-quality adjudication occurs.

In recognising the importance of records management, the Registrar's Office places it at the core of its processing strength. This emphasis ensures that the Tribunal can precisely meet its objectives and deliver on its outputs. Moreover, the office's intention to extend sound records management practices throughout the organisation is a strategic move.

## **Corporate Services**

Corporate Services is a critical business partner within the NCT, playing a leading role in supporting the NCT in achieving its mandate. It is a multi-functional unit comprising of the following sub- functions:

- Human Resources and Facilities Management
- Communications
- Risk Management
- Internal Audit
- Compliance and Secretariat

### *Human Resources and Facilities Management*

Without agile and adaptable employees in an environment where change is normal, there are bound to be huge challenges. HR's focus will be to ensure that the NCT not only improves on its systems and leadership but will ensure that the NCT is adequately skilled and manned with high performing, critical and key talent. The NCT is committed to continuous learning in order to ensure that its employees are abreast, adapting and keeping ahead of the changes in the workplace. Be it soft or technical skills through its talent management system.

We are starting a major journey to become a high-performance Tribunal focused on significantly better customer services, more effective and efficient operations, a new level of delivery, developing and managing talent, and better transparency and consistency in reputation and stakeholder management.

The quality of the employees who lead, manage, and work for the Tribunal will determine the success and progress of delivery against the Tribunal's Strategic Plan. Without people with the right skills, in the right place, at the right time, and at the right price, the NCT will not be able to maintain and develop the quality of services that the people of South Africa expect. To ensure that we continue to develop those with the capacity to serve the South African people effectively and efficiently, we have prepared a Human Resource

strategy to steer the development of our most precious resource. Besides earning a good living, most employees also want to enjoy a good quality of life whilst on the job. Many aspects of the human resource management model will focus on contributing to a good quality of working life. The NCT has committed to aligning all HR processes to the South African Board of People Practitioners' (SABPP) HRM System Standards Model. This will promote HR professionalism in the NCT. These HR standards will take the practice of HR to a new level of relevance, significance, excellence, and credibility.

### *Communications*

Who we are, what we do, how we do it, and how to access the NCT and use our services will be the architecture that informs the key elements of the communications strategy and plan. In ensuring that we continuously improve on and build the trust and credibility of the NCT, Communications will focus on enhancing communication at all levels with both internal and external stakeholders. As a participant in the global economy, our focus will be to share our knowledge and expertise in the international arena and in the African continent. Our messaging will be delivered through outreach programs, engagements with stakeholders, joint initiatives with **the dtic** and other regulatory entities, our website, and press releases.

### *Risk Management, Compliance, Corporate Governance and Audits*

As an adjudicative body it is imperative that the NCT maintains a compliant organisation and not just legislatively but in terms of governance, internal and external audits. This is supported through diligent secretarial function with appropriate levels of record keeping. It is through the effective management of its internal audit and compliance standards that the NCT continues to proactively identify and mitigate/eliminate its risks, which ultimately cascades into the NCT maintaining its track record of clean audits. There will be a strong focus on risk management and ensuring compliance. Bringing risk management alive in an organisation involves creating a culture where risk management is not just a compliance exercise but an integral part of decision-making and business processes. Strategies will focus on making risk management more dynamic and impactful within the NCT.

Incorporating risk management into the organisational culture and daily operations, ensures that it becomes a living, dynamic process rather than a static requirement. Creating a risk-aware culture helps an organisation adapt to challenges, make informed decisions and ultimately achieve its objectives more effectively. The compliance management framework will help to ensure that compliance reporting and testing are not only effective but also contribute to a proactive and resilient compliance culture. Regular reviews and updates to these processes are crucial to adapting to changing regulatory landscapes and organisational needs. By adopting a comprehensive and proactive approach to staying informed, an

organisation can minimise the risk of non-compliance and position itself to adapt swiftly to changing regulatory landscapes.

## **Finance**

The Finance function within the NCT continues to evolve. There are changes and innovations that will influence this evolution, many of which are driven by the national government, particularly the National Treasury and the AGSA. These changes and innovations have included cost-containment initiatives as well as compliance with regulations pertaining to supply chain management. Ongoing efforts are being made by the Finance Unit to become more strategic and ensure that the NCT has the financial systems, processes, and disciplines required to sustain its operations. The biggest challenge and risk experienced by the Finance Unit is the NCT's inability to significantly influence its annually fluctuating caseload and the consequential impact that this has on the management of adjudication costs. The Finance Unit, together with the other business units, continues to manage costs effectively in a volatile, relatively unpredictable environment. The ongoing monitoring of the NCT's budget and oversight over spending by the Finance function will be critical in ensuring that the NCT is able to deliver on its mandate successfully. This, together with adherence to sound financial disciplines and savings generated by ongoing increases in efficiency, will be essential in ensuring that available funding is optimally utilized.

## **ICT**

The dominant value proposition required to execute the NCT's strategy is, therefore, operational excellence – ensuring the consistent, reliable, and efficient delivery of high-quality services in an 'easy to access' organisational environment. To deliver a dominant value proposition based upon Operational Excellence requires ICT to the adoption of a specific 'Operating Model.' An Operating Model describes the necessary level of business process integration and standardisation required for consistently delivering required services to stakeholders.

