



Companies and Intellectual  
Property Commission

a member of **the dtic** group

# **Annual Performance Plan**

## **2022/23 – 2024/25**

**31 January 2022**

**(Revised July/August 2022)**

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## Abbreviations and Acronyms

AfCFTA	African Continental Free-Trade Area
AFS	Annual Financial Statements
API	Application Programming Interface
AR	Annual Returns
BBBEE	Broad-Based Black Economic Empowerment
BISG	Business Information Systems Group
BR	Business Rescue
BRR	Business Regulation and Reputation
CA	Chartered Accountants
CC	Close Corporation
CEO	Chief Executive Office
CFO	Chief Financial Officer
CIPC	Companies and Intellectual Property Commission
CLC	Client Liaison Committee
CO	Company
COVID-19	Corona Virus Disease 2019
CS	Corporate Services
DB	Doing Business
DBSA	Development Bank of South Africa
DDM	District Development Model
DM	Divisional Manager
DST	Department of Science and Technology
<b>Dtic</b>	Department of Trade, Industry and Competition
EM	Executive Manager
EU	European Union
FSCA	Financial Sector Conduct Authority
GCI	Global Competitiveness Index
I&C	Innovation and Creativity
ICT	Information, Communication and Technology
IDC	Industrial Development Corporation
IFRS	International Financial Reporting Standard
IP	Intellectual Property
IPAP	Industrial Policy Action Plan
IT	Information Technology
JSE	Johannesburg Stock Exchange

K2	Code for a digital platform
MOI	Memorandum of Incorporation
MP	Member of Parliament
NEF	National Empowerment Fund
NIS	National Innovation System
NLC	National Lotteries Commission
PPE	Personal Protective Equipment
QRS	Query Resolution System
RIs	Reportable Irregularities
SACCL	Standing Advisory Committee in Company Law
SARS	South African Revenue Services
SCM	Supply Chain Management
SEDA	Small Enterprise Development Agency
SEZ	Special Economic Zones
SM	Senior Manager
SOE	State-Owned Enterprises
SSC	Self-service centres
SST	Self-service terminals
the dtic	The Department of Trade, Industry and Competition
UIF	Unemployment Insurance Fund
USSD	Unstructured Supplementary Service Data
WIPO	World Intellectual Property Organisation
iXBRL	Inline eXtensible Business Reporting Language

## Executive Authority Statement

The Annual Performance Plan (APP) identifies the outputs, output indicators and targets that an entity aims to achieve in the new financial year. The Executive Authority is responsible for providing direction on the development and implementation of policies and strategic priorities of entities in line with their respective mandates, and to ensure the APP is aligned to government's priorities.

The environment in which the APPs of the Department of Trade, Industry and Competition (**the dtic**) and our entities have been formulated remains challenging, given the impact of the COVID-19 pandemic, the July 2021 unrest and more recently the Russia/Ukraine war. At the same time, determined efforts by the Administration has seen signs of economic recovery and greater investor confidence in economic prospects. In this light, Government's priority focus continues to be the recovery of growth, investment and employment, guided by the Economic Recovery and Reconstruction Plan adopted in 2020, and the tasks outlined by President Ramaphosa in the 2022 State of the Nation Address.

This APP is expected to take forward the strategic shift initiated in 2021/2022 toward strengthened implementation and impact of **dtic's** work, through greater integration of efforts within the department and our entities, guided by shared, crosscutting outcomes and joint performance indicators. In this regard, the work of **the dtic** and the entities will be evaluated in relation to three over-arching Outcomes (which incorporate the previous "Joint-KPIs") namely **Industrialisation**; **Transformation**; and **Capable State** (Implementation/ Effective Delivery). In this way these Outcomes more deliberately and directly inform respective outputs and KPIs of the department and entities.

In turn, the scope of the outputs collectively still encompass the identified **dtic's** priorities, which include among others, the work of sector masterplans, initiatives to boost levels of investment and localisation in the economy, expanding trade within the continent, enabling better local economic development, supporting the growth of new industries (in the green economy and through beneficiation) and building a capable state, in particular addressing red tape as prioritised by the President in the 2022 State of the Nation Address.

Every entity in the **dtic** has been requested to align their APPs to the three outputs, it being recognised that a particular entity's core business links more clearly and strongly to one or the other of the overarching Outcomes, than to others.

This APP represents the outcome of the work done by the Companies and Intellectual Property Commission. Following the tabling of the APP by the **dtic** itself, each entity of the Department will be expected to consider such additional refinement and additions to be made and following completion of the review, such an addendum to this APP may be submitted in due course after the tabling.

This APP is therefore not about many new objectives but rather on a new way of implementation, with the focus on integration, to enhance the development impact of the work.

I accordingly table the APP for 2022/23 in accordance with the request by the Speaker.

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

Ebrahim Patel  
Minister of Trade, Industry and Competition

**Date:** .....

## Accounting Authority Statement

I present the 2022/23 – 2024/25 CIPC Annual Performance Plan that outlines how the CIPC as a regulator will continue to give effect to its mandate as derived from the shareholders compact with **the dtic** and the Companies Act, 2008 (as amended), by which it was established.

The Companies and Intellectual Property Commission (CIPC) has made great strides toward its vision to establish itself as a reputable, modern, world-class regulator of business and intellectual property. By leveraging digital technologies and partnerships and emphasising collaboration and innovation, we established key competencies to respond and adapt to customer requirements and environmental changes such as those presented by the COVID-19 pandemic.

The CIPC has won several innovation awards for innovative ways to make it easy to do business in South Africa (SA), and therefore reduce the administrative regulatory burden for businesses and innovators. This has set CIPC in the international arena as a reputable regulator.

Through collaboration and partnerships, the CIPC has focused on the development and expansion of multiple channels to increase access to the CIPC products and services and improve ease of transacting. These channels include the e-services website, self-service centres (SSCs) and partner sites (self-service terminals (SSTs)), the *BizPortal*, which includes the Banks (FNB, Nedbank, Standard Bank, ABSA, Capitec, and SASFIN), the Mobile App, the Call Centre, the Query Resolution System (QRS), Unstructured Supplementary Service Data (USSD), as well as social media (Facebook, Twitter, You Tube and WhatsApp). The uptake of these channels is increasing by the day.

The CIPC modernisation programme entails migrating processes from the legacy systems to modern platforms, as well as automation of all its processes. A bulk of the core services have been migrated onto the K2 platform (*a platform used for Business Process Management to automate business processes or workflows.*) and released to new e-services. As a result of automation, company registrations have been reduced to less than two days. Annual returns (AR) filing takes less than five (5) minutes. Another major achievement is the automation of annual financial statements filing through the Inline Extensible Business Reporting Language (iXBRL).

The CIPC education and awareness programme has focused on IP awareness for SMMEs, institutes of higher learning, and school kids; improving compliance with the Company and IP Laws such as the annual returns filing, the submission of the audited financial statements; as well as IP enforcement. To clamp down on counterfeit trading, and to change consumer behaviour viz. counterfeit purchases, the CIPC has used strategic engagements and operations with multiple domestic and international law enforcement agencies. Corporate enforcement has been realised through compliance surveillance and proactive investigations. The CIPC is strengthening its capacity for IP protection through building a capability of substantive search examination for patents.

The futuristic and forward-looking CIPC Vision 2030 strategy envisions the CIPC making a strategic contribution towards improving South Africa's competitiveness and growth. In line with **the dtic's** six (6)-point programme, the CIPC Vision 2030 strategy focus on four (4) areas:

1. We want to continue building the required competencies and capabilities to become a **world-class modern regulator** that is fit-for-purpose, agile, adaptive, high-performing organisation that is ahead of the curve, making a strategic contribution towards SA's improved competitiveness and growth. This is in line with the national government's priority to improve the capacity of the state. We are also committed "...to find new ways to protect public resources so as to reassure the public that corruption will not get in the way of effective delivery." Organisation design to ensure that the organisation is capacitated appropriately is underway.

2. We will continue focusing our efforts on reducing the regulatory administrative burden by creating ease, simplicity, and flexibility in the formation, maintenance and compliance by companies, as well as protection of intellectual property. This will make it **easy to do business in SA**, contributing to enterprise efficiency, growth, and sustainability. This will entail our continued efforts to build and strengthen multiple access channels to the CIPC services, as well as modernisation and digitising all CIPC processes and systems.
3. The CIPC will ensure implementation and compliance with Company and IP Laws to create a reputable Business Regulation and IP Protection environment in South Africa, contribution to **investor confidence in SA businesses and innovations** translating to investments in business and innovations, and contributing to business growth and sustainability. We will strengthen compliance monitoring and enforcement efforts, while providing business support to SMMEs through our outreach programme together with our partners, such as Small Enterprise Development Agency (SEDA).
4. We want to **support third party decision-making**, including our own, by leveraging knowledge assets and networks thus extracting maximum value for us and our customers. We will accelerate our efforts to improve data quality and integrity. We will also analyse and package our data to be value-adding to third parties who use it.

I believe that the commitment and dedication shown by the CIPC executives, senior management, and staff in performing their jobs admirably in the recent years, thereby contributing to the realisation of our plans and the delivery of services to CIPC clients, will continue, and therefore take the CIPC to new heights. Organised labour contribution has been instrumental to the organisation's effectiveness, and we trust it will continue in the same fashion.

We will rely on Audit, and Risk & IT Committees for their value-add and commitment to governance within the organisation, as it has been done previously. Contribution of Committees like the Client Liaison Committee (CLC), IP Lawyers fraternity, Standing Advisory Committee in Company Law (SACCL), and all collaboration partners is our winning formula, and we will therefore continue to work with these stakeholders.

Finally, and most importantly, we will rely on the support of the Minister of Trade, Industry and Competition, Mr. Ebrahim Patel, the Deputy Ministers of Trade, Industry and Competition, Ms. Nomalungelo Gina and Mr. Fikile Majola, and the Acting Director-General of **the dtic**, Ms. Mabitje-Thompson, together with **the dtic** staff to guide and provide oversight on our work as they have done in the past.

---

**Adv. Rory Voller**

**CIPC Commissioner**

**Date:**

## Official Sign-Off

It is hereby certified that this Annual Performance Plan:

- Was developed by the management of the Companies and Intellectual Property Commission (CIPC) under the guidance of the Commissioner, Adv. Rory Voller.
- Takes into account all the relevant policies, legislation, and other mandates for which the CIPC is responsible.
- Accurately reflects the Impact, Outcomes, and Outputs which the CIPC will endeavour to achieve over the period 2022/2023 – 2024/25.

### Programme 1: Service Delivery Access

Signature:

\_\_\_\_\_  
Ms Hamida Fakira, Executive Manager:  
Corporate Services  
Date:

Signature:

\_\_\_\_\_  
Mr Muhammed Jasat, Chief Financial  
Officer  
Date:

Signature:

\_\_\_\_\_  
Mr. Phineas Mogale, Executive Manager:  
Business Information Systems  
Date:

Signature:

\_\_\_\_\_  
Mr Lungile Dukwana, Chief Strategy  
Executive  
Date:

### Programme 2: Innovation and Creativity

Signature:

\_\_\_\_\_  
Ms Nomonde Maimela, Executive  
Manager: Innovation and Creativity  
Date:

Signature:

\_\_\_\_\_  
Adv. Rory Voller, Commissioner: CIPC  
(Accounting Authority)  
Date:

### Programme 3: Business Regulation and Reputation

Signature:

\_\_\_\_\_  
Adv. Rory Voller, Acting Executive  
Manager: Business Regulation and  
Reputation  
Date:

Approved by:

Signature:

\_\_\_\_\_  
Mr Ebrahim Patel, Minister of Trade,  
Industry and Competition  
Date:

## Part A: Our Mandate

### 1. Constitutional Mandate

The CIPC must abide by the Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996) as amended. **Table 1: CIPC Constitutional Mandate** highlight sections with more relevance for the CIPC.

Table A. 1 Constitutional Mandate

Chapter and Section	Provision
<b>Chapter 2: Bill of Rights : Section 7.</b>	The state must respect, protect, promote and fulfil the rights in the Bill of Rights.
<b>Equality: Section 9:</b>	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.
<b>Access to information: Section 32.</b>	(1) Everyone has the right of 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. (2) National legislation must be enacted to give effect to this right, and may provide for reasonable measures to alleviate the administrative and financial burden on the state.
<b>Just administrative action: Section 33.</b>	(1) Everyone has the right to administrative action that is lawful, reasonable, and procedurally fair. (2) Everyone whose rights 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— Chapter 2: Bill of Rights 14 (a) provide for the review of administrative action by a court or, where appropriate, an independent and impartial tribunal; (b) impose a duty on the state to give effect to the rights in subsections (1) and (2); and (c) promote an efficient administration.

### 2. Legislative and policy mandates

#### 2.1 Legislative mandates

The CIPC is listed as a Schedule 3A entity in the Public Finance Management Act, 2001 (Act No. 1 of 2001) as amended (herein referred to as the PFMA).

As shown in **Table A.2: PFMA Provisions for Public Entities**, Chapter 1, 6, and Schedule 3A of the PFMA has provisions for public entities such as the CIPC.

Table A. 2 PFMA Provisions for Public Entities

Chapter and Section	Provision
<b>Chapter 1</b>	A national public entity is a board, commission, company, corporation, fund or other entity (other than a national government business enterprise) which is— (i) established in terms of national legislation; (ii) fully or substantially funded either from the National Revenue Fund, or by way of a tax, levy or other money imposed in terms of national legislation; and (iii) accountable to Parliament;
<b>Chapter 6</b>	Provides for classification; assignment of powers and responsibilities, corporate plans, annual budgets and performance ,revenue and expenditure management, information access, annual reports, and financial statements of public entities
<b>Schedule 3A</b>	List the CIPC as a Schedule 3A entity

As a national public entity, the CIPC is established by a national legislation, the Companies 10 February 2021 Act, 2008 (Act No. 71 of 2008). As shown in **Table A.3: Legislative Mandate**, the CIPC is legislated by a number of Acts of Parliament.

Table A. 3 CIPC Legislative Mandate

Legislation	Summary
<b>Companies Act, No 71 of 2008</b>	<p>Register companies, business rescue practitioners and corporate names; maintain data; regulate governance of and disclosure by companies; accredit dispute resolution agents; educate and inform about all laws; give non-binding opinions and circulars, policy and legislative advice</p> <p>Enforce the Companies Act, 2008 to promote voluntary resolution of disputes arising this Act between companies and directors or shareholders as contemplated in Part C of Chapter 7, monitor proper compliance with the Act, receiving or initiating complaints concerning alleged contravention of this Act, evaluating such complaints, and initiating investigations into complaints.</p> <p>Maintenance of accurate, up-to-date and relevant information concerning companies, foreign companies and other juristic persons contemplated in subsection (1) (a) (ii), and concerning intellectual property rights, and the provision of that information to the public and to other organs of state.</p>
<b>Close Corporations Act, No 69 of 1984</b>	Maintain data, regulate governance of and disclosure by close corporations
<b>Co-operatives Act, No 14 of 2005</b>	Register co-operatives, maintain data, regulate governance of and disclosure by co-operatives
<b>Co-operatives Amendment Act, No 6 of 2013</b>	Annual submission of information by co-operatives, audit and independent review of co-operatives, voluntary winding-up of cooperatives by special resolution, liquidation process of co-operatives
<b>Share Block Control Act, No 59 of 1980</b>	Regulate conduct and disclosure by share block schemes
<b>Consumer Protection Act, No 68 of 2008</b>	Register business names
<b>Trade Marks Act, No 194 of 1993</b>	Register trade marks, maintain data, resolve disputes
<b>Merchandise Marks Act, No 17 of 1941 (Unauthorized Use of State Emblems Act, No 37 of 1961)</b>	Prevent and enforce the unauthorized use of state emblems
<b>Patents Act, No 57 of 1978</b>	Register patents, maintain data, publish patent journal, administer Court of Commissioner of Patents

Legislation	Summary
<b>Designs Act, No 195 of 1993</b>	Register designs, maintain data, resolve disputes
<b>Copyright Act, No 98 of 1978</b>	Provide non-binding advice to the public
<b>Registration of Cinematography Films Act, No 62 of 1977</b>	Register films, maintain data
<b>Performers Protection Act, No 11 of 1967</b>	Accredit Collecting Societies; regulate their governance, conduct and disclosure
<b>Counterfeit Goods Act, No 37 of 1997</b>	Conduct and co-ordinate search and seizure operations, oversee depots

## 2.2 Policy mandates

Apart from the pieces of legislation that the CIPC is responsible for, the CIPC also derives its policy mandate from the policies of its principal department, **the dtic**, and SA government in general. The key policies and strategies of **the dtic** relevant to the CIPC are as follows:

Table A. 4 National policies and strategies

Policies/Strategies	Summary	CIPC Contribution
<b>National Development Plan 2030</b>	<p>The NDP 2030 is a long-term vision for the country, which provides a broad strategic framework to guide key government choices and actions, and focuses on the critical capabilities needed to transform the economy and society. The plan highlights that accelerated development in South Africa requires the active support of all citizens, leadership in all sectors that puts the country's collective interests ahead of narrow, short-term goals, and radically improved government performance.</p> <p>The NDP 2030 has two overarching goals:</p> <ul style="list-style-type: none"> <li>– Firstly, a reduction in the number of people who live in households with a monthly income below R419 per person from 39% to zero.</li> <li>– Secondly, a reduction in inequality as measured by the Gini coefficient, from 0.69 to 0.6.</li> </ul>	<p>The CIPC's vision is to make a strategic contribution towards improving SA's competitiveness and growth. This is done through making it easy to do business in SA; regulate business and IP environment contributing to SA becoming an investment destination, and enabling the protection and commercialisation of innovation; and leverage knowledge assets and networks to support third party decision-making. In doing so, the CIPC contributes towards elimination of poverty and reduction of inequality.</p>
<b>National Development Plan Five-Year Implementation Plan 2019-2024</b>	<p>The NDP Five-Year Implementation Plan provides a medium-term roadmap, which will form the basis for developing five-year institutional plans that will guide the realisation of the NDP priorities. The purpose of the NDP Five-Year implementation plan is to advance and guide medium and short-term planning that is responsive to the attainment of the NDP priorities. Intergovernmental and interdepartmental planning is crucial to the realisation of government priorities and ultimately the vision for South Africa. The NDP Five-Year Implementation Plan will allow for the coordination and alignment of priorities across the spheres of government and non-government stakeholders, and assist in integrating all the</p>	<p>The NDP Implementation Plan forms the basis of the CIPC Strategic Plan and APP as follows:</p> <ul style="list-style-type: none"> <li>• These plans outline how the CIPC will make a strategic contribution towards the improvement SA's competitiveness by improving ease of doing business; regulating business and IP environment contributing to a reputable environment for SA becoming an investment destination, and enabling the protection and commercialisation of innovation; as</li> </ul>

Policies/Strategies	Summary	CIPC Contribution
	<p>components of national development into mainstream planning processes.</p>	<p>we as leverage knowledge assets and networks to support third party decision-making. In doing so, the CIPC contribute to the realisation of NDP priorities.</p> <ul style="list-style-type: none"> <li>The CIPC's digital strategy emphasize development and strengthening of virtual channels, and automation of key services to extend access throughout South Africa.</li> </ul> <p>The risk associated with this strategy is high costs of network data in South Africa. Some of the CIPC customers might not be privileged to afford data costs. This limits access to this group of customers.</p> <ul style="list-style-type: none"> <li>To supplement the digital strategy, the CIPC's collaboration strategy emphasizes collaboration and partnerships not only with government (national and provincial departments), but also with the private sector. The CIPC has used its partnership model to expand its footprint by installing and operating Self-Service Terminals (SSTs) in partner sites such as provincial departments. The CIPC avails its services through banks. In this way, access to the CIPC services is extended to local communities.</li> </ul>

Policies/Strategies	Summary	CIPC Contribution
<p><b>Medium-Term Strategic Framework 2019/20 – 2023/24</b></p>	<p>The Medium-Term Strategic Framework (MTSF) 2019 - 2024 is the government’s monitoring framework for the NDP Five-Year Implementation Plan during the electoral cycle. It reflects how government will measure its progress against the commitments made in the election manifesto of the governing party and the NDP Five-Year Implementation Plan. It is a basis for measurement of government performance and must be aligned with measurement of performance at the national, provincial, and local government spheres.</p> <p>MTSF 2019-2024 has seven (7) priorities, of which specific interventions and targets have been set:</p> <ul style="list-style-type: none"> <li>• Priority 1: A capable, ethical, and developmental state</li> <li>• Priority 2: Economic Transformation and Job Creation</li> <li>• Priority 3: Education, skills, and health</li> <li>• Priority 4: Consolidating the social wage through reliable and quality basic services</li> <li>• Priority 5: Spatial integration, human settlements, and local government</li> <li>• Priority 6: Social cohesion and safe communities</li> <li>• Priority 7: A better Africa and world</li> </ul>	<p>See Table A.5 for a detailed description of how the CIPC is contributing to the MTSF 2019-2024 Priorities</p>
<p><b>District Development Model</b></p>	<p>The District Development Model (DDM) is a New Integrated Planning Model for Cooperative Governance at a District/Metro Scale. It provides both an Institutional Approach and Territorial Approach (<i>geographic space</i>). The focus is on 44 Districts plus 8 Metros as developmental spaces (IGR Impact Zones) as the strategic alignment platforms for all three spheres of government where One Plan for each space guides and directs all strategic investments and projects for transparent accountability. The Plan will harmonise IDPs and create interrelated, interdependent, as well as ‘independent’ development hubs supported by comprehensive detailed plans. The plan is an inter and intra governmental and leads to creating society wide Social Compact; and the One Plan will be strategic and long-term in nature, with medium-term strategic plans and</p>	<p>The CIPC digital strategy emphasize development and strengthening of virtual channels, and automation of key services to extend access throughout South Africa. As indicated in the previous section, the risk associated with this strategy is high costs of network data in South Africa. Some of the CIPC customers might not be privileged to afford network data.</p> <p>The CIPC has used its partnership model to expand its footprint by installing and operating Self-Service Terminals (SSTs) in partner sites such as provincial departments. Some CIPC</p>

Policies/Strategies	Summary	CIPC Contribution
	<p>short-term operational plans all expressing the commonly agreed diagnostics, strategies, and actions.</p>	<p>services are also provided through Banks. In this way, access to the CIPC services extends to local communities.</p>
<p><b>the dtic Strategic Plan</b></p>	<p>Vision: A dynamic industrial, globally competitive South African economy, characterised by meaningful economic transformation, inclusive growth and development, decent employment and equity, built on the full potential of all citizens.</p> <p>Mission:</p> <ul style="list-style-type: none"> <li>• promote structural transformation, towards a dynamic industrial and globally competitive economy;</li> <li>• provide a predictable, competitive, equitable and socially responsible environment, conducive to investment, trade and enterprise development;</li> <li>• broaden participation in the economy to strengthen economic development;</li> <li>• continually improve the skills and capabilities of <b>the dtic</b> to effectively deliver on its mandate and respond to the needs of South Africa's economic citizens;</li> <li>• coordinate the contributions of government departments, state entities and civil society to effect economic development; and</li> </ul> <p>improve alignment between economic policies, plans of the state, its agencies, and government's political and economic objectives and mandate</p>	<p>The CIPC's vision is to make a strategic contribution towards improving SA's competitiveness and growth.</p> <p>The CIPC contribute into providing a predictable business and IP protection environment conducive for investment and enterprise development.</p> <p>The CIPC digital and collaboration strategies contribute to the broadening economic participation by extending the CIPC services to communities who would otherwise not be reached if not for the digitisation and SSTs in provincial partner sites.</p> <p>The CIPC programmes such as education and awareness programme, the Inventor Assistance Programme, and others develop knowledge and provide support on business formalisation and IP protection. In doing so, broaden economic participation.</p>

Policies/Strategies	Summary	CIPC Contribution
<p><b>The dtic Minister’s commitments (Post-COVID-19) and 6 point programme</b></p>	<p>Minister of Trade and Industry commitments (Post-COVID-19):</p> <ul style="list-style-type: none"> <li>• Every directorate of the <b>dtic</b> and every agency will prioritise <b>saving firms and jobs</b>, and report on a monthly basis on their impact. (reallocate resources, support DDM, common back office for finance, ICT, and HR)</li> <li>• Re-calibrate 6-point programme to save lives and protect livelihoods</li> </ul> <p>The Minister of Trade, Industry and Competition 6-point programme:</p> <ul style="list-style-type: none"> <li>• To strengthen economic dynamism,</li> <li>• To help pivot the economy from its reliance on imports to greater levels of local manufacture,</li> <li>• In the area of trade, to provide trade support to local firms, both in the domestic market and for exports,</li> <li>• On investment, we will focus on consolidating the presence of firms who have existing operations and help those who made investment pledges to bring projects to fruition.</li> <li>• On transformation, our efforts will go to providing non-financial support to black industrialists to complement the funding;</li> <li>• On special economic zones (SEZs), national government will play a stronger role in improved governance, advocacy, and mobilising investment.</li> </ul> <p>To improve the capacity of the state, we will review the performance of the 17 public entities falling under <b>the dtic</b>, identify opportunities to consolidate and merge some entities, address underperformance, and in the case of the National Lotteries Commission (NLC), promote greater transparency and improved governance.</p>	<p>As indicated above, the CIPC programmes develop knowledge and provide support on business formalisation and IP protection. In doing so, broaden economic participation. The CIPC digital strategy emphasizes development and strengthening of virtual channels, and automation of key services to extend access throughout South Africa, and reduces turnaround time for CIPC services. This indirectly contributes to enterprise efficiencies, sustainability, and growth.</p> <p>In line with improving the capacity of the state, the CIPC aims to develop and strengthen organisational and employee competencies and capabilities towards being a modern world-class regulator that is agile, relevant, fit for purpose, high performing and ahead of the curve at all times.</p>

Policies/Strategies	Summary	CIPC Contribution
<b>Industrial Policy Action Plan (IPAP) 2018/19 – 2020/21</b>	<p>To facilitate diversification by promoting increase value-addition per capita and intensification of South Africa’s industrialisation process.</p> <p>IPAP has five (5) transversal focus areas:</p> <ul style="list-style-type: none"> <li>• Public procurement – with elimination of corruption</li> <li>• Industrial financing and incentives</li> <li>• Development trade policy including unlocking of the potential of SMMEs and Cooperatives, and supporting the Continental Free Trade Area</li> <li>• Innovation and technology, and</li> <li>• Special economic zones</li> </ul>	<p>The CIPC collaborate with other entities such as SEDA to support small businesses, and participate in the Africa Continental Free Trade Area project.</p>
<b>Strategy on the Promotion of Entrepreneurship and Small Enterprise</b>	<p>To increase supply for financial and non-financial support services and creating demand for small enterprise products and services through the reduction of small enterprise regulatory constraints.</p>	<p>Through its education and awareness programme, the CIPC works with entities such as SEDA to provide non-financial support to SMMEs.</p>
<b>Corporate Law Reform Policy</b>	<p>To promote growth, employment, innovation, stability, good governance, and confidence in the South African business environment, as well as increase international competitiveness.</p>	<p>The mandate of the CIPC is to regulate the business and IP environment such that there is confidence in the business environment and the country’s competitiveness is promoted.</p>
<b>Co-operatives Development Policy for South Africa</b>	<p>Create an enabling environment for co-operative enterprises which reduces the disparities between urban and rural businesses, and is conducive to entrepreneurship and to promote the development of economically sustainable cooperatives</p>	<p>Through the Co-operatives Unit and the education and awareness programmes, the CIPC supports the co-operatives sector.</p>
<b>Integrated Strategy for the Development and Promotion of Co-operatives</b>	<p>To grow all forms and types of co-operatives and the cooperatives movement, as well as increase its contribution to the country's GDP growth rate, economic transformation, and social impact.</p>	<p>As explained above.</p>
<i>Cross-cutting policies: Women, Children, Youth and People with Disabilities</i>		

Policies/Strategies	Summary	CIPC Contribution
<b>South Africa's National Policy Framework for Women's Empowerment and Gender Equality (2001)</b>	This framework establishes a clear vision and framework for gender mainstreaming across laws, policies, and procedures and practices. The framework serves to ensure equal rights and opportunities for women and men in all spheres and structures of government, as well as in the workplace, the community, and the family.	The CIPC complies with Employment Equity Framework and reports as required.
<b>Women's Financial Inclusion Framework</b>	Women's financial inclusion includes the collective efforts made to ensure that all kinds of women have effective access to appropriate financial products. However, it does not end with access to financial products only, the concept extends further to include non-financial aspects that are required by women to be entrepreneurial and capacitated with the right skills and knowledge to compete in the economic environment.	The CIPC do not have programmes directed at women.
<b>Framework on Gender-Responsive Planning, Budgeting, Monitoring, Evaluation and Auditing, 2018</b>	This framework aims to ensure a more sustainable, comprehensive and multi-sectoral approach to gender mainstreaming within the country's planning, monitoring, and evaluation and public financing systems. It therefore focuses on closing the gap between plans and budgets through an overall approach of mainstreaming gender through the planning, budgeting, monitoring, evaluation and audit cycle.	As above.
<b>National Youth Policy, 2030</b>	The National Youth Policy for 2020-2030 (NYP 2030) is a cross-sectoral policy aimed at effecting positive youth development outcomes amongst young people at local, provincial, and national levels in South Africa. This youth policy for 2020-2030 builds on South Africa's first and second NYPs, which covered the period 2009–2014 and 2015-2020, respectively, by highlighting the current and new challenges that South Africa's youth face. It takes into cognisance the historical realities that the country face, mainly sluggish economic growth and the challenges of Africa and the rest of the developing world. The 2020-2030 NYP also identifies the potential human capital inherent in young people as an untapped potential that should be harnessed for the benefit of the whole society.	The CIPC collaborate with schools and institutes of higher learning through its education and awareness programme to extend its reach to school-going children and youth.

Policies/Strategies	Summary	CIPC Contribution
<b>White Paper on the Rights of People with Disabilities, 2016</b>	The White Paper is a call to action for government, civil society, and the private sector to work together to ensure the socio-economic inclusion of persons with disabilities. Through this White Paper, government seek to create a caring and inclusive society that protects and develops the human potential of its children, a society for all where persons with disabilities enjoy the same rights as their fellow citizens, and where all citizens and institutions share equal responsibility for building such a society. This White Paper is intended to accelerate transformation and redress with regard to full inclusion, integration, and equality for persons with disabilities. The Implementation Matrix offer both the public, private, and civil society sectors a tangible platform to do things differently to expedite the process of improving the quality of life of persons with disabilities and their families.	The CIPC complies with the requirements to meet the needs of people with disabilities.

## 2.3 Contribution to MTSF

The table below show the alignment and contribution of the CIPC outcomes towards the achievement of the MTSF 2019-2024.