ICT interrelates and supports the NCT business operating model for operational excellence through three key dimensions, namely its Enterprise Architecture principles, the governance framework, and its policies and procedures. The NCT ICT Enterprise Architecture defines the principles on which the NCT Enterprise Architecture Framework specifications were developed, which include the target Business, Application, Technology, and Data architectures alongside the as-is, gap analysis, and migration plans. The Governance framework defines the ICT governance and management objectives. The ICT policies and Standard Operating procedures define the operational rules of engagement in which the enabling technologies are used. The ICT Strategy and plan clearly set out the significant projects and deliverables and are closely monitored and tracked.

## 8. PROGRAM RESOURCE CONSIDERATIONS

### 8.1 Financial Plan

#### 8.1.1 Multi-year Financial Projections

The Tribunal will continue to provide the services stipulated in this annual performance plan and build administrative and adjudicative capability to enhance service delivery. The Tribunal's business operations consist of two programmes, namely, Adjudication and Administration. The key programme pertains to the Adjudication function, while the Administration function provides support to ensure overall organisational efficiency.

Allocations have been made to the NCT by the National Treasury for the specific periods indicated in the Table below. It must be noted that following the Adjustment Budget process, **the dtic** had reduced the 2023/24 grant allocation of the NCT by R1 659 000 (3%) and in addition, **the dtic** has reduced the budget allocations implemented over the MTEF as follows:

	2024/25	2025/26	2026/27
	R'000	R'000	R'000
Initial Baseline	R57 778	R60 366	R63 132
Reduction	(R5 778)	(R6 640)	(R7 576)
<b>Revised Baseline</b>	<b>R52 000</b>	<b>R53 726</b>	<b>R55 556</b>
% Reduction in Baseline	10%	11%	12%

#### 8.1.2 Cash flow projections

Income from filing fees depends on the number of cases filed with the NCT.

The filing fee per debt re-arrangement matter is R577.81 in the 2023/24 financial year and will increase by 7,5% annually; thus, it will be R621.14 in the 2024/25 financial year. Based on the current data available, it is anticipated that at least 28 000 Debt Rearrangement matters (DRA's) and 250 Non-Debt Rearrangement matters (Non-DRA's) will be filed annually over the medium term. Approximately R56.1 million of revenue is anticipated to be generated over the medium-term period from filing fee income pertaining to the DRA matters.



The anticipated revenue to be generated from filing fees will increase from R17,3 million in 2023/24 to R20 million in 2026/27.

The revenue generated by the Tribunal in the form of filing fees constitutes approximately 25% of the total anticipated income per annum. The Tribunal is, therefore, sustained and dependent on funding from the Government.

The following table shows the NCT's **budget and cash flows** over the MTEF period.

**Budget and cash flows**

Description	2021/22 Actual	2022/23 Actual	2023/24 Forecast / Baseline	2024/25 Budget	2025/26 Budget	2026/27 Budget
Grant allocation	53 515 000	54 756 000	53 636 000	52 000 000	53 726 000	55 556 000
Roll over funds	6 400 000	-	12 900 000	-	-	-
Filing Fees	13 387 441	15 613 056	15 730 000	17 392 081	18 696 487	20 098 724
Interest received	1 027 022	1 824 888	717 000	1 087 516	1 187 516	1 287 516
Insurance Proceeds	73 091	21 009	-	-	-	-
<b>Total Income</b>	<b>74 042 554</b>	<b>65 405 861</b>	<b>82 983 000</b>	<b>70 479 597</b>	<b>73 610 003</b>	<b>76 942 240</b>
<b>Expenditure</b>						
Compensation of employees	45 818 572	43 780 563	47 982 426	50 653 528	53 371 926	55 739 074

Goods and services	22 306 744	20 051 441	29 593 179	19 326 069	19 898 077	20 673 165
Capital Expenditure	5 253 428	1 573 857	5 401 395	500 000	340 000	530 000
<b>Total Expenditure</b>	<b>73 378 744</b>	<b>65 405 861</b>	<b>82 983 000</b>	<b>70 479 597</b>	<b>73 610 003</b>	<b>76 942 240</b>
<b>Surplus / Deficit</b>	<b>1 023 810</b>	<b>6 809 092</b>	-	-	-	-

#### Budget per programme

<b>Programme</b>	<b>2021/22 Actual</b>	<b>2022/23 Actual</b>	<b>2023/24 Forecast / Baseline</b>	<b>2024/25 Budget</b>	<b>2025/26 Budget</b>	<b>2026/27 Budget</b>
Programme 1 – Adjudication	30 013 908	26 752 781	33 942 311	28 827 010	30 215 942	31 471 475
Programme 2 – Administration	43 364 835	38 653 079	49 040 688	41 652 587	43 394 061	45 470 764
<b>Total</b>	<b>73 378 744</b>	<b>65 405 861</b>	<b>82 983 000</b>	<b>70 479 597</b>	<b>73 610 003</b>	<b>76 942 240</b>





### **8.1.3 Projections of revenue and expenditure**

Income from filing fees has been addressed in 8.1.2 above.

The NCT has a very lean budget due to grant income being paid back in the previous periods. NCT only incurs the bare necessary costs that enable it to carry out its mandate. The zero-based budgeting principle was applied, however, no expense streams were omitted during this exercise.

One of the efficiency gains and milestones achieved was the innovation in the expeditious adjudication of the DRA cases from 40 matters per day per Tribunal member to 80 cases per day per Tribunal member. This resulted in significant strides in efficiency and finalising matters quicker than the required turn-around times. Further automation of the CMS system relating to the DRA's should achieve greater efficiency.

Interest income (from investing surplus funds) has been maintained at the prevailing current interest rates.