Table A. 5 : Alignment to the Medium-Term Strategic Framework 2019-2024

MTSF Priority	MTSF Interventions	CIPC Outcome	CIPC Contribution to MTSF Priority and Outputs/activities
<b>Priority 1: A capable, ethical, and developmental state</b>	Integrated Monitoring System for public sector accountability	Agile, adaptive, and fit-for-purpose organisation design (OD)	Adhere to compliance, governance, and reporting guidelines.

MTSF Priority	MTSF Interventions	CIPC Outcome	CIPC Contribution to MTSF Priority and Outputs/activities
	Modernise service processes in the public sector.	Reduced administrative compliance burden for companies and IP owners.	<p>An service delivery model responsive to customer (public) needs</p> <p>CIPC will continue to invest in ICT assets</p> <ul style="list-style-type: none"> <li>• To ensure multiple access channels to CIPC and other services, promoting ease of doing business.</li> <li>• To automate processes to improve speed at which CIPC and other services are delivered.</li> <li>• To collaborate with government entities and private entities such as banks to innovate ways to provide easy access to CIPC and other integrated services.</li> </ul>
	100% reduction of wasteful and fruitless expenditure in the public sector institutions.	Agile, adaptive, and fit-for-purpose organisation design (OD)	Monitor expenditure and ensure adherence to correct procedures.
		Governed, accountable, clean and compliant administration	Achieve unqualified audit opinion with no reportable findings (Clean audit) thereby improving the reputation of the public sector as being ethical and therefore attract investment for developmental purposes.
	Improve financial management capability by implementing the Integrated Financial Management System in the public sector.	Agile, adaptive, and fit-for-purpose organisation design (OD)	Implement Integrated Financial Management System when guidelines are received.
	Implement job competency framework for public sector by 2023 to build a professional public administration.	Agile, adaptive, and fit-for-purpose organisation design (OD)	Implement job competency framework when guidelines are received

MTSF Priority	MTSF Interventions	CIPC Outcome	CIPC Contribution to MTSF Priority and Outputs/activities
<b>Priority 2: Economic Transformation and Job Creation</b>	Improve ease of doing business	Reduced administrative compliance burden for companies and IP owners	<p>CIPC will continue to invest in ICT assets</p> <ul style="list-style-type: none"> <li>To ensure multiple access channels to CIPC and other services, promoting ease of doing business.</li> <li>To automate processes to improve speed at which CIPC and other services are delivered</li> <li>To collaborate with government entities and private entities such as banks to innovate ways to provide easy access to CIPC and other integrated services.</li> </ul>
	Facilitate and support 200 000 functional small businesses and cooperatives by 2024.	Reduced administrative compliance burden for companies and IP owners	<p>Automation of co-operatives registration and maintenance processes.</p> <p>Conduct education and awareness webinar events for small business and cooperatives on opportunities and compliance with relevant legislation.</p> <p>Conduct virtual media campaigns of CIPC services.</p>
	Create 275 000 jobs per year through Job Summit Commitments, and Operation 'Phakisa' and other public sector employment programmes.	<p>Reduced administrative compliance burden for companies and IP owners</p> <p>A reputable Business Regulation and IP Protection environment in South Africa</p>	Through reduction of an administrative burden and building a reputable business regulation and IP protection environment in SA, CIPC will indirectly contribute enterprise efficiencies and credibility resulting in sustainable and profitable business contributing job creation.
	Implement Presidential comprehensive youth employment interventions that absorb 1 million youth in NEET in employment by 2024.	<p>Reduced administrative compliance burden for companies and IP owners</p> <p>A reputable Business Regulation and IP Protection environment in South Africa</p>	Through reduction of an administrative burden and building a reputable business regulation and IP protection environment in SA, CIPC will indirectly contribute enterprise efficiencies and credibility resulting in sustainable and profitable business contributing job creation.

MTSF Priority	MTSF Interventions	CIPC Outcome	CIPC Contribution to MTSF Priority and Outputs/activities
	Expand government spend on women, youth and persons with disabilities through preferential procurement	Agile, adaptive, and fit-for-purpose organisation design (OD)	CIPC to continue implementing preferential procurement from women, youth and persons with disabilities
<b>Priority 3: Education, skills and health</b>	N/A	N/A	N/A
<b>Priority 4: Consolidating the social wage through reliable and quality basic services</b>	N/A	N/A	N/A
<b>Priority 5: Spatial integration, human settlements, and local government</b>	Profile and support enterprise development in townships through financial incentives and other non-financial forms of support.	Reduced administrative compliance burden for companies and IP owners.  A reputable Business Regulation and IP Protection environment in South Africa	To provide non-financial forms of support for enterprise development through easy and quick access to the CIPC services, as well as conducting education and awareness webinar events and media campaigns on Company and IP laws and related opportunities.
<b>Priority 6: Social cohesion and safe communities</b>	N/A	N/A	N/A
<b>Priority 7: A better Africa and world</b>	80% of international standards domesticated, to improve the conditions for all South Africans.	Reduced administrative compliance burden for companies and IP owners.  A reputable Business Regulation and IP Protection environment in South Africa	CIPC to continue to participate in international bodies such as WIPO, BRICS, and Corporate Registrars Forum.  The CIPC will be implementing a business ownership register as part of a recommendation by Transparency International

## 2.4 International Engagement

South Africa's national government is a member of international community such as the UN, G20, BRICS, African Union, and SADC, and in particular for CIPC, a member of WIPO, Corporate Registers Forum, and FAFT. The CIPC must implement policies and strategies adopted by these bodies, including various international treaties and agreements.

Table A. 6: International Policies, Strategies, Treaties and Agreements

Policies, Strategies, Treaties, and Agreements	Summary
<b>United Nations Sustainable Development Goals (SDGs)</b>	The SDGs seek to end poverty and hunger in the world; to combat inequalities within and among countries; to build peaceful, just, and inclusive societies; to protect human rights and promote gender equality and the empowerment of women and girls; and to ensure the lasting protection of the planet and its natural resources. Countries committed to the SDGs aim to create conditions for sustainable, inclusive, and sustained economic growth, shared prosperity and decent work for all, taking into account different levels of national development and capacities. The SDGs are integrated and indivisible and balance the three dimensions of sustainable development, namely, the economic, social, and environmental. There are 17 Sustainable Development Goals and 169 targets, which demonstrate the scale and ambition of the new universal Agenda.
<b>African Union Agenda 2063</b>	<p>Agenda 2063 is a strategic framework for the socio-economic transformation of Africa over the next 50 years. It builds on and seeks to accelerate the implementation of past and existing continental initiatives for growth and sustainable development.</p> <p>Agenda 2063 has the following aspirations: an integrated continent, politically united and based on the ideals of Pan-Africanism and the vision of Africa's Renaissance; an Africa of good governance, democracy, respect for human rights, justice and the rule of law; a peaceful and secure Africa; an Africa with a strong cultural identity, common heritage, shared values and ethics; an Africa whose development is people-driven, relying on the potential of African people, especially its women and youth, and caring for children; and Africa as a strong, united and influential global player and partner. These aspirations have priority areas, which are aligned to the Sustainable Development Goals.</p>
Recommendations On Beneficial Ownership For Open Government Partnership (OGP) Action Plans	South Africa is a member of the G20, therefore a member of the Financial Action Task Force (FATF). FATF advocates for economies to be transparent about ultimate beneficial owners of legal entities. The CIPC is expected to develop a registration and filing capability to collect UBO information on incorporation of legal entities; on amendments and during annual returns. We are also expected to verify the information and adopt a risk-based approach in investigations and enforcement by using triangulated data from both local and international authorities.
Paris Convention for the Protection of Industrial Property	The Paris Convention, adopted in 1883, applies to industrial property in the widest sense, including: patents, trade marks, industrial designs, utility models, service marks, trade names, geographical indications and the repression of unfair competition. This international agreement was the first major step taken to help creators ensure that their intellectual works were protected in other countries. South Africa's accession to the Paris Convention was in October 1947.

Policies, Strategies, Treaties, and Agreements		Summary
Patent Co-operation Treaty		The Patent Co-operation treaty makes it possible to seek patent protection for an invention simultaneously in each of a large number of countries by filing an "international" patent application. Such an application may be filed by anyone who is a national or resident of a PCT Contracting State. It may generally be filed with the national patent office of the Contracting State of which the applicant is a national or resident or, at the applicant's option, with the International Bureau of WIPO in Geneva. South Africa's accession to the treaty was in December 1998.
Berne Convention for the Protection of Literary and Artistic Works		Adopted in 1886, deals with the protection of works and the rights of their authors. It provides creators such as authors, musicians, poets, painters etc. with the means to control how their works are used, by whom, and on what terms. It is based on three basic principles and contains a series of provisions determining the minimum protection to be granted, as well as special provisions available to developing countries that want to make use of them. South Africa's accession to the treaty was in October 1928.
Budapest Treaty on the International Recognition of the Deposit of Micro-organisms for the Purposes of Patent Procedure		Adopted in 1977, the Budapest Treaty concerns a specific topic in the international patent process: micro-organisms. All states party to the Treaty are obliged to recognise microorganisms deposited as a part of the patent procedure, irrespective of where the depository authority is located. In practice, this means that the requirement to submit microorganisms to each national authority in which patent protection is sought no longer exists.
TRIPs Agreement		The TRIPs Agreement is an international legal agreement between all the member nations of the World Trade Organization (WTO). It sets down minimum standards for the regulation by national governments of many forms of intellectual property (IP) as applied to nationals of other WTO member nations. It stems from the desire to reduce distortions and impediments to international trade, and taking into account the need to promote effective and adequate protection of intellectual property rights, and to ensure that measures and procedures to enforce intellectual property rights do not themselves become barriers to legitimate trade. South Africa deposited its instrument of acceptance for the 2005 protocol amending the WTO's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) on 23 February 2016.

### 3. Institutional Policies and Strategies over the five-year planning period

#### The CIPC Vision 2030 Strategy

The 2021/22 -2025/26 Strategic Plan is an expression of the CIPC Vision 2030 Strategy. The CIPC Vision 2030 Strategy has four (4) key focus areas:

- i. Building competencies and capabilities required for **a world-class modern regulator**,
- ii. Reducing administrative regulatory burden to make it is **easy to do business in SA**,
- iii. Creating a reputable Business Regulation and IP Protection environment in South Africa, contribution to boosting **investor confidence in SA** businesses and innovations, and
- iv. **Support third party (and CIPC'S) decision-making** by leveraging knowledge assets and networks, extracting maximum value for the CIPC and its customers.

The CIPC Vision 2030 strategy is informed the reality of a D-VUCA-D (Disruption, Volatility, Uncertainty, Complexity, Ambiguity – and Diversity) world. Disruption whether in the form of technology, social change, industry reconfiguration influences and will influence the CIPC in the future. The environment within which the CIPC exist is volatile, uncertain, complex, ambiguous and diverse. The advent of the social media and its impact has highlighted how gender, cross-cultural and inter-generational diversity influences influence organisational effectiveness.

At the centre of the CIPC Vision 2030 strategy is also the effect of the fourth industrial revolution (4IR) or Industry 4.0. As an ongoing automation of traditional processing practices using modern smart technology such as artificial intelligence, block chain technologies, robotics, cloud computing, *bio* and *Nano* technologies, data analytics, 3D printing and drone technologies, 4IR present threats as well as opportunities in organisations. On one hand, 4IR could have a negative impact on traditional business models, jobs (job displacement), and therefore increase inequality, joblessness, and poverty, however, on the other hand, it can present opportunities for organisations to be agile, more productive, and innovative. The use of technologies also assists countries, which face limited human resources to meet customer demand, as well as reduce administrative costs.

The D-VICAD environment and 4IR calls for the CIPC that is **agile, adept, relevant, innovative, disruptive, and ahead of the curve**. The CIPC Vision 2030 Strategy is directed at building such an organisation. At the centre of this strategy is a digital business (modernisation), innovation and collaboration (multi-channel and partnerships), and operational excellence strategies.

#### 3.1 Modernisation Strategy (Digital business strategy)

The modernisation strategy entails migration of the CIPC processes into a new modern platforms, as well as automation of all processes. Migration of processes into new platforms provides a foundation for full and ease of automation of the CIPC internal and external processes. Most of the processes have been migrated into the K2 platform and automated; these include the company registrations, co-operatives registrations, and annual returns filings. Annual Financial Statements (AFS) filings have been automated through the Inline Extensible Business Reporting Tool (iXBRL) tool. The automation that has been done so far

has led to the CIPCs registration systems being faster, and more cost-effective. It has enhanced data integrity, information security, registration system transparency, and verification of business compliance.

The modernisation strategy is one of the strategies directed to build a world-class modern regulator, as well as create ease in doing business in SA.

In the next five years, the CIPC will:

1. Automate and migrate 100% all processes to K2 platform.
2. Through Intellectual Property Automation System (IPAS), to automate all processes end-to-end in the intellectual property (IP) area.

### **3.2 Multi-Channel Strategy (Innovation and Collaboration)**

The multi-channel strategy is about expanding the CIPC footprint and therefore increasing access to the CIPC and its partners' products and services, and increase ease of transacting. The multiple channels strategy is highly reliant on the modernisation strategy (digitisation). A digitised registration system is crucial for both the virtual multi-channel, one stop-shops, and partnership models. The CIPC channels deliver services faster and more efficiently by digitisation of the back-office workflows. Digitisation also play an essential role in developing integrated systems in the CIPC partnerships network.

The partnerships model is also critical to the success of the multi-channel strategy. The CIPC extend its footprint by collaborating with strategically selected partners, in so doing leverage the capabilities and competencies of these partners. The CIPC will have access to its partner's infrastructure, customer base, and value-add services for its customers. These partnerships are not only limited to the public sector, it also extends to the private sector. The partnerships model has also been critical in creating a **'one stop' shop** for businesses. Channels such as the *BizPortal*, SSTs, and Banks are built upon this model. *BizPortal* is a **one-stop shop** that enables entrepreneurs to go to one website, register their company, register for tax, get their Broad-Based Black Economic Empowerment (BBBEE) certificate, register for the Unemployment Insurance Fund (UIF), get their company's domain name, and even open a bank account. Through SSCs and Partner Sites, businesses not only register companies, but also get their BBBEE certificates. In its efforts to continue providing **value-added services**, the CIPC also collaborated with SARS to offer a tax number when an enterprise is registered. The Banks offer a wide range of CIPC products and services including company registration, name reservation, and payment integration and B-BBEE certificate application, when opening a business bank account.

The Banks are specifically selected based on their extensive branch network and online functionality which is internationally accessible, as well as their reliable identification verification. In an attempt to differentiate its services for different target markets, the CIPC launched an office in partnership with the JSE. This office provides specific services for listed companies and its subsidiaries, i.e. director and company amendments, advisory services and real-time company registration services. The South African Revenue Services (SARS) partnerships allows for tax registration while registering a company. This is a value-add service for CIPC customers. The partnership between CIPC and the National Treasury (NT) provides a real-time link, which enables the NT to check the status of enterprises and directors prior to them registering the business on the Central Supplier Database. Department of Home Affairs (DHA) provides the CIPC with live identification verification improving the speed at which company registrations are processed.

**Table A.8: Partner Sites** show the CIPC partner sites where self-service terminals (SSTs) are hosted:

Table A. 7: Partner sites

Province	Partner
Gauteng	Gauteng Department of Economic Development (GDED)
Gauteng	InvestSA Gauteng Growth and Development Agency (GCDA)
Gauteng	Transnet Enterprise Development Hub in Johannesburg,
North West	North West Development Corporation (NWDC),
North West	Orbit TVET College in Rustenburg
KwaZulu-Natal	Trade and Investment KwaZulu-Natal (TIKZN),
KwaZulu-Natal	KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs (KZN DEDTE)
KwaZulu-Natal	Transnet Mega Hub in Richards Bay
Western Cape	West Coast Business Development Centre (WCBDC),
Western Cape	InvestSA in the Western Cape
Northern Cape	Northern Cape Department of Economic Development and Tourism (NDEDT)
Free State	Free State Development Corporation(FDC)
Limpopo	Limpopo Economic Development Agency (LEDA)
Mpumalanga	Mpumalanga Department of Economic Development and Tourism (MDEDT)
Eastern Cape	Eastern Cape Department of Economic Development, Environmental Affairs and Tourism (DEDEAT).

As of 31 December 2021, the CIPC has the following channels operational: the e-services website, self-service centres (SSCs) and partner sites (self-service terminals (SSTs), listed in **Table A.9: CIPC Channels and services offered**, the *BizPortal* which includes the Banks (FNB, Nedbank, Standard Bank, ABSA, Capitec, and SASFIN), , the Mobile App, the Call Centre, the Query Resolution System (QRS), USSD, as well as social media (Facebook, Twitter, You Tube, and WhatsApp). *The table also shows the CIPC services offered in each channel.*

Table A. 8: CIPC Channels and services offered

Services/Channels	Eservice Website	SSCs and Partner Sites (SSTs)	BIZPORTAL including Banks (FNB, Nedbank, ABSA)	Mobile App	Call Centre	QRS	Social Media (Facebook, Twitter)	Email (Manual)	Drop at CIPC Boxes (Manual)
Integrated services (SARS, UIF, Compensation Fund, Banks Acc, BEE Cert)/One-Stop Shop	No	Yes – BBBE certificate Not Compensation Fund, UIF or Bank Account Opening	Yes	No	No	No	No	N/A	N/A
Patents applications	Yes	No	No	No	No	No	No	No	Yes
Patents registration	Yes	No	No	No	Yes	Yes	Yes	Yes	Yes
Designs applications	Yes	No	No	No	No	No	No	No	Yes

Services/Channels	Eservic e Website	SSCs and Partner Sites (SSTs)	BIZPOR T AL including Banks (FNB, Nedbank , ABSA)	Mobil e App	Call Cen t e	QR S	Social Media (Faceboo k Twitter)	Email (Man u al)	Drop at CIPC Boxe s (Man u al)
Designs registration	Yes	No	No	No	Yes	Ye s	Yes	Yes	Yes
Copyright in film applications	Yes	No	No	No	No	No	No	No	Yes
Copyright in film registration	Yes	No	No	No	No	Ye s	Yes	Yes	Yes
Trade mark applications	Yes	No	No	No	No	No	No	No	Yes
Trade mark registration	Yes	No	No	No	No	Ye s	Yes	Yes	Yes
Name reservations	Yes	Yes	Yes	Yes	No	No	No	No	Yes
Companies registration	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes
Co-operatives Registrations	No	No	No	No	No	No	No	Yes	Yes
Domain Name Registrations	Yes	No	No	No	No	No	No	Yes	Yes
Director Amendments	Yes	Yes	No	No	No	No	No	Yes	Yes
Member Amendments	Yes	Yes	No	No	No	No	No	Yes	Yes
Auditor Changes	Yes	Yes	No	No	No	No	No	Yes	Yes
Name changes	Yes	Yes	No	No	No	No	No	Yes	Yes
Address changes	Yes	Yes	No	No	No	No	No	Yes	Yes
Financial Year-End Changes	Yes	Yes	No	No	No	No	No	Yes	Yes
Enterprise enquiry	Yes	Yes	No	No	Yes	Ye s	Yes	Yes	Yes
Disclosures	Yes	Yes	No	No	No	No	No	Yes	Yes
BBBEE Certificates	Yes	Yes	Yes	No	No	No	No	Yes	Yes
Disclosures-MOI Documents	Yes	Yes	No	No	No	No	No	Yes	Yes
Disclosures Approved names	Yes	Yes	No	No	No	No	No	Yes	Yes
Queries	No	No	No	No	Yes	Ye s	Yes	Yes	Yes
Information access	Yes	Yes	Yes	No	Yes	Ye s	Yes	Yes	Yes
Annual Returns filing	Yes	Yes	No	No	No	No	No	Yes	Yes
AFS filing	Yes – XBRL portal	No	No	No	No	No	No	No	No

The multi-channels strategy is geared towards availing the CIPC products and services 24/7. **Table A.10: Channels and Services Available 24/7** shows the CIPC channels and service available 24/7 as at 30 December 2020.

Table A. 9: Channels and Services Available 24/7

Channels available 24/7	Services available 24/7 per channel
<b>1. CIPC Website</b>	Company registration Company name reservation Company and close corporation address changes Company and close corporation financial year-end changes Company name change Company share change Annual Returns Domain name registrations BB-BEE certificate XBRL Filing
<b>2. CIPC Mobile App</b>	Company registration Company name reservation Annual Returns BB-BEE certificate
<b>3. BizPortal &amp; Banks</b>	Company Registration Company name reservation Domain Name Registrations BB-BEE certificate
<b>4. SSTs</b>	Company Registration Company name Reservation Company and close corporation address changes BB-BEE Domain names Annual Returns
<b>5. Emails</b>	Electronic Filing (Prospectus, Independent Review, and Reportable Irregularity) Company registration Company associated name reservation MOI Changes Close corporation to company conversions External company registrations Merger and amalgamations MOI Amendments Company location of company record changes Voluntary deregistration Voluntary and court order liquidations Business Rescue Proceedings, Status reports, Substantial Implementations, Terminations and court orders relating to business rescue Company and close corporation reinstatements

In the next five years, the CIPC will:

1. Strengthen virtual channels to avail all the CIPC products and services 24/7.
  - a. Revise all current Mobile Services to function the same as modernised web services.
  - b. Develop more services on the Chat-bot as a new Customer Electronic Channel.
  - c. Implement AI on the processing of names and intellectual property.
2. Develop the capability to measure uptake of each channel.
3. Increase the uptake of virtual channels a. Digital marketing and branding.

4. Strengthen existing partnerships and seek new partnerships to leverage their partners' key organisational competencies and capabilities such as databases, systems, networks, and value-add services.

### **3.3 Data and Information Management Strategy**

The data and information management strategy is the basis through which the CIPC will leverage its knowledge assets and networks, to support third party decision-making thus creating shared value for the CIPC and its customers.

In the next five years, the CIPC will:

1. Strengthen internal data reporting by establishing a business intelligence (BI) platform, and a data warehouse.
2. Relocate the data centre and Server Room from **the dtic** Shared Services Centre to an external hosting service provider.
3. Strike a Good Balance between Strong ICT Security and Increased Access to Data
  - a. Further enhance the existing Data Security measures through a fully implemented effective Identity Management (IDM) Solution for CIPC
  - b. Strengthen information security by implementing Security Incident Event Management Solution (SIEM) to complement using the McAfee Solution as a key component of the ISMS.
4. Revise 100% of the current partner integration to be compatible with current CIPC service/data demands, while leveraging the capabilities of modern technologies.

#### **3.3 Operational Excellence and Quality**

The operational excellence and quality management strategies are tactical in that these ensure that the CIPC main strategies are executed in a consistent, continuous, and sustained way. At the centre of these tactical strategies is meeting customer requirements, and organisation's regulatory requirements. To this end, the CIPC monitors operational and process performance. Service delivery standards are regularly monitored and reviewed with the aim to improve these. Process audits ensures that processes are simple, value adding, and optimal.

### **3.4 Substantive Search Examination**

In the 2018/19 reporting period, Cabinet approved the first phase of the draft IP Policy of the Republic of South Africa, which seeks to provide a national IP system that is cognisant of other government priorities and to provide a co-ordinated approach on IP matters by government departments and other organs of state. The IP Policy additionally aims to provide a balanced approach between preserving the rights of creators of IP on the one hand, and providing access to knowledge, technology transfer, and safe affordable medicines for the benefit of all South Africans.

One of the key policy instruments emanating from the IP Policy is the envisaged introduction of Substantive Search and Examination (SSE) of patent applications in South Africa. The IP Policy provides for a phased approach to the introduction of SSE, where the Inter-Ministerial Committee on Intellectual Property (IMCIP) established under the IP Policy, will determine the priority sectors in which patent applications will be examined. In terms of the CIPC SSE strategy rollout) patent searchers are being recruited and trained.

4. Relevant Court Rulings  
Not applicable.

## Part B: Our Strategic Focus

### 5. Situational Analysis

#### 5.1 External Environment Analysis

This section outlines the current external environment within which CIPC will operate, risks presented by this context, and implications for the CIPC strategies and policies. The trends for the last five years are presented as a basis for likely trends in the next five years.

##### 5.1.1 Contextual Analysis for the CIPC 2030 Visioning

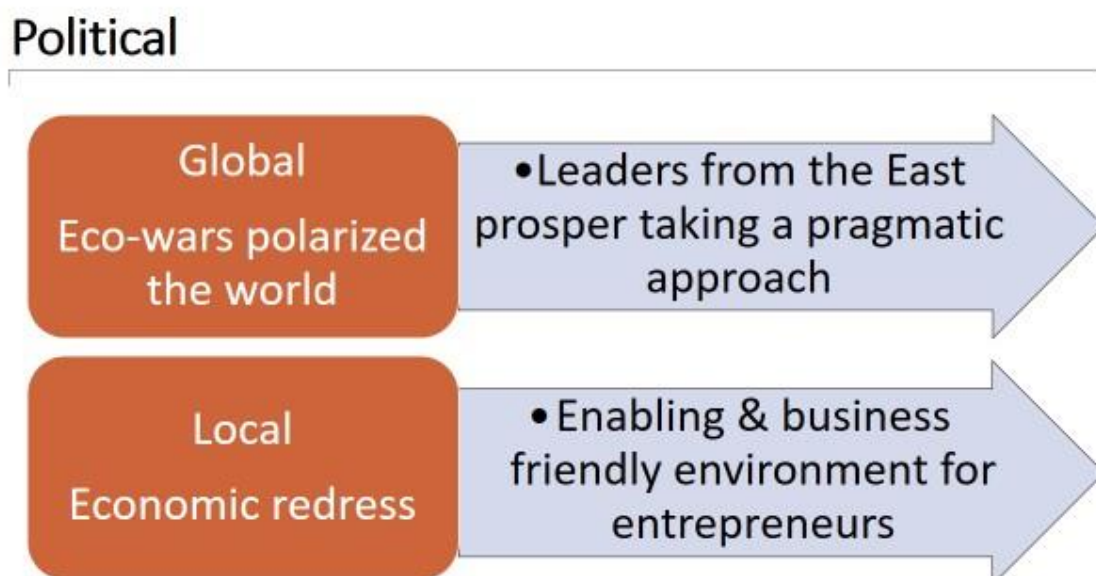
The PESTEL (political, economic, social, technological, and legal) analysis was used to conduct a contextual analysis for the CIPC 2030 visioning.

#### Political analysis

Key trends of the political environment, as shown in **Figure B.1: Political trends** are as follows:

- Leaders from the East will prosper while taking a pragmatic approach. Shift of power in the world will bring a change in trade relationships and regulations.
- Water and its management could become the new reason for wars e.g. eco-wars polarising the world.
- Enabling and business-friendly environment will be favoured. Regulatory developments will have to keep pace with increased complexity on the one hand, but at the same time reduce compliance burden for smaller and medium-sized entities.

Figure B. 1 Political trends



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## **Reducing the regulatory burden**

The Companies Act, 2008 aims to make company registration easy thus creating an enabling and business-friendly environment.

### *Standard incorporation*

The CIPC use standard incorporation documents enable a number of key benefits, including:

- Enabling entrepreneurs to ensure legality without having to resort to notaries and lawyers;
- Decreasing the cost burden for the applicant as the cost for a lawyer is eliminated;
- Decreases the cost burden for the commission as the processing of applications is more efficient;
- Easing the workload at the commissions or registries; and
- Assisting in preventing errors and expediting the registration time.

The move towards a single standardised incorporation document is one, which the mature economies subscribe to, and is a principle, which the CIPC has implemented.

### *Reducing turnaround times*

To reduce business regulatory burden, the CIPC has increased the number of service access channels and modernised (automation) its systems, processes etc. The impact of these efforts are the reduction in turnaround times, as shown in **Table B.1: CIPC Key Services – Transacting Times** hereunder shows processing times in the last five (5) years. In the next five years, the CIPC will continue in this trajectory.

*Table B. 1: CIPC Key Services – Average turnaround times*

<b>CIPC Services</b>	<b>2016/2017</b>	<b>2017/2018</b>	<b>2018/2019</b>	<b>2019/2020</b>	<b>2020/2021</b>
Patent applications	3 days	3 days	3 days	3 days	3 days
Designs applications	3 days	3 days	3 days	3 days	2 days
Copyright in film applications	3 days	3 days	3 days	3 days	10 days
Trade mark applications	3 days	3 days	3 days	3 days	3 days
Name reservations	Not reported	Not reported	Not reported	Not reported	2 days
Companies Registrations	3 days	2 days	1 day	2 days	2 days
Co-operatives Registrations	2 days	2 days	2 days	2 days	2 days
Annual Returns Filings	-	-	5 minutes	5 minutes	5 minutes
Director Amendments Manual	Not reported	Not reported	Not reported	Not reported	4 days
Director Amendments Electronic	Not reported	Not reported	Not reported	Not reported	1 day
Member Amendments Manual	Not reported	Not reported	Not reported	Not reported	3 days
Member Amendments Electronic	Not reported	Not reported	Not reported	Not reported	1 day
Auditor Changes Manual	Not reported	Not reported	Not reported	Not reported	2 days
Auditor Changes Electronic	Not reported	Not reported	Not reported	Not reported	1 day
Company Name Changes	Not reported	Not reported	Not reported	Not reported	1 day

CIPC Services	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021
Company Financial Year End Changes Electronic	Not reported	Not reported	Not reported	Not reported	1 day
AFS Filings	Not reported	Not reported	5 minutes	5 minutes	5 minutes
B-BBEE certificate	Not reported	Not reported	Not reported	Not reported	Instant

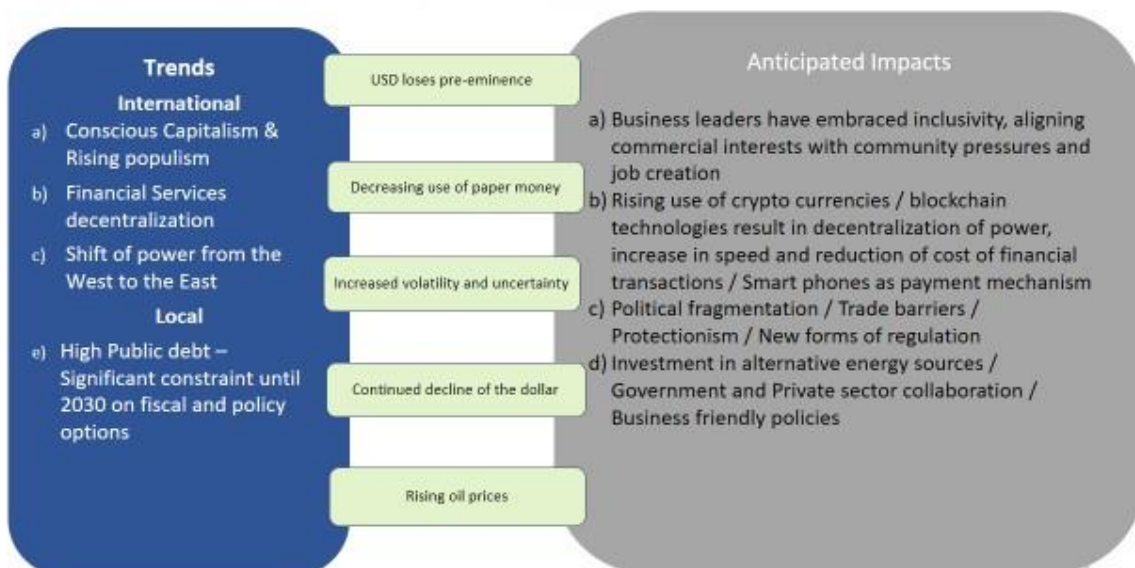
## Economic analysis

Key economic trends, as shown **Figure B.2: Macro-economic trends and impacts** are as follows:

- National debt will constrain opportunities for growth, therefore, public/private partnerships are essential.
- Collaboration between government and the private sector is essential to overcome the challenges that lie ahead.