Due to the Tribunal being a professional organisation and the labour-intensive nature of its work, the spending on compensation of employees constitutes 72% of the expenditure over the medium term.

Capital expenses have been budgeted for the maintenance of systems and hardware as well as the implementation of identified ICT projects. The spending in this area will assist the NCT in containing adjudication costs through anticipated ICT enhancements to the Case Management System, increased efficiencies, and the implementation of cost-saving measures, resulting in reduced costs for Goods and Services over the MTEF period.

### **8.1.4 Capital expenditure projects**

The majority of the NCT's capital expenditure relates to the procurement of ICT assets aligned to the ICT strategy. This includes the system design as well as the acquisition of the necessary hardware.

### **8.1.5 Infrastructure plans**

The NCT is not engaged in infrastructure projects. For this reason, it does not develop infrastructure plans.



### 8.1.6 Dividend policies

The NCT is a Schedule 3A public entity and does not have any share capital. Therefore, it does not declare dividends. Accordingly, it does not require a dividend policy.

## 8.2 Materiality and Significance Framework

In terms of the Treasury Regulation 28.3.1, Accounting Authorities must “for purposes of material [section 55(2) of the Act] and significant [section 54(2) of the Act], develop and agree a framework of acceptable levels of materiality and significance with the relevant executive authority.” The Tribunal must legally operate within the PFMA and its accompanying Treasury Regulations as a Schedule 3A public entity. The two sections of the Act mentioned above are significant for operational and reporting purposes. Materiality and significance levels will be influenced by considerations such as legal and regulatory requirements.

The materiality framework and significance levels will be reviewed each financial year in line with the preparation of the annual performance plan by management based on the risks and the adequacy of the internal controls and accounting systems.

The NCT uses 0.60% of budgeted operational expenditure (which excludes capital expenditure) for the materiality and significance framework, and the basis is consistent with prior years. The implications, based on the estimated budget, are summarised as follows:

Materiality implications on estimated budget :

Item	% Used	2022/23 Actual	2023/24 Forecast / Baseline	2024/25 Budget	2025/26 Budget	2026/27 Budget
Budget excluding CAPEX		63 832 004	77 581 605	69 979 597	73 270 003	76 412 240
Materiality	0,60%	382 992	465 490	419 878	439 620	458 473

## 9. KEY RISKS

OUTCOMES	KEY RISK	RISK MITIGATION
Confidence in the NCT-inspired by high-quality adjudication and case management.	Exponential increase in caseload impacting reputation of Tribunal to finalise cases expeditiously.	<ul style="list-style-type: none"> <li>• Resourcing strategy.</li> <li>• Request to <b>the dtic</b> for additional Tribunal members.</li> <li>• ICT interventions (Automation of DRA process).</li> </ul>
An intelligent, digitally transformed and enabled NCT.	Inadequate user adoption.	<ul style="list-style-type: none"> <li>• Implement change management strategies.</li> <li>• Training on systems.</li> </ul>
	Security breaches and ICT downtime.	<ul style="list-style-type: none"> <li>• Continuous monitoring of applications and servers and reporting.</li> <li>• Security assessment and audit conducted.</li> </ul>
A readily accessible NCT that shares information and co-operates with stakeholders.	Limited number of Debt Counsellors utilising services of NCT.	<ul style="list-style-type: none"> <li>• Develop and implement a communication strategy and plan to increase number of filers.</li> </ul>
Reliable, secure and sustainable asset utilization.	Financial Unsustainability (Resulting from a decrease in grant allocation, reduction in filing fees).	<ul style="list-style-type: none"> <li>• Implementing cost containment measures.</li> <li>• Implementation of communication strategy to create greater awareness and targeted stakeholder interventions.</li> <li>• Developing strategies to enhance financial stability.</li> </ul>



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	Lack of institutional knowledge and effective records management.	<ul style="list-style-type: none"><li>• Develop and maintain an institutional knowledge manual.</li><li>• Records management training.</li></ul>
	People and organisational culture risk (Culture, capacity, retention).	<ul style="list-style-type: none"><li>• Develop and implement an integrated HR Strategy and Plan.</li><li>• Motivation to <b>the dtic</b> for additional resources.</li><li>• Investigate possibilities of implementing staff benefits.</li></ul>

## 10. PART D: TECHNICAL INDICATOR DESCRIPTIONS (TID)

### Programme 1 Case Management and Adjudication

Indicator title 1	Average number of days from the date of filing of DRA to date of issuing an order to parties.
<p><b>Definition</b></p>	<p>DRA is an application filed in terms of s138(1)(a) of the National Credit Act 34 of 2005. It involves applications filed by Debt Counsellor's, in relation to consent agreements entered into between a specific consumer and the consumer's credit providers.</p> <p>The indicator measures the average number of days turnaround from the date of filing of a DRA to the communication of the outcome thereof to the parties.</p>
<p><b>Source of data</b></p>	<p>The case spreadsheet, case files and the case management system (for matters either filed or finalised on the case management system).</p> <p><b>Date of filing</b></p> <p>Each DRA filed by hand, by fax, by personal delivery or by email requires the finance unit of the Tribunal to confirm that payment is made for the application being filed. The date of filing for these applications is the date that the finance unit, by way of email/or any other written manner that communicates confirmation of payment with the office of the Registrar.</p> <p>Each DRA filed by system filing (XML or e-filing), reflects a digitally imprinted date stamp which is found on the system.</p> <p><b>Date of order issued</b></p> <p>Each DRA finalised by way of an order being granted or refused has a date stamp digitally imprinted if the order was issued through the case management system or has a date</p>