Figure B. 2: Macro-economic trends and impacts

## Macro-economic trends and impacts



### **Demand for the CIPC Services**

The SA Gross domestic product (GDP) is expected to contract by 51% and 500 000 or more job losses are expected in 2020. Past experience show that as the economy worsened, more survivalist companies are registered. The CIPC might see a spike in company registration because of the grim outlook of the South Africa's economy. Within its mandate, the CIPC must contribute to government's aims to provide financial relief to businesses affected by the 'national lockdown', as well as drive the country's economic recovery post the COVID-19 effect.

Under the conditions of contracting economic growth and financial limitations, the demand for the CIPC services was as shown in **Table B.2: CIPC Key Services – Volumes** hereunder reflecting the volumes processed over the past five (5) years, with the trends expected to remain for the next five years.

Table B. 2: CIPC Key Services – Volume

CIPC Services	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021
Patents applications	9027	8 545	8587	8 455	8 455
Designs applications	2085	2018	2002	1 867	1 653
Copyright in film applications	57	61	99	55	26
Trade mark applications	38 169	38 283	39 136	38 148	39 317
Name Reservations	Not reported	Not reported	Not reported	Not reported	505 198
Companies Registrations	378 435	386 373	395 320	385 181	510 024 (includes external companies registered)
Co-operatives Registrations	12 424	12 748	12 270	12 478	6 142
Director Amendments	51 435	72 312	71 711	5 588	167 415
Member Amendments	45 916	40 412	36 087	31 803	25 273
Auditor Changes	58 880	54 242	56 384	53 434	93 204
Company Name Changes	12 424	12 748	12 270	12 478	6 142
Company Financial Year-End Changes	Not reported	Not reported	Not reported	Not reported	5 744
Business Rescue Proceedings Commenced (Active cases)	375	362	349	369	335
BBEE certificates	Not reported	Not reported	Not reported	Not reported	249 207
Annual Returns Filings	626 721 (48%)	663 442 (47%)	669 170 (44%)	680 120 (42%)	765 481 (46%)

The trends of some of the CIPC key services are discussed in the subsequent sections in detail.

### Patent applications

The number of patents filed at the CIPC has remained steady over the last three years with an average of 8500 patent applications filed year-on-year as shown in **Table B.3: Patents** hereunder. The reporting template for patent filings has been amended to differentiate between provisional, complete, convention and Patent Cooperation Treaty (PCT) patent applications. This was done so that we can differentiate between local and foreign filings. Provisional patent applications and complete patent applications constitute local filings.

Table B. 3 : Patents

Patent Applications Lodged	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021
Provisional patent applications	1 902	1803	1930	1793	1597
Complete patent applications	529	503	463	412	608
Convention patent applications	695	615	666	648	672
Patent Cooperation Treaty (PCT) patent applications	5903	5624	5528	5602	5568
<b>Total</b>	<b>9027</b>	<b>8 545</b>	<b>8587</b>	<b>8455</b>	<b>8445</b>

We have noted a worrying trend in the decreasing number of local complete patent applications (provisional and complete patent applications) filed in the last three years. More outreach and awareness campaigns are needed to inform the public on the importance and benefits of the patent system, and to encourage local innovators to protect their inventions. Furthermore, interventions such as the Inventor Assistance Program (IAP) need to be prioritised to ensure that the patent system is accessible to under-financed inventors and Small, Medium, and Micro-Enterprises (SMMEs).

Design applications

The total number of design applications filed with the CIPC has declined compared to the last three years, and local applications increased compared to the last two years as shown in **Table B.4: Designs** hereunder.

Table B. 4: Designs

Designs Applications	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021
Local application	1040	974	914	982	917
International applications	1045	1044	1088	885	736
<b>Total</b>	<b>2085</b>	<b>2018</b>	<b>2002</b>	<b>1867</b>	<b>1653</b>

The CIPC outreach and awareness campaigns on the importance of industrial designs as an easy registerable right, particularly for aesthetic designs, should contribute to the increase in applications to register designs.

Trade mark

As shown in **Table B.5** hereunder, there was a less than 1% decline in the lodging of new applications year-on-year in 2019 as compared to 2018.

Table B. 5 Trade mark applications – residents and non-residents breakdown

TREND IN NEW APPLICATIONS (financial year)	RESIDENTS	NON-RESIDENTS
2011/2012	33 918	19 389
2012/2013	35 074	20 288
2013/2014	36 422	21 441
2014/2015	35 753	20 921
2015/2016	37 286	20 165
2016/2017	38 578	22 350

TREND IN NEW APPLICATIONS (financial year)		RESIDENTS	NON-RESIDENTS
2017/2018	37 748	22 154	15 594
2018/2019	39 702	23 289	16 413
2019/2020	36 904	21 525	15 379
2020/2021	39 317	24 281	15 036

As shown in **Table B.6** hereunder there was a decrease of less than 1% of Trade mark registrations certificates issued in 2019 compared to 2018.

Table B. 6: Trade mark registrations

TRENDS IN REGISTRATION CERTIFICATES ISSUED	(CALENDAR YEAR)
YEAR	OUTPUT
2016	10 802
2017	19 256
2018	32 174
2019	32 029
2020	22 902
2021 (end April)	7 200

### Business Rescue

There is stability in business rescue in the relationship amongst stakeholders. There is still however, a need to establish the Specialist Committee which will evaluate the content of courses, which will be considered for Continuous Professional Development.

**Table B.9: Business Rescue** hereunder show business rescue statistics over the past five (5) years.

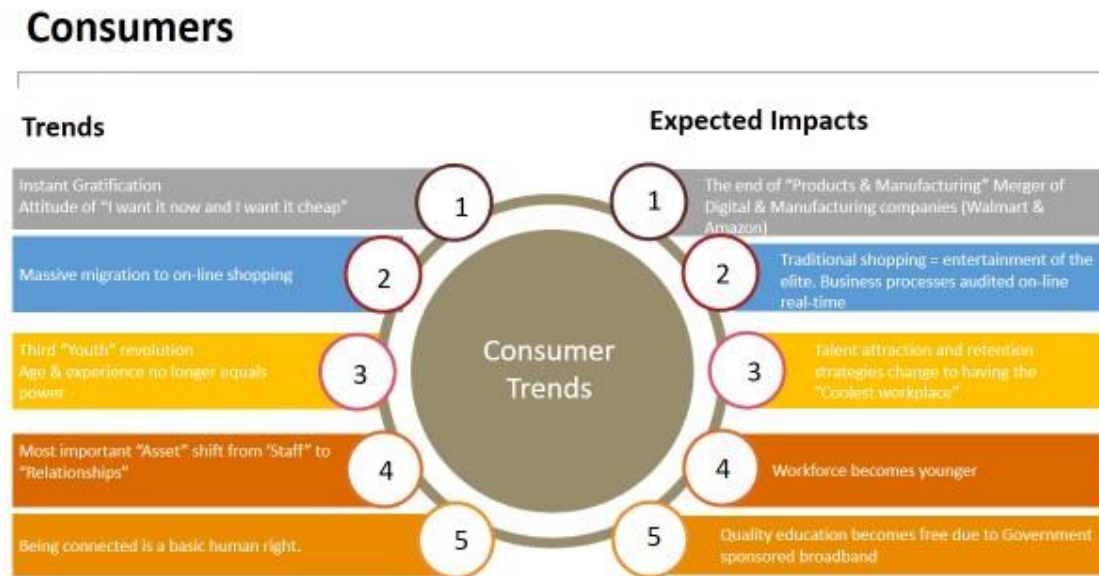
Table B. 9: Status of business rescue proceedings

Status of BR Proceedings	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	Grand total
<b>Active</b>	148	127	151	177	237	335	1 588
<b>Liquidation</b>	73	49	32	19	17	5	460
<b>Nullity</b>	24	17	22	33	15	3	300
<b>Set aside</b>	0	2	2	5	2	1	29
<b>Substantial</b>	86	71	56	44	46	11	706
<b>Termination</b>	150	109	99	71	56	17	874
<b>Grand Total</b>	<b>481</b>	<b>375</b>	<b>362</b>	<b>349</b>	<b>373</b>	<b>372</b>	<b>3957</b>

More business rescue cases commenced in the year under review, compared to the last two years. 2015/16 had the highest number of business rescue cases that commenced, followed by 2016/17. Out of 369 business rescue cases that commenced during the year under review, 295 were active. Three (3) cases were liquidations, fifteen (15) nullified, one (1) set aside, fourteen (14) substantial cases, and 41 terminated.

## Consumer Trends

Figure B. 3: Consumer Trends



### Customer responsiveness

The CIPC use the call centre, a query resolution system, social media (Facebook and Twitter) to stay engaged with its customers.

**Table B.7 Call centre** hereunder shows performance of call centre in the past five (5) years.

Table B. 7: Call centre

	2016/17	2017/18	2018/19	2019/20	2020/2021	2021/22
<b>Calls received</b>	197 845	184 062	315 503	356 803	Not available	Not available
<b>Calls answered (%)</b>	90 974 (45%)	130 991 (71%)	187 276 (87%)	199 932 (56%)	134 912	118 796

Since the lockdown due to Covid in 2020, the call centre staff worked from home. They used a system called the "Hunt Group" to route calls to the staff. There was not a virtual queue available to enable customers to wait in the queue until the next consultant was available. The CIPC strives to continuously find innovative ways to make it easy to do business in South Africa. This may also have contributed to fewer calls answered by the call centre in comparison to previous years.

Top ten reasons why customers called were annual returns, e-services company registration, e-services director amendments, customer code and password reset and name reservations.

**Table B.11: Query Resolution System** hereunder show the performance of the query resolution system (QRS) in the past five years.

Table B. 8: Query Resolution System

	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
<b>Queries received</b>	106 326	85 362	86 179	95 105	122 629	170 896
<b>Queries resolved (%)</b>	100%	100%	100%	99,8%	97%	100%

The Query Resolution System (QRS) was introduced during September 2015. The customers progressively make more use of the system to log tickets for resolution of their queries. The number during 2021/22 increased significantly from the previous reporting period.

The top ten reasons why customers used the query resolution system (QRS) are customer code/password reset; allocation of funds, paper based disclosure (request for copies); Co/CC Deregistration and annual returns.

The CIPC social media followership continues to grow. The recorded growth for the year under review is 51% across all social media platforms. A noticeable trend is that the CIPC Twitter account followership growth has always been higher than that of the CIPC Facebook page, notwithstanding the high number of actual followers of Facebook page compared to twitter account.

**Table B.9: Social Media Queries (Facebook and Twitter)** hereunder shows social media performance in resolving queries.

*Table B. 9: Social Media Queries (Facebook and Twitter)*

		2016/17	2017/18	2018/19	2019/20	2020/21
<b>Facebook</b>	Queries received	-	-	670	7090	81 902
	Queries resolved (%)	-	-	658 (98%)	1932 (27%)	68 331 (83%)
<b>Twitter</b>	Queries received	-	1303	1939	7300	41 587
	Queries resolved (%)	-	571 (43%)	982(48%)	1249(17%)	13 527 (33%)

System downtime has been the topical issue for social media customer queries in the 2018/19 financial year. The majority of queries were about clarity on company registration and annual return processes, status of customers' application for company registration, and name reservation while a fraction of queries were complaints about delayed response to queries lodged through the query resolution system. There were also queries regarding lack of clarity in the reasons for rejection of customers' applications and non-response on applications for registration of cooperatives.

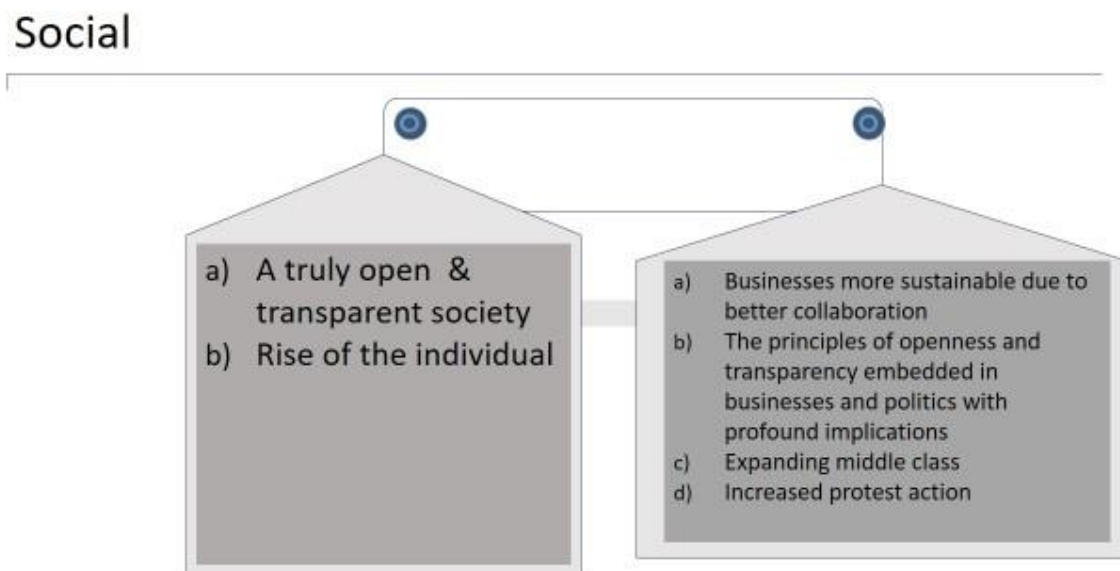
### Website traffic

The CIPC website has recorded an increase in user activity which is marked by 101% increase of website visitors for the period under review, majority (98%) of which are new visitors. Most notable is that the average session time has increased by 6% compared to the previous financial year. The increase in the session time can be attributed to the number of new visitors who may not necessarily be familiar with the website. It is worth noting that the new website under development makes provision for different visitor profiles in which both new and frequent visitors were considered in the overall planning and development of the website.

## Social Issues

- Shift of power in the world will bring a change in trade relationships and regulations.
- Rising middle class requires careful resource planning and management.

Figure B. 3: Social Issues



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## Education and awareness

To increase awareness of the CIPC and its partners' services, channels, and compliance requirements, as well as improve compliance with corporate and IP laws, the CIPC conducts an education and awareness programme. The CIPC education and awareness programme is targeted at SMMEs, institutes of higher learning, including **Technical and Vocational Education and Training (TVET) colleges**, and schools. In collaboration with its partners, the CIPC conducts not less than forty (40) education and awareness events per year. Annual events such as World IP Day and WIPO SA IP Summer School and Technology Transfer also contribute to the IP education and awareness programme. The public responds positively to these efforts.

Over the years, the CIPC has seen a huge need to support and therefore increase the protection of local innovation and creativity by providing more information on IP rights and by raising awareness of the opportunities that could arise from owning IP rights through registrations. Hence, CIPC in collaboration with local and international partners, in this case WIPO, has introduced innovative programmes such as the IP for SMMEs in South Africa and the Inventor Assistance Programme.

The IP for SMME Capacity Development Programme is a national flagship programme spearheaded by the CIPC in partnership WIPO and the National Task Force Team comprised of **the dtic**, Department of Small Business Development (DSBD), Small Enterprise Development Agency (SEDA), NIPMO, and several research institutions. The programme

aims to increase IP awareness, build capacity, and make the patent system more accessible to financially under-resourced inventors and small businesses, respectively, thus ensuring more inclusivity in the use of the IP system. The project has two main objectives;-

- To enhance SMME competitiveness through effective use & management of intellectual property (IP) assets, and
- To strengthen the institutional capacity of SMME support institutions (also known as SMME Intermediaries) in delivering IP related services to their stakeholders.

All state institutions have been advised to apply stringent cost-containment measures due to government budget constraints. Government coffers have been hit hard by the grim economic outlook, and public enterprises needing to be bailed out financially. Although the CIPC investments to improve service delivery have not been affected due to it being able to sustain itself financially from fees collected, the education and awareness programme was negatively affected. The CIPC was not able to meet demand for education and awareness events in more communities because of resource constraints due to cost-containment measures. The CIPC is exploring the use of online platforms to conduct education and awareness events. The means by which to reach those communities who do not have access to online platforms, due to poor access to channels and internet will be explored.

### ***Technological analysis***

- Technology a major change agent reducing barriers to entry on the one hand but also contributing to the divide between rich and poor.
- Technological advancements contribute to increased longevity and redefining what it means to be human, but could also result in increased unemployment, job displacement, and worsening social unrest.
- Technological advancements will decentralise power, increase the speed of transactions, eliminate intermediaries, and increase trust between contracting parties across national borders.
- Regulators will use technological advancements to meet its mandated obligations in the future. (Block chain for example)

*Figure B. 4: Technological Trends*

# Technology

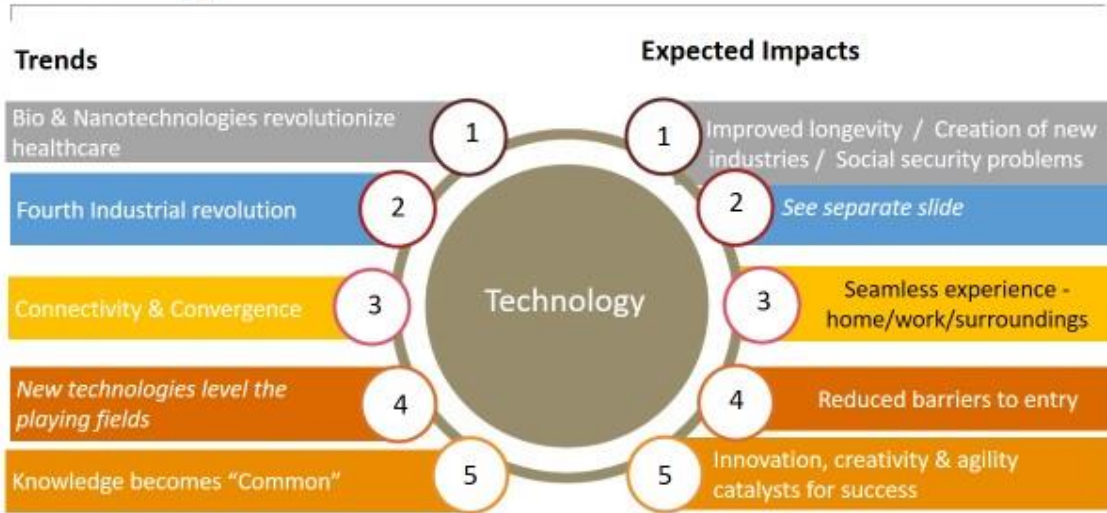
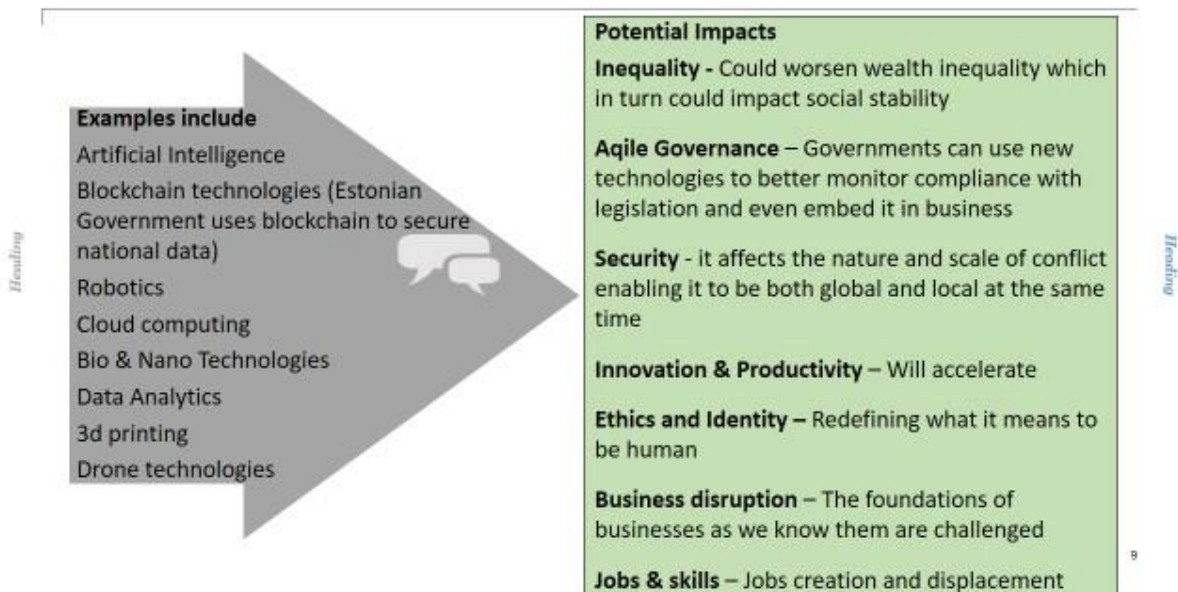


Figure B. 5: Fourth Industrial Revolutions

## Fourth Industrial Revolution



### Offering services through multiple-channels

Technological advances over the past few years under the banner of the fourth industrial revolution (4IR) have had a major influence over the CIPC service innovations. In South Africa,

the pervasive use of and access to technological devices, and more specifically mobile and portable devices, and increased internet, broadband, and Wi-Fi access has enabled ease of access allowing organisations such as the CIPC to improve customer experience by availing its services and information through multiple online channels, as shown in Section 3.1.

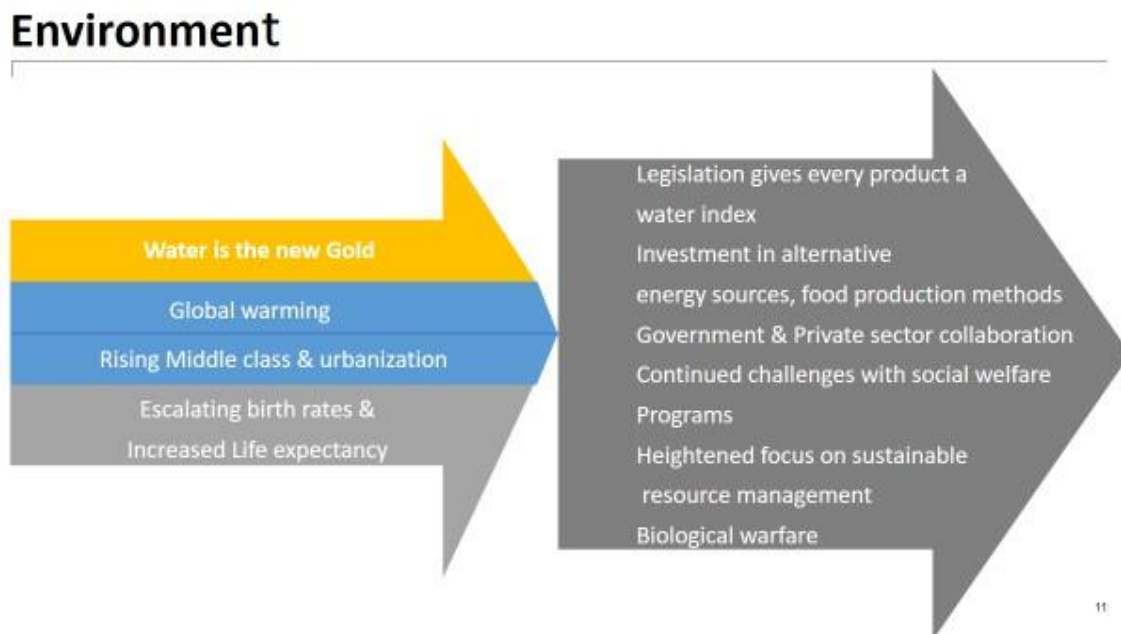
Automation

Transacting times have been reduced drastically because of automation of processes. Company registration takes an average of two (2) business days. IP applications (Patent, Design, Copyright in film, Trade mark) takes no more than three (3) business days. Compliance in respect to Annual Returns and Annual Financial Statements filings have also been simplified. The introduction of In-line eXtensible Business Reporting Language (iXBRL) in July 2018 has simplified AFS filing to take not more than five (5) minutes. iXBRL is a digital reporting mechanism used for the generation and presentation of Company AFS to be submitted by qualifying entities to the CIPC. The business intelligence system of iXBRL has been used to identify companies for targeted enforcement, by proactively taking action against public companies that filed Financial Accounting Supplements (FAS) instead of AFS, as well as those companies that declared turnover of more than R350 million but did not file AFS.

**Environmental (Green) analysis**

- Water and its management could become the new reason for wars.

Figure B. 6: Environment – Water, Climate Change, Urbanisation, Population



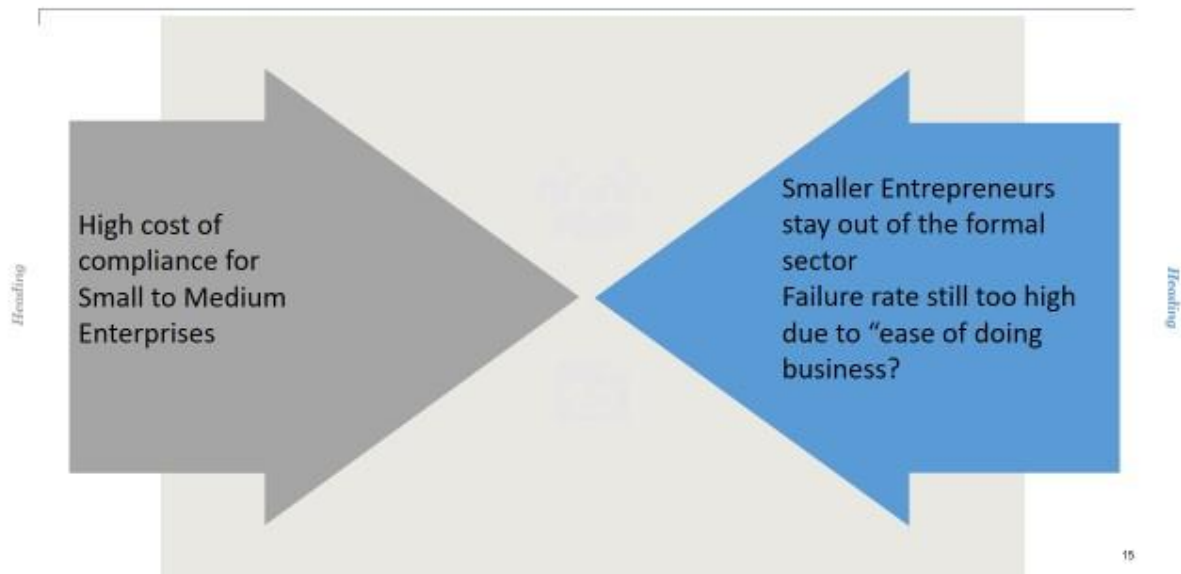
Increased usage of the CIPC's online platforms have also led to a reduction in paper, contributing to a more sustainable, green environment.

## Legal analysis

- Regulatory developments will have to keep pace with increased complexity on the one hand but at the same time reduce compliance burden for smaller and medium-sized entities.

Figure B. 7: Laws and regulations

### Laws & Regulation



### IP Enforcement

Selling counterfeit goods online, specifically fast-moving consumer goods and pharmaceuticals, is a huge threat to consumers and IP rights owners. Combating counterfeit trade is a global priority as it is to the CIPC. One of the strategies is to change consumer behaviour not to purchase counterfeit goods. This strategy requires new skills that the CIPC do not have currently. Furthermore, because the IP rights owners are experiencing financial distress because of the economic decline, their resources to enforce IPR are limited.

### Corporate Governance Surveillance and Enforcement

The CIPC conducts proactive investigations, as well as in response to complaints as compliance related activities. The CIPC proactively ascertained compliance with Social and Ethics Committee (SEC) requirements in respect to Companies Tribunal Decisions refusing applications for exemption to certain companies establish SECs.

### Corporate Compliance Disclosure Regulation

The CIPC is responsible to ensure compliance with the Companies Act, 2008. Automation and iXBRL has made AFS filing and Annual Returns filing compliance easy.

This section outline key compliance surveillance activities. **Table B.10: Reportable Regularities** hereunder shows the statuses of cases of reported irregularities in the past (5) years.

Table B. 10: Reportable Irregularities

	2016/17	2017/18	2018/19	2019/20	2020/21
<b>Opening Balance</b>	189	180	123	229	361
<b>Cases Received</b>	293	258	394	274	34
<b>Closed Cases</b>	302	315	281	144	82
<b>Closing Balance</b>	180	123	229	409	313

Majority of the cases in 2019/20 involves failure to comply with Section 30 of the Companies Act, 2008 where entities are required to prepare annual financial statements within six (6) months of the end of the financial year. The process was also used as an opportunity to educate the target entities from becoming repeat offenders. A compliance notice is issued only if entities fail to demonstrate change in their governance practices or fails to commit to changing behaviour to avoid future non-compliance. The Independent Regulatory Board reports reportable Irregularities to the CIPC for Auditors (IRBA) for investigation, where applicable. Auditors are mandated in terms of Section 45 of the Auditors Profession Act, 2005 (Act No. 26 of 2005) to report persistent non-compliance to the board, alerted them of continuing non-compliance.

**Table B.11: Independent Reviews – Regulations 29** hereunder show the types and statuses of cases received from of independent reviewers (IR) in relation to regulation 29 (Company Act, 2008 Regulations).

Table B. 11: Independent Reviews - Regulation 29

	2016/17	2017/18	2018/19	2019/20	2020/21
<i>Opening Balance</i>	77	215	499	351	225
<i>Allocated</i>	88	108	171	198	47
<i>Liability Exceeds Assets</i>	25	37	87	40	36
<i>Financial Assistance</i>	25	9	42	36	62
<i>VAT Tax Return Not Declared To SARS</i>	4	4	27	5	4
<i>Other</i>	9	8	15	20	13
<i>Total Closed</i>	63	58	171	101	115
<i>Closing Balance</i>	14	157	328	250	159

The reason of entities reporting reportable irregularities RI's concerning technical insolvency is usually related to start-up capital provision by owners/shareholders, tough economic conditions (taking time for companies to break-even), and accounting principles applied upon

valuation of assets. One of the challenges with the administration of the independent review reports includes difficulty in obtaining contact details for entity being investigated.