	stamp reflecting the issuing of an order by the Tribunal to the filing party by way of the date of the email.
<b>Method of calculation or assessment</b>	<p>The turnaround for each application received is calculated from the date of filing to the date of issuing of order to the filing parties.</p> <p>An average number of days are calculated for all DRA cases finalised during a quarter by way of an order issued. The calculation is arrived at by taking the total number of days from the date of filing of a DRA application until the outcome or order is issued to the parties divided by the total number of DRA applications orders were issued for. This average number of days is reported in the quarterly report and reported as an annual figure at the end of the financial year. The calculation is based on business days – it excludes weekends, public holidays and the period during which the Tribunal is officially closed.</p>
<b>Means of verification</b>	System audit trail to confirm date of filing on system filed matters, date of finance confirmation of payment to confirm the date of filing on matters not filed on the system. Date digitally imprinted on the order for orders issued on the system and date of issuing of order by email for orders issued by way of email.
<b>Assumptions</b>	On date of filing, all the required information in terms of the Rules of the Tribunal has been provided.
<b>Disaggregation of beneficiaries (where applicable)</b>	Not Applicable.
<b>Spatial transformation (where applicable)</b>	Not Applicable.
<b>Calculation type</b>	Non-Cumulative.
<b>Reporting cycle</b>	Quarterly.
<b>Desired performance</b>	Performance below target of 50 days is targeted.
<b>Indicator responsibility</b>	Registrar.

<b>Indicator title 2</b>	Average number of days from the date of close of pleadings on a non-DRA to issuing a first notice of set down to the parties.
<b>Definition</b>	Non-DRA is all other applications filed at the Tribunal other than an application filed in terms of s138(1)(a) of the National Credit Act 34 of 2005.

	The indicator measures the average number of days turnaround from close of pleadings to the issuance of a first notice of set down for Non- DRA matters.
<b>Source of data</b>	<p>The case spreadsheet and the case files. Case File contains a Confirmation of the date of close of pleadings, which is signed off on by the Registrar or his/her delegate. This information is collated on a case spreadsheet which electronically calculates the number of business days from the date of close of pleadings to the date of issuing of the initial notice of set down to parties.</p> <p>The specific close of pleadings date of a non-DRA case will be reflected on the confirmation of the date of close of pleadings on the case file.</p>
<b>Method of calculation</b>	<p>The turnaround for each application received is calculated from the date of the first close of pleadings to the date of issuance of the notice of set down to the parties. This only applies in instances where a set down was issued after pleadings closed for the first time.</p> <p>An average number of days are calculated for all non-DRA cases where the notice of set down, after a first close of pleadings was issued during a quarter. The calculation is arrived at by taking the total number of days from the confirmation of the first close of pleadings of an application until the date of the issuing of the notice of set down to the parties, divided by the total number of non-DRA cases set down for hearing. This average number of days is reported in the quarterly report and also reported as an annual figure at the end of the financial year. The calculation is based on business days – it excludes weekends, public holidays, and the period during which the Tribunal is officially closed.</p>
<b>Means of Verification</b>	Certificate of COP and issuing of a notice of set down.
<b>Assumptions</b>	The full complement of Tribunal members is available for the hearing.
<b>Disaggregation of beneficiaries (where applicable)</b>	Not Applicable.
<b>Spatial transformation</b>	Not Applicable.
<b>Calculation Type</b>	Non-Cumulative.
<b>Reporting cycle</b>	Quarterly.
<b>Desired performance</b>	Performance below target of 15 days is targeted.
<b>Indicator responsibility</b>	Registrar.

<b>Indicator Title 3</b>	Average number of days from the date of final adjudication of non-DRA to date of issuing an order.
<b>Definition</b>	<p>Non-DRA is all other applications filed at the Tribunal other than an application filed in terms of s138(1)(a) of the National Credit Act 34 of 2005.</p> <p>The indicator measures the average number of days turnaround from the date of final adjudication to the issuance of a judgment to filing parties on Non-DRA matters.</p>
<b>Source of Data</b>	Once adjudication has been complete, an e-mail/fax confirmation validates the date that the final judgment was issued to the parties. This information is collated on a case spreadsheet which electronically calculates the number of business days from the last date of adjudication to the date of issuing the judgment. This information will be filed and stored in the case files. Judgment refers to a decision and reasons in matters, except for an application for a debt re-arrangement agreement being made an order of the Tribunal.
	Calculate the total number of days from the last date of the adjudication to the date that the judgment was issued to the parties. The calculation is based on business days (5 working days a week) and excludes weekends, public holidays, and the period during which the Tribunal closes for business annually.
<b>Means of Verification</b>	Judgment and judgments issue email.
<b>Assumptions</b>	The Tribunal members have reached consensus on the appropriate judgment of the matter at the final hearing.
<b>Disaggregation of beneficiaries (Where applicable)</b>	Not Applicable.
<b>Spatial Transformation (Where applicable)</b>	Not Applicable.
<b>Calculation type</b>	Non-Cumulative.
<b>Reporting cycle</b>	Quarterly.
<b>Desired performance</b>	Performance below target of 20 days is targeted.
<b>Indicator responsibility</b>	Registrar and Tribunal Members.



<b>Indicator title 4</b>	Number of impact reports on DRA or non-DRA judgments and orders of the Tribunal.
<b>Definition</b>	Impact reports prepared and submitted to the Executive Chairperson.
<b>Source of data</b>	Actual reports submitted.
<b>Method of calculation / assessment</b>	Count the number of impact reports submitted to the Executive Chairperson.
<b>Means of verification</b>	Submission e-mails of impact reports to the Executive Chairperson.
<b>Assumptions</b>	Judgments and orders are issued.
<b>Disaggregation of beneficiaries (where applicable)</b>	Not Applicable.
<b>Spatial transformation (where applicable)</b>	Not Applicable.
<b>Calculation type</b>	Non-cumulative.
<b>Reporting cycle</b>	Quarterly.
<b>Desired performance</b>	12 reports.
<b>Indicator responsibility</b>	Registrar.

Programme 2: Administration

<b>Indicator Title 5</b>	An unqualified opinion issued by the external auditors on the Annual financial statement and with no material findings on compliance with legislation and on the Annual Performance Report.
<b>Definition</b>	<p>This indicator measures the audit opinion as expressed in the audit report of the external auditors.</p> <p>The NCT's target is to achieve an unqualified audit opinion with no material findings on Compliance with Legislation and the Annual Performance Report.</p>
<b>Source of data</b>	<p>The external audit report obtained from the external auditors on the annual financial statements, Compliance with legislation and the Annual Performance Report.</p> <p>Such report is due in terms of the legislation on the 31st of July each year.</p>

<b>Method of calculation or assessment</b>	Qualitative - Simple count.
<b>Means of verification</b>	External audit report.
<b>Assumptions</b>	There are none.
<b>Disaggregation of beneficiaries (where applicable)</b>	Not Applicable.
<b>Spatial transformation (where applicable)</b>	Not Applicable.
<b>Calculation type</b>	Non-Cumulative.
<b>Reporting cycle</b>	Annually.
<b>Desired performance</b>	<p>An unqualified opinion issued by the external auditors on the Annual financial statements with no material findings on compliance with legislation and the Annual Performance Report.</p> <p>The same level of performance is required over the strategic planning period.</p>
<b>Indicator responsibility</b>	Chief Financial Officer

<b>Indicator Title 6</b>	<b>Average number of days taken to pay suppliers.</b>
<b>Definition</b>	To ensure suppliers are settled within 20 days of receipt of invoice.
<b>Source of data</b>	The invoice register details the date the invoice was received and the date it was paid. It further details the days taken to pay the invoice.
<b>Method of calculation or assessment</b>	<p>Average number of days taken to pay suppliers.</p> <p>This is calculated by determining the number of days taken to pay an invoice from the date of receipt to the date of payment. The average is then calculated.</p> <p>Please note that disputed invoices will be counted from the date when the dispute is resolved. Written communication will confirm that the dispute was resolved.</p>
<b>Means of verification</b>	Invoice register.
<b>Assumptions</b>	There are none.
<b>Disaggregation of beneficiaries (where applicable)</b>	Not Applicable.

<b>Spatial transformation (where applicable)</b>	Not Applicable.
<b>Calculation type</b>	Cumulative (year-end).
<b>Reporting cycle</b>	Quarterly.
<b>Disaggregation of beneficiaries (where applicable)</b>	Not Applicable.
<b>Spatial transformation (where applicable)</b>	Not Applicable.
<b>Desired performance</b>	20 days on average to pay suppliers.
<b>Indicator responsibility</b>	Chief Financial Officer.

<b>Indicator Title 7</b>	<b>Number of financial sustainability reports approved by the Executive Chairperson</b>
<b>Definition</b>	Report on the financial sustainability of the NCT approved by the Executive Chairperson.
<b>Source of data</b>	A report approved by the Executive Chairperson setting out cost containment measures. The report will also set out any expenditure areas where we can incur savings due to efficiencies (if there are any).
<b>Method of calculation and assessment</b>	Qualitative - Simple count.
<b>Means of verification</b>	One report approved by the Executive Chairperson.
<b>Assumptions</b>	There are none.
<b>Disaggregation of beneficiaries (where applicable)</b>	Not Applicable.
<b>Spatial transformation (where applicable)</b>	Not Applicable.
<b>Calculation type</b>	Non-Cumulative.
<b>Reporting cycle</b>	Annually.
<b>Desired performance</b>	A report approved by the Executive Chairperson setting out cost containment measures. The report will also set out any expenditure areas where we can incur savings due to efficiencies (if there are any).
<b>Indicator responsibility</b>	Chief Financial Officer.

Indicator Title 8	Average percentage availability of systems during business hours.
<b>Definition</b>	The measure shows the uptime availability for the following critical business applications for the NCT. 1) Case Management System 2) Office 365 system (includes Outlook, SharePoint and OneDrive) 3) Sage 300 finance System 4) Sage 300 HR and payroll system (includes ESS) 5) Virtual Private Network services 6) Teams Voice 7) E-service desk incident management system 8) NCT Website.
<b>Source of data</b>	OPS Manager monitoring tool database.
<b>Method of calculation or assessment</b>	<p><b>Business hours per day</b> = 9 (7:45 – 16:45 including 1 hour lunch break)</p> <p><b>Number of working days per month</b> = 22</p> <p><b>Number of months in a quarter</b> = 3</p> <p>Therefore, the calculation method to determine the uptime business hours per quarter is:</p> <p><b>Total Business hours</b> = (3 *22 * 9) = hours for the quarter for each business application.</p> <p><b>Actual hours</b> uptime for each application is derived from the systems generated report from OPS Manager.</p> <p><b>% availability per business application</b> = (Actual hours/total business hours) *100.</p> <p><b>Overall % availability per quarter</b> = (sum of % availability of each business application/8 (number of applications).</p>
<b>Means of verification</b>	Systems generated uptime reports.
<b>Assumptions</b>	No catastrophic events outside of the NCT's direct control.
<b>Disaggregation of beneficiaries (where applicable)</b>	Not Applicable.