**Table B.12: Report on Cold Cases** hereunder show the statuses of cold case matters, which have been referred to State Attorney by the CIPC for imposition of an administrative fine in terms of Section 175 of the Companies Act, 2008.

Table B. 12: Report on Cold Cases

Description	2016/17	2017/18	2018/19	2019/20	2020/21
Opening Balance	15	21	20	16	21
Order Granted	0	0	3	0	3
Settlement Order/Offer	0	0	3	2	3
Opposed	0	0	4	4	4
Removed From The List	0	1	0	0	1
Currently In Court/Set Down	0	0	10	10	4
Closing Balance	15	20	16	16	6

During the period under review, 21 matters were referred to the State Attorney. Out of the 21, three (3) orders were granted in favour of the CIPC, and with three (3) matters there are pending settlement offers, four (4) matters are being opposed in court and other two (2) currently in court. Outstanding matters are six (6). On the matters whereby an order has been granted, a forensic accountant has to be appointed in order to determine the exact administrative fine that the company has to pay.

**Table B.13: Prospectus Registered** hereunder show the number of types of prospectuses registered in the past five (5) years.

Table B. 13: Prospectuses Registered

	2016/17	2017/18	2018/19	2019/20	2020/21
<b>Prospectus registered</b>	13	33	42	41	52

The majority of the prospectuses registered in 2019/20 related to Section 12J of the Income Tax Act, 1952 (Act No. 58 of 1962). The Section 12J is an incentive that was introduced to enable small businesses to diminish the capital procurement deficiency they face.

The CIPC has a responsibility to ensure that companies apply acceptable financial reporting standards. **Table B. 14: Annual Financial Statements** show AFS received, reviewed, and proactive investigations conducted.

Table B. 14: Annual Financial Statements

Description	2016/17	2017/18	2018/19 (iXBRL only)	2019/20 (iXBRL only)	2020/21 (iXBRL only)
<b>Annual Financial statements received</b>	27022	29 899	7118	13 940	16 884
<b>Annual financial statements reviewed</b>	349	359	308	430	773
<b>Proactive investigations</b>	-	-	-	60	171

### COVID-19 Regulations

The CIPC must abide by the COVID-19 regulations. Employers are required to ensure measures are in place to ensure that COVID-19 infections are minimised. In general, CIPC strategy and service delivery model has been leaning on automated and online service, therefore it has been relatively easy to abide to COVID-19 conditions of minimal physical contact. Below are example of the impact of COVID-19 on services rendered by the CIPC.

Annual Financial Statements, including Financial Accountability Supplements filing as prescribed in terms of Section 30 and 33 of the Companies Act, 2008 (Act No. 71 of 2008) are currently done virtually, online. COVID-19 will therefore not affect the filing capability and the quality of the content filed, however it can affect the volume of filings. The volume will be affected because of the inability by companies to hold annual general meetings, as well as delays in auditors to finalise auditing processes within prescribed timeframes due to lockdown regulations and in other instances due to the “going concern” status of entities not able to be confirmed.

Education and awareness events conducted by the CIPC and with partners, which usually take the form of physical gatherings, will be replaced by various virtual, online interventions, tailored to a specific audience. Some of the CIPC partners, stakeholders, and customers are technologically perceptive and therefore will transition to the online platforms easily. However, other groups are not technologically savvy. The CIPC will have to explore ways to reach these groups without breaking lockdown regulations and risking COVID-19 infections.

### **International bodies**

Participation in international bodies provides an opportunity for South Africa to make relevant input into the discussion, policies, and conventions.

South Africa, as a member of G20, is bound by the Financial Action Task Force (FATF) requirements. G20 is an international forum for the governments and central bank governors from 19 countries and the European Union (EU). The FATF is the global money laundering and terrorist financing watchdog, which sets international standards that aim to prevent these illegal activities and the harm they cause to society. FATF requires the establishment of a **register of beneficial ownership** in order to mitigate the risk of “Terror Financing and Money Laundering” by legal entities. The Companies Act, 2008 (Act No. 71 of 2008) is therefore undergoing amendment to ensure alignment with these requirement, thereby implying CIPC would have to develop processes, procedures, and systems in order to be able to administer the register.

The CIPC serves on the executive of the Global Corporate Registers Forum. The CIPC also serves in BRICS Heads of IP, of which meetings are held regularly. It also serves on the International Trade Marks Association (INTA). As member of WIPO, the CIPC is actively pursuing automating the IP regime using systems that are made available to WIPO members

in line with international best practice. The CIPC is also building capabilities for substantive examination of patents, and training for substantive examination of patents is ongoing.

## **5.2 Internal Environment Analysis**

### **Organisational strengths**

The CIPC successes has been the result of automation, and related systems system improvements, as well as the introduction of new service delivery platforms. Business units manage to keep to service delivery standards because of automation. The automated processes enable managers to monitor workflows, and therefore ensuring that service delivery standards are met. In particular, the IPAS allows for end-to-end automation of the IP registration processes. The K2 tool also allows for automation of corporate regulation processes and internal processes. The iXBRL platform Hard-stop of Annual Returns in e-Services, enable the CIPC to identify companies that have not filed annual returns.

### ***Digitisation***

Digitisation remains key for CIPC and in preparation for the Fourth (4th) Industrial Revolution. A mobile application was launched with basic services as the first phase. Similarly, work is continuing to ensure appropriate IT technology is procured as the organisation is embracing the opportunities of a digital society. The CIPC continued with the stabilisation of its IT systems through investment in improved IT infrastructure and this led to improved functionality and enhanced security. The organisation will continue to invest in modernising its infrastructure in the five-year strategic period.

### ***Financial sustainability***

It is expected that the CIPC will generate sufficient revenue over the short- to medium-term to sustain its operational activities and to improve its efficiencies in rendering and maintaining quality services, as set out in the Companies Act, 2008 (No. 71 of 2008). If the CIPC is to remain financially sustainable and to cover the annual cost increase in service delivery, an annual adjustment of fees will be required. In this regard, National Treasury (NT) approved a fee increase for the CIPC. These increases will be implemented after due legal processes are completed. NT approved a five-year financial sustainability analysis and funds will be available to achieve the future organisational objectives.

As National Treasury has approved CIPC fee structure, this will make a significant contribution towards the long-term sustainability of the organisation. We are in the process of implementing the structure in the organisation. The digitisation of the organisation will assist in improving efficiencies, while addressing equitable allocation of human resources. Improvement in compliance with prescriptions for Annual Returns will be an added advantage for the organisation.

### **Organisational weaknesses**

The organisational weaknesses among others relate to the capacity constraints, system challenges, as well as operational challenges. Some key positions are not filled. This

sometimes has an effect on service delivery. It is hoped that the organisation design project will address these problems.

System challenges negatively affect meeting of service delivery standards or release of new processes. It also contributes to high call and query volumes, as well as production delays. Because of this, customers become irate and staff demotivated. The CIPC is working tirelessly to address these problems through moving CIPC ICT infrastructure to the cloud instead of relying on **the dtic** servers.

The CIPC has limited capability to monitor the effects of modernisation. A number of ICT interventions are put in place to address this. The ripple effect of modernisation is staff uncertainty in that their roles have changed and are continually changing as the organisation is preparing for a Fourth Industrial Revolution Organisation. The organisation is addressing these issues through a detailed organisational design process, which commenced with extensive staff engagement sessions with all staff, organised labour and the Executive. Internal policies will be updated and where outstanding, drafted, once the organisational design process is completed.

The CIPC invests significantly in the patent examiners and runs the risk of these highly qualified individuals being absorbed in the broader patent market.

The processes in trade mark, patent and design registration sections remains largely manual. There is an urgent need to automate all workflow processes to ensure an efficient and seamless operational system that supports implementation of substantial examination in patent applications. There is also a need to ensure examiners are provided with a conducive environment in which to work. The open plan office environment is not favourable for the type of work examiners will undertake, as they require a quiet environment where they can concentrate and focus on their work.

There has been low uptake of the use of Independent Review as a form of assurance, and the low levels of reporting by recognised Independent Review professionals/ practitioners. All Accounting and Auditing Professional Bodies throughout the country were visited to explore ways to address these challenges. Webinar events will be organised to meet targeted audiences and address this challenge.

#### Threats and opportunities

When South Africa opened to Level 4 of the national lockdown, a risk analysis in relation to COVID-19 was conducted in preparation to open the CIPC to support government interventions (opening of industries on various levels), as well as service provision to the public, bearing in mind the staff and public safety. A high number of staff are at a high risk of contracting COVID-19 as they have comorbidities and are over the age of 60.

The CIPC has put in place mechanisms for most staff to work remotely, provision of facemasks, screening equipment etc. The CIPC approved and is implementing a virtual work policy.

COVID-19 conditions have affected activities that require physical contact as the number of staff who can be at the office at a time is limited to 50%. At the expense of other activities, COVID-19 related activities are prioritised.

The changed dynamics of an office environment because of COVID-19 and the standing accommodation requirements for a new building are being addressed by the Department of Public Works. The CIPC is using digital platforms such as 'Zoom' Microsoft Teams for internal interactions.

### ***Organisation Design***

In terms of aligning its workforce behind its strategy to become a relevant regulator in the future, the organisation is embarking on an organisational design (OD) process. The OD process should take into consideration the conditions imposed by the COVID-19 pandemic such as virtual offices and channels.

## Part C: Measuring Our Performance

### 6. Institutional Programme Performance

#### 6.1 Programme 1: Service Delivery and Access

##### ***Purpose:***

The purpose of the Programme 1: Service Delivery and Access is to promote better access to the CIPC services by ensuring that our access channels are secure and easily accessible to all; that the institution has sufficient and appropriate organisational resources to deliver the best possible service; and that operational excellence is established in all areas of the organisation.

In order to ensure quality service delivery, the CIPC must place focus on its internal performance. The CIPC must act as an intelligent, innovative, high-performance organisation in which employee morale and development is emphasised.

The emphasis of the CIPC business model is equally on the quality of the services it provides, the acceptable speed with which it delivers them, and the value that its products, services, and solutions generate for Customers. The CIPC's business model focuses on the manner in which it will deliver services, the quality of those services, the fees it will charge to be sustainable, and the potential for value addition.

The following is a list of sub-programmes

1. Broader Office of the Commissioner
  - a) Advisor to the Commissioner
  - b) Innovation and Collaboration
  - c) Strategy
    - (i) Strategy, Planning, and Monitoring
    - (ii) Operational Excellence
    - (iii) Strategic Communications
  - d) Compliance, Governance, and Risk
    - (i) Compliance and Governance
    - (ii) Risk
    - (iii) Ombuds
  - e) Internal Audit
2. Corporate Services
  - a) Human capital
    - (i) Human capital
    - (ii) Knowledge Centre
    - (iii) Labour Relations and Employee Engagement
  - b) Facilities and Security
    - (i) Facilities
    - (ii) Security
    - (iii) Disclosure
  - c) Service Centres
  - d) Client Engagement and E-communications

3. Finance
    - a) Financial Management
    - b) Treasury
    - c) Supply Chain Management
  
  4. Business Information and Systems
    - a) Chief Technology Officer
    - b) Enterprise Information Management
      - (i) Enterprise information management
      - (ii) Information assurance
    - c) Enterprise Programme Management Office
    - d) ICT Service Delivery
      - (i) Application management
      - (ii) Infrastructure management
- (iii) Process Engineering

### **6.1.1 Outcomes and the dtic Joint-KPIs**

Programme 1 outcomes discussed below are in line with the two dtic Joint-KPIs i.e. **Delivery/Capable State** and **Transformation**.

**Delivery/Capable State** focus areas are:

- *Building the entity staffing and governance capacity and quick-response*
- *Addressing red tape and compliance in internal processes, including targets on turnaround times*
- *Coordinating with other parts of the state to ensuring effective outcomes on mandates and the industrialisation/transformation agenda*

**Transformation** focus areas are:

- *District Development Model Reporting*
- *Integrated Delivery*

#### **(i) Organisational competencies and capabilities**

##### **(a) Organisation Design, Skills Audit, and Capacity Building**

The OD process review and design an organisational structure (including the design of business areas, and business units), business processes, workflows, roles and responsibilities, volumes of work, activities and resources to ensure alignment with the organisation's mandate, strategic framework, and ultimately meet its business objectives and service delivery. The skills assessment and skills audit identify skills gaps, is used as a basis for employee training and development, thus improving their competencies and capabilities. The OD process and a skills audit lay a foundation to build competencies and capabilities to

build a world-class modern regulator. Through these activities the CIPC contribute to dtic Joint-KPI through **Entity staffing**.

In the 2021/22 reporting period, the CIPC planned to conclude the OD process including a skills audit, job profiling and job descriptions, job evaluations, and a skills analysis. In the 2022/23 financial year, the following is planned:

- a. Communication of the implementation of the new organisational structure,
- b. Implementation of the new training plan based on the skills audit and skills analysis
- c. Review of human resource policies to align to the OD outcomes, in particular the Performance Management Policy
- d. Development of new policies that creates a conducive environment for the OD outcomes.

The KPI to be measured:

(i) *Performance Management Policy Document*

Through the OD process, the Performance Management Policy was identified as one of the human resource policies that need to be reviewed to align to the new organisational strategy.

**(b) Governance, policies, processes, and systems**

Governance, policies, processes, and systems are critical organisational capabilities.

Corporate governance, including ethics, risk management, combined assurance and audits is the system by which an organisation is controlled and operates, and the mechanisms by which it, and its people, are held to account. It also provides the structure through which the objectives of the company are set, and the means of attaining those objectives and monitoring performance are determined.

Policies provide guidance and instructions of how employees should conduct their work, specifically decision-making. Policies are internal control measures to mitigate organisational risks.

Processes outline how organisational activities are conducted, breaking it down to logical, sometimes repeatable steps to achieve distinct business tasks. Processes streamline organisational activities to ensure optimal use of resources, quality, consistency, and reliability, as well as accountability. Business process management (improvement, simplification etc.) is a capability that will allow the CIPC to be agile, efficient, effective, and regulatory compliant, as well as make it easy transfer of business knowledge and practice continuous improvement.

Systems, for purposes of this document, refers to ICT technologies to transmit, store, and manipulate data and information. It includes hardware, software, and data. Modernised ICT systems will contribute to an efficient work environment, easy data tracking, greater collaboration and access to data, data safety and cyber security, and ultimately improved customer access increasing customer satisfaction.

In the 2022/23 reporting period:

- a) One of the important elements in building a capable state is to have a properly governed organisation that complies with laws and regulations of the country as well as its own policies and procedures. Over the past five years, the CIPC has received a *clean audit* results. The entity will continue to take deliberate actions to maintain this outcome.
- b) The CIPC will continue with the review of all its policies to align to its strategy.
- c) The CIPC will continue with migration and integration of processes to modern platforms and automation, as well as strengthening virtual channels (to realise 24/7 availability of services) reducing turnaround times and improving overall customer experience. This entails ensuring the availability of secure ICT systems and infrastructure; continuous ICT business applications development, enhancement and maintenance; as well as implementation of the ICT strategy. The objectives are to provide ICT Infrastructure and business applications to support the CIPC to deliver on its mandate, while enabling effective and efficient operations of the CIPC, and to support efficient achievement of departmental strategic objectives. The end goal is reduced turnaround/transacting times, capabilities for intelligent reporting including alignment to the District Development Model, and Transformation Targets.
- d) Exploration for extension of its services to municipalities, through SMME development and the public. The CIPC will collaborate with the dtic Ministry in this regard.
- e) API (Application Programming Interface) Gateway and Management Platform

Through these activities, the CIPC not only ensures that its corporate governance system, policies, processes, and systems are aligned to its vision and strategies, but also contribute to governance to dtic Joint-KPI through ***building governance capacity ensuring compliance to internal processes; building quick-response capacity; addressing red tape, including improvement on turnaround times.*** The CIPC also ***coordinating with other parts of the state (such as SARS, Compensation Commission, Department of Labour, and Department of Home Affairs) to ensuring effective outcomes on mandates and the industrialisation/transformation agenda.***

Moreover, the CIPC contribute to the dtic Joint-KPI ***Transformation, Integrated Delivery*** which through its collaboration efforts ***identify and implement measures to integrate the CIPC work with that of other public institutions in the 52 districts, such as (such as SARS, Compensation Commission, Department of Labour, and Department of Home Affairs).***

The KPIs to be measured:

- *Audit opinion*
- *% of business objectives of automation and integration of business processes through technology*
- *% implementation of ICT strategy*

**(c) Customer satisfaction**

Customer satisfaction measures indicate organisational effectiveness in meeting customer expectations. These measures whether the CIPC improvement efforts are effective or not in promoting a functional, efficient and integrated services to improve economic development and the ease of doing business.