<b>Spatial transformation (where applicable)</b>	Not Applicable.
<b>Calculation type</b>	Cumulative (year-end).
<b>Reporting cycle</b>	Quarterly.
<b>Desired performance</b>	Minimum of 98% availability of all identified above critical business applications during business hours.
<b>Indicator responsibility</b>	Chief Information Officer.

<b>Indicator Title 9</b>	<b>Number of designated security assessment audits conducted.</b>
<b>Definition</b>	The measure indicates whether the NCT ICT systems infrastructure has been rigorously and robustly tested to identify any potential vulnerabilities that may exist. External and Internal penetration tests are carried out on an annual basis to identify potential vulnerabilities within the network and server infrastructure.
<b>Source of data</b>	Assessment reports from the one external and one internal penetration test scheduled and carried out annually.
<b>Method of calculation and assessment</b>	Simple count of 2 security assessment audit reports, one internal and one external.
<b>Means of verification</b>	Two security assessment reports (1 internal test report and 1 external test report) produced.
<b>Assumptions</b>	Penetration testing will be sufficient to highlight potential vulnerabilities. Sufficient budget is available to perform penetration tests.
<b>Calculation type</b>	Non-Cumulative.
<b>Reporting cycle</b>	Annually.

<b>Disaggregation of beneficiaries</b> (where applicable)	Not Applicable.
<b>Spatial transformation</b> (where applicable)	Not Applicable.
<b>Desired performance</b>	1 external and 1 internal penetration test performed per annum and a corresponding assessment report produced.
<b>Indicator responsibility</b>	Chief Information Officer.

<b>Indicator Title 10</b>	<b>Number of ICT Disaster recovery tests completed</b>
<b>Definition</b>	The measure indicates whether the NCT ICT systems recovery processes for all the critical business applications have been rigorously and robustly tested to ensure NCT ICT-enabled business processes can be fully operational in the event of a catastrophic failure.
<b>Source of data</b>	Disaster recovery exercise reports and signed off user acceptance test recovery procedures document.
<b>Method of calculation and assessment</b>	Simple count that two disaster recovery reports verifying that two recovery tests have been conducted annually.
<b>Means of verification</b>	Disaster recovery acceptance test procedures executed and signed off by each business unit manager.
<b>Assumptions</b>	The disaster recovery tests executed will be sufficient to verify that in the event of a real disaster the organisation will be able to resume business operations within a 6-hour window.
<b>Disaggregation of beneficiaries</b> (where applicable)	Not Applicable.
<b>Spatial transformation</b> (where applicable)	Not Applicable.
<b>Calculation type</b>	Non-Cumulative.

<b>Reporting cycle</b>	Annually
<b>Desired performance</b>	2 successful disaster recovery tests conducted annually (1 in Q2 and 1 in Q4).
<b>Indicator responsibility</b>	Chief Information Officer.

<b>Indicator Title 11</b>	<b>Implementation of an Artificial Intelligence and Knowledge Management system for Case Management/Adjudication.</b>
<b>Definition</b>	The measure indicates the successful identification and implementation of Artificial Intelligence (AI) technologies for the purpose of enhancing the automation of Case Management and Adjudicative processes within the Tribunal. Although in this APP this output indicator is measured over 3 years, the full implementation of this will take place over 5 years.
<b>Source of Data</b>	Year 1- (2024/2025): Research paper approved by the Executive Chairperson. Year 2-(2025/2026): Business Requirements approved by the Executive Chairperson. Year 3- (2026/2027): Functional and Technical specifications approved by the Executive Chairperson.
<b>Method of calculation and assessment</b>	Year 1- (2024/2025): simple count of 1 research paper approved by the Executive Chairperson. Year 2- (2025/2026): simple count of 1 business requirements specification approved by the Executive Chairperson. Year 3: (2026/2027) - simple count of 1 Functional and Technical specification document approved by the Executive Chairperson.
<b>Means of verification</b>	Year 1- (2024/2025): Proof of signed research paper by the Executive Chairperson. Year 2: (2025/2026): Proof of signed Business requirements specification by the Executive Chairperson. Year 3: (2026/2027): Proof of signed Business requirements specification by the Executive Chairperson.

<b>Assumptions</b>	Budget availability for the system.
<b>Disaggregation of beneficiaries</b> <b>(where applicable)</b>	Not Applicable.
<b>Spatial transformation</b> <b>(where applicable)</b>	Not Applicable.
<b>Calculation type</b>	Non-Cumulative.
<b>Reporting cycle</b>	Annually.
<b>Desired performance</b>	Identified Case Management and Adjudicative processes fully powered by AI on project completion allowing the NCT “to do more with less”.
<b>Indicator responsibility</b>	Chief Information Officer.

<b>Indicator Title 12</b>	<b>Number of compliance monitoring systems developed and implemented</b>
<b>Definition</b>	The measure shows the development of a compliance monitoring system and the implementation and monitoring of compliance systems reports generated to provide assurance to the NCT’s stakeholders regarding the NCT’s level of compliance with legislation applicable to it as well as compliance with the NCT’s compliance Framework.
<b>Source of data</b>	Year 1- (2024/2025): Approved and signed off Compliance Monitoring System. Years 2- (2025/2026) and 3- (2026/2027): Data will be collected from the developed compliance monitoring system to measure systems compliance with legislation applicable to the NCT as well as the NCT’s Compliance Framework.



<b>Method of calculation and assessment</b>	<p>Year 1- (2024/2025): Approved and signed Compliance Monitoring System.</p> <p>Years 2 - (2025/2026) and 3 - (2026/2027): Count the number of quarterly system-generated compliance reports.</p>
<b>Means of verification</b>	<p>Year 1- (2024/2025): Approval and sign-off of the Compliance Monitoring system by the Executive Chairperson.</p> <p>Years 2 – (2025/2026) &amp; 3- (2026/2027): Systems generated compliance reports.</p>
<b>Assumptions</b>	Not Applicable.
<b>Disaggregation of beneficiaries (where applicable)</b>	Not Applicable.
<b>Spatial transformation (where applicable)</b>	Not Applicable.
<b>Calculation type</b>	<p>Year 1 (2024/2025): Non-Cumulative.</p> <p>Year 2 (2025/2026) and 3 (2026/2027): Non-Cumulative.</p>
<b>Reporting cycle</b>	<p>Year 1: Annually.</p> <p>Year 2 &amp; 3: Quarterly.</p>
<b>Desired performance</b>	<p>Year 1 (2024/2025) Develop a Compliance Monitoring system against which the NCT's compliance with legislation applicable to the NCT and compliance framework will be measured.</p> <p>Year 2 (2025/2026) 4 quarterly compliance system reports generated.</p> <p>Year 3 (2026/2027) 4 quarterly compliance system reports generated.</p>
<b>Indicator responsibility</b>	Secretariat and Compliance Specialist.

<b>Indicator Title 13</b>	<b>Number of risk and compliance training workshops conducted</b>
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<b>Definition</b>	The measure indicates whether the NCT has taken steps to bring greater risk management and compliance awareness alive in the NCT amongst all levels of staff to empower them with knowledge regarding the management of risks and ethical behaviour and complying with the requirements in respect of applicable legislation.
<b>Source of data</b>	Meeting invitation, attendance register of workshops, and presentation of workshops.
<b>Method of calculation or assessment</b>	Count the number of training workshops conducted.
<b>Means of verification</b>	Proof of Attendance register of training workshop and presentation.
<b>Assumptions</b>	Not Applicable.
<b>Disaggregation of beneficiaries</b> <b>(where applicable)</b>	Not Applicable.
<b>Spatial transformation</b> <b>(where applicable)</b>	Not Applicable.
<b>Calculation type</b>	Non-Cumulative.
<b>Reporting cycle</b>	Annually.
<b>Desired performance</b>	Year 1 (2024/2025) 1 Risk Training Workshop and 1 Compliance Training Workshop conducted;  Year 2 (2025/2026) 1 Risk Training Workshop and 2 Compliance Training Workshops conducted; and  Year 3 (2026/2027) 1 Risk Training Workshop and 2 Compliance Training Workshops conducted.
<b>Indicator responsibility</b>	Secretariat and Compliance Specialist.

<b>Indicator Title 14</b>	Percentage of filled positions against approved organisational structure
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<p><b>Definition</b></p>	<p>The indicator tracks the total number of vacant posts filled against the approved organisational structure.</p> <p>An approved organizational structure is the structure as approved by the Executive Chairperson.</p> <p>For a post to be deemed “filled”, an appointment must have been made and accepted by the candidate.</p> <p>The position of Executive Chairperson and Full-Time Tribunal Members are excluded from this calculation as these are Presidential appointments.</p>
<p><b>Source of Data</b></p>	<p>Appointment letters and payroll employee Masterfile will indicate whether a position is filled or not.</p>
<p><b>Method of Calculation or assessment</b></p>	<p>The number of filled positions is divided by the total number of approved posts and multiplied by 100 to obtain a percentage. The calculation will exclude positions that may be placed on hold/frozen due to budgetary or organisational constraints as approved by the Executive Chairperson. The calculation will also exclude any positions that are appointed by the Minister or President.</p> <p>The calculation will be done as follows:-</p> <p>Percentage of filled positions against approved organisational structure = <math>[\text{Number of positions filled} / (\text{Number of approved positions} - \text{Number of frozen positions})] \times 100</math>.</p> <p>This calculation will be on a per month basis.</p> <p>Example to calculate Quarter 1, when two positions were frozen in May.</p> <p>April = Percentage of filled positions against approved organisational structure = <math>[\text{Number of positions filled} / (\text{Number of approved positions} - 0)] \times 100</math>.</p> <p>May = Percentage of filled positions against approved organisational structure = <math>[\text{Number of positions filled} / (\text{Number of approved positions} - 2)] \times 100</math>.</p> <p>June = Percentage of filled positions against approved organisational structure = <math>[\text{Number of positions filled} / (\text{Number of approved positions} - 2)] \times 100</math>.</p>

	Calculation for Q1 will be to add up the % achieved in each of the above months and divide by 3.
<b>Means of verification</b>	Payroll Masterfile.
<b>Assumptions</b>	Budget/funding is available to fill positions.
<b>Disaggregation of beneficiaries (where applicable)</b>	Not Applicable.
<b>Spatial transformation (where applicable)</b>	Not Applicable.
<b>Calculation type</b>	Cumulative (year-end).
<b>Reporting cycle</b>	Quarterly.
<b>Desired performance</b>	Performance higher than the targeted performance of 85% is desired.
<b>Indicator responsibility</b>	Corporate Services Executive.

Indicator Title 15	Number of interns appointed
<b>Definition</b>	The measure shows the extent to which the NCT specifically initiates formal employment and developmental opportunities by providing internship programmes that offer meaningful, practical, work-related experience to a graduate student in their field of study or career interest. A graduate intern is someone who has completed a qualification but is currently unemployed and needs workplace exposure to enhance chances of future employment. This programme is a planned, structured, and managed programme that provides work experience for a specific period varying from three to twelve months.

<b>Source of data</b>	Recruitment file.
<b>Method of calculation or assessment</b>	Simple count of the number of interns that received an offer letter and signed an internship agreement.
<b>Means of verification</b>	Offer letter and signed Internship Agreement.
<b>Assumptions</b>	Availability of budget.
<b>Disaggregation of beneficiaries</b>	Target for Youth.
<b>Spatial transformation</b>	Not Applicable.
<b>Calculation type</b>	Non-Cumulative.
<b>Reporting cycle</b>	Annually.
<b>Desired performance</b>	5.
<b>Indicator responsibility</b>	Corporate Services Executive.

<b>Indicator Title 16</b>	<b>Number of Occupational Health and Safety compliance audit reports</b>
<b>Definition</b>	The indicator measures the number of compliance audits conducted.

<b>Source of Data</b>	The OHS audit document that the OHS Committee Chairperson and a fellow OHS committee member sign.
<b>Method of Calculation or assessment</b>	Simple count of the number of OHS audits conducted.
<b>Means of verification</b>	Signed OHS audit document.
<b>Assumptions</b>	Not Applicable.
<b>Disaggregation of beneficiaries</b>	Not Applicable.
<b>Spatial transformation (where applicable)</b>	Not Applicable.
<b>Calculation type</b>	Non-Cumulative.
<b>Reporting cycle</b>	Annually.
<b>Desired performance</b>	2.
<b>Indicator responsibility</b>	Corporate Services Executive.

<b>Indicator Title 17</b>	<b>Number of Workplace Skills Plan submitted to PSETA</b>
<b>Definition</b>	The indicator measures the number of annual Workplace Skills Plan developed and submitted to PSETA for approval. The WSP shall be finalised in the 4th quarter of each financial year and be submitted before 30 April annually.
<b>Source of data</b>	Acknowledgment letter from PSETA.
<b>Method of calculation or assessment</b>	Simple count of the number of Workplace Skills Plans submitted to PSETA.
<b>Means of verification</b>	An acknowledgment letter received from PSETA confirming the submission of the Workplace Skills Plan.

<b>Assumptions</b>	Availability of budget for training.
<b>Disaggregation of beneficiaries</b>	Not Applicable.
<b>Spatial transformation</b>	Not Applicable.
<b>Calculation type</b>	Non-Cumulative.
<b>Reporting cycle</b>	Annually.
<b>Desired performance</b>	1.
<b>Indicator responsibility</b>	Corporate Services Executive.

<b>Indicator Title 18</b>	Number of culture/wellness surveys or interventions conducted
<b>Definition</b>	The indicator measures the number of annual culture or wellness surveys or interventions conducted to determine the satisfaction index of employees or state of wellness. Interventions may also be conducted to address issues from the culture or wellness survey.
<b>Source of data</b>	Culture survey results or attendance register for intervention conducted.
<b>Method of calculation or assessment</b>	Simple count of the number of culture/wellness surveys or interventions conducted.
<b>Means of verification</b>	Culture Survey/Intervention report submitted.

<b>Assumptions</b>	Availability of budget.
<b>Disaggregation of beneficiaries</b>	Not Applicable.
<b>Spatial transformation</b>	Not Applicable.
<b>Calculation type</b>	Non- Cumulative
<b>Reporting cycle</b>	Annually.
<b>Desired performance</b>	2.
<b>Indicator responsibility</b>	Corporate Services Executive

<b>Indicator Title 19</b>	Number of structured interactions and engagements with external stakeholders.
<b>Definition</b>	The indicator measures the number of structured engagements and interactions with external stakeholders where the NCT made a presentation, or a report was submitted to the Executive Chairperson.
<b>Source of data</b>	Presentations or reports.
<b>Method of calculation or assessment</b>	Count the number of structured engagements and engagements with external stakeholders.
<b>Means of verification</b>	Proof of presentation or report submitted to the Executive Chairperson.
<b>Assumptions</b>	Availability of budget.



<b>Disaggregation of beneficiaries</b>	Not Applicable.
<b>Spatial transformation</b>	Not Applicable.
<b>Calculation type</b>	Non-Cumulative.
<b>Reporting cycle</b>	Quarterly.
<b>Desired performance</b>	24 structured engagements per annum is desirable.
<b>Indicator responsibility</b>	Corporate Services Executive.

<b>Indicator Title 20</b>	Number of records management training conducted within the Tribunal.
<b>Definition</b>	Records management training conducted by the Tribunal for the Tribunal staff.
<b>Source of Data</b>	Attendance registers of delegates that attended the training. Presentation.
<b>Method of Calculation or assessment</b>	Simple count of the number of records management training conducted.
<b>Means of Verification</b>	Verified through the existence of training presentation, and attendance register.
<b>Assumptions</b>	None.
<b>Disaggregation of beneficiaries</b>	Not Applicable.
<b>Spatial transformation (where applicable)</b>	Not Applicable.
<b>Calculation type</b>	Non-Cumulative.
<b>Reporting cycle</b>	Annually.
<b>Desired performance</b>	1 training session.
<b>Indicator responsibility</b>	Registrar.