The CIPC as a regulator must create a conducive environment for doing business and protection of intellectual property, and therefore reducing a regulatory burden on business and IP owners.

This is line with the two dtic Joint-KPIs i.e. **Delivery/Capable State** and **Transformation**.

The KPIs measured are:

- i. *A score between 1 – 10 of the customer and stakeholder value index, a higher score indicating satisfaction with the CIPC*

The survey is one of CIPC's efforts to be responsive to customer needs; improve customer experience; and meeting customer requirements. By simplifying our process and improving our service offering, enables the ease of doing business.

- ii. *Average % customer satisfaction at Call Centre*

Call centre cloud based call centre system will increase efficiency and contribute to a capable state through monitoring and recording of calls and increased customer service.

- iii. *% customer satisfaction on e-communication*

Monitoring of customer queries through social media will continue.

- iv. *% customer satisfaction on SSCs*

Additional services to be added at the SSC's and SST's, e.g. cooperative registration, adding to a capable state, through improving customer service.

- v. *Service Delivery Standards*

As part of the CIPC operational excellence and continuous improvement strategy, the CIPC published these service delivery standards on its website. These service delivery standards are monitored on a regular basis.

The KPIs measured are:

- *% of queries received through the QRS resolved within the set turnaround time - 10 working days*

- *% of queries received through Facebook resolved within the set turnaround time – 1 working day*
- *% of queries received through Twitter resolved within the set turnaround time – 1 working day*

#### **vi. Reduced turnaround times**

Reducing turnaround times for resolving queries contribute to improved organisational effectiveness thus reducing e the administrative regulatory burden for companies and IP owners, and therefore makes it easy to do business in SA, which in turn improves SA competitiveness.

The KPIs measured are:

- *Average turnaround time to resolve queries received through the QRS (working days)*
- *Average turnaround time to resolve queries received through Facebook (hours)*
- *Average turnaround time to resolve queries received through Twitter (hours)*

Table C. 1: Programme 1: Service Delivery and Access - Outcomes, Outputs, Performance indicators, and Targets

Outcome	Output	Performance Indicator/ Measure	Audited Actual Performance			Estimate Performance/Baseline	Medium Term Targets		
			2018/19	2019/20	2020/21		2021/22	2022/23	2023/24
<b>Impact Statement #1: A world-class modern regulator</b>									
Organisational competencies and capabilities	Implement Organisation Design Outcome (Review of Performance Management Policy)	Performance Management Policy Document	New indicator	New indicator	New indicator	OD process completed	Performance Management Policy reviewed	Annual review of policy	Annual review of policy
A governed, accountable, clean and compliant administration	Clean audit report	AG Audit Outcome	Clean audit	Clean audit	Clean audit	Clean audit	Clean audit	Clean audit	Clean audit
Organisational effectiveness	Increase the score of the customer stakeholder value index	A score between 1 – 10 of the customer and stakeholder value index, a higher score indicating satisfaction with the CIPC	6.95 (Not audited)	Not measured	8	Not measured	8	8	8
	Customer satisfaction at the call centre	Average call centre customer satisfaction score	New indicator	New indicator	New indicator	7.5	7.5	7.7	8

Outcome	Output	Performance Indicator/ Measure	Audited Actual Performance			Estimate Performance/Baseline	Medium Term Targets		
			2018/19	2019/20	2020/21		2021/22	2022/23	2023/24
	E-communication satisfaction	% customer satisfaction on e-communication	New indicator	New indicator	New indicator	75%	75%	77%	77%
	SSCs customer satisfaction	% customer satisfaction on SSCs	New indicator	New indicator	New indicator	75%	75%	80%	83%
<b>Impact Statement #2: Ease of doing business in SA (Short Description)</b>									
	QRS – resolve queries within the set turnaround time - 10 working days	% of queries received through the QRS resolved within the set turnaround time - 10 working days	New indicator	New indicator	New indicator	90%	90%	92%	92%
	Facebook – resolve queries within the set turnaround time – 1 working day	% of queries received through Facebook resolved within the set turnaround time – 1 working day	New indicator	New indicator	New indicator	95%	95%	96%	96%

Outcome	Output	Performance Indicator/ Measure	Audited Actual Performance			Estimate Performance/Baseline	Medium Term Targets		
			2018/19	2019/20	2020/21		2021/22	2022/23	2023/24
	Twitter - resolve queries within the set turnaround time – 1 working day	% of queries received through Twitter resolved within the set turnaround time – 1 working day	New indicator	New indicator	New indicator	95%	65%	67%	69%
<b>Impact Statement #2: Ease of doing business</b>									
Reduced administrative compliance burden for companies and IP owners	Automated Company Registration	Number of services migrated: Automated Company Registration	New Indicator	New Indicator	New Indicator	New Indicator	56 (BizPortal and Eservices – 31, SST – 25)	56	56

Outcome	Output	Performance Indicator/ Measure	Audited Actual Performance			Estimate Performance/Baseline	Medium Term Targets		
			2018/19	2019/20	2020/21		2021/22	2022/23	2023/24
		Number of new services developed	New indicator	New indicator	New indicator	New indicator	19 (Mobile and K2 – 14, BizPortal and E Services – 5)	19	19
	Automated business intelligence reports	Number of automated business intelligence report	New indicator	New indicator	New indicator	New indicator	15	15	15
	Reduced turnaround time to resolve queries received through the QRS	Average turnaround time to resolve queries received through the QRS (working days)	New indicator	New indicator	New indicator	5	7	5	3
	Reduced turnaround time to resolve queries received through Facebook	Average turnaround time to resolve queries received through Facebook (hours)	New indicator	New indicator	New indicator	24 hours	6 hours	5 hours	4 hours

Outcome	Output	Performance Indicator/ Measure	Audited Actual Performance			Estimate Performance/Baseline	Medium Term Targets		
			2018/19	2019/20	2020/21		2021/22	2022/23	2023/24
	Reduced turnaround time to resolve queries received through Twitter	Average turnaround time to resolve queries received through Twitter (hours)	New indicator	New indicator	New indicator	24 hours	6 hours	5 hours	4 hours

Table C. 2: Programme 1: Service Delivery and Access - Indicators, Annual and Quarterly Targets

Output	Indicator/Measure	Baseline	2022/23 Annual Target	Quarterly Milestones			
				1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Implement Organisation Design Outcome (Review of Performance Management Policy)	Performance Management Policy Document	OD process completed	Performance Management Policy reviewed	Engagement with Stakeholders	Policy reviewed and submitted for approval	Orientate Stakeholders on the approved policy	Workshop CIPC Employees on the reviewed Policy
Clean audit report	AG Audit Outcome	Clean audit	Clean Audit	N/A	AGSA audit report issued with no findings	N/A	N/A
Increase the score of the customer stakeholder value index	A score between 1 – 10 of the customer and stakeholder value index, a higher score indicating satisfaction with the CIPC	7.4	8	-	-	-	8
Customer satisfaction at the call centre	% - average call centre customer satisfaction	7.5	7.7	7.5	7.5	7.6	7.7
E-communication satisfaction	% customer satisfaction on e-communication	60%	70%	65%	-	70%	-
SSCs customer satisfaction	% customer satisfaction on SSCs	75%	75%	75%	75%	77%	80%

Output	Indicator/Measure	Baseline	2022/23 Annual Target	Quarterly Milestones			
				1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
QRS – resolve queries within the set turnaround time - 10 working days	% of queries received through the QRS resolved within the set turnaround time – 10 working days	90%	90%	90%	90%	92%	92%
Facebook – resolve queries within the set turnaround time – 1 working day	% of queries received through Facebook resolved within the set turnaround time - 1 working day	90%	96%	95%	95%	96%	<b>96%</b>
Twitter - resolve queries within the set turnaround time - 1 working day	% of queries received through Twitter resolved within the set turnaround time - 1 working day	60%	65%	60%	63%	63%	<b>65%</b>
Automated Company Registration	Number of services (Company Registration) migrated	New indicator	56	29 BizPortal and Eservices	29 (0)	54 (25 Self Service Centres)	56 (2 BizPortal and Eservices)
	Number of new services (Company Registration) developed	New indicator	19	14 Mobile and K2	17 (3 – BizPortal)	17 (0)	19 (2 BizPortal and Eservices)

Output	Indicator/Measure	Baseline	2022/23 Annual Target	Quarterly Milestones			
				1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Automated business intelligence report	Number of automated business intelligence report (Reports to be specified by business)	New indicator	15	3	7 (4)	11 (4)	15 (4)
Reduced turnaround time to resolve queries received through the QRS – 10 working days	Average turnaround time to resolve queries received through the QRS	5	7	8	7	6	5
Reduced turnaround time to resolve queries received through Facebook (working days)	Average turnaround time to resolve queries received through Facebook (hours)	24	12	24	15	15	12
Reduced turnaround time to resolve queries received through Twitter	Average turnaround time to resolve queries received through Twitter (hours)	24	12	24	15	15	12

Table C. 3: Recourse Considerations for Programme 1: Service Delivery and Access

<b>Programme Name: Administration (Service Delivery and Access)</b>					
<b>Economic classification</b>	<b>Expenditure Outcome</b>	<b>Approved Budget</b>	<b>Medium-Term Expenditure Estimate</b>		
	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>
	<b>R '000</b>	<b>R '000</b>	<b>R '000</b>	<b>R '000</b>	<b>R '000</b>
<b>Current payment</b> Compensation of employees and Goods & services, etc.	423 241	572 794	537 298	547 408	558 063
<b>Payments of capital assets</b> Building and other fixed structure Machinery & equipment	9 772	28 200	15 500	15 500	16 196
<b>Other classifications</b>	-	-	-	-	-

## 6.2 Programme 2: Innovation and Creativity Promotion

### **Purpose:**

The purpose of Programme 2: Innovation and Creativity Promotion is to support and promote local innovation and creativity by maintaining accurate and secure registries of patents, designs, and cinematograph films. This includes maintenance of accurate, up-to-date and relevant information concerning companies, foreign companies, and other juristic persons contemplated in subsection (1) (a) (ii) of the Companies Act, No 71 of 2008, and concerning intellectual property rights and the provision of that information to the public and to other organs of state. IP enforcement includes referring offense to law enforcement agencies such as the National Prosecution Authority.

Under this programme, the CIPC also supervises and regulates the distribution of collected royalty by accredited collecting agencies. In addition, the programme is responsible for providing policy inputs and legal advisory opinion on the coordination, implementation, and impact of the respective IP laws. Furthermore, the group ensures that the implementation of the national IP regime is in alignment with the international IP system.

The primary function of the Innovation and Creativity Promotion Programme is to promote and support the registration of i) patents, ii) designs, and iii) cinematograph films. The group also registers patent attorneys that have passed the Patent Board Examination. Other functions of the Programme include the coordination of appropriate enforcement actions, education, and creating awareness of the requirements and benefits of registration of IP rights, the remedies available, and the opportunities for commercialisation and industrial development through efficient management of IP assets.

Through this programme, the CIPC also provides policy and legal insights on the implementation and impact of the relevant IP legislation. Thus, additional functions in this programme include in-depth research to identify gaps and to analyse the impact of IP rights registration forming a basis for further IP policy inputs.

In line with the COVID-19 conditions, a professional webinar environment will be created. This will include various virtual platforms, content development, packaging and delivery accessible anytime. The CIPC will use of free platforms for the disadvantaged communities. Staff will be trained for the new way of working.

### List of sub-programmes

1. Innovation support and creativity
  - a) Patents and Designs Register
  - b) Innovation Policy and Outreach
  
2. Creative Industries
  - c) Copyright and IP Enforcement

### **6.2.1 Outcomes and Joint-KPI**

Programme 2 outcomes discussed below are in line with the two dtic Joint-KPIs i.e. **Delivery/Capable State** and **Transformation**.

#### **i. Substantive Search Examination**

The purpose of the above KPIs is to capacitate CIPC to ensure readiness for substantive examination of Patent Applications. This in turn will contribute to a capable state than has the ability to regulate monopolies created through patent rights. The SSE's success will ensure that artificial monopolies are justified and not hindering industrialisation.

Experiential Learning Project will mimic the actual patent examination and interaction with patent attorneys under the guidance of an experienced international patent office (EPO). Non-Binding Examination Reports (NBEPRs) refers to work products issued per examiner (work product includes Written Opinion and Search Report on patentability) such a work product will in future be issued to an applicant) in line with SSE Experiential Learning.

#### **ii. IP Education and Awareness**

SMEs, entrepreneurs and the public at large will protect their IP and commercialize it to realize economic benefits. This increases local IP ownership in the market (localisation). The broader impact of this increased awareness on IP registration is that the structure of the economy and township economy are transformed to include participation of local SMEs and entrepreneurs in the economy through commercialization of their registered IP. CIPC has been championing WIPO SA IP Summer School and Technology Transfer in collaborating with NIPMO, WIPO and JPO to deliver the a very technical capacity building IP programme to the SA citizens, African region and the parts of the world.

On the World IP Day celebrations CIPC as a champion, collaborated with SEDA, NIPMO, DSI, TIA, the dtic and Universities to educate the SMEs, entrepreneurs, youth and the public at large about the importance of IP. This is an integrated approach of capacity building by state institutions / agencies to benefit the South Africans.

#### **iii. IP Enforcement Education and Awareness**

Monthly training sessions to own staff and government partners. Public awareness decreases the demand for fake goods. Keeping consumers safe from fake goods.

**Capable State:** Monthly training sessions to own staff and government partners. Public awareness decreases the demand for fake goods. Keeping consumers safe from fake goods.

**Transformation:** Review of legislation and regulations in the GI space. Building economic inclusion through transformation to focus on women in IP.

#### **iv. Training of Law Enforcement Agencies**

Making sure that brand holders do not lose market share and revenue because of counterfeit goods. When enforcement is not done, investment does not come into the country or is withdrawn. Collaboration with the SAPS and SARS conduct market place operations to

confiscate products and get convictions. **Upcycling counterfeit goods for a greener economy.**

**v. *Improved compliance with IP Laws through a focus on industrialization (APP)***

Making sure that brand holders do not lose market share and revenue because of counterfeit goods. When enforcement is not done, investment does not come into the country or is withdrawn. Collaboration with the SAPS and SARS conduct market place operations to confiscate products and get convictions. Upcycling counterfeit goods for a greener economy.

**vi. *Improved Compliance with IP Laws***

**Training to students' women and SMME's lead to sustainable businesses that can rely on IP for growth and has respect for IP.**

IP enforcement fosters higher levels of investment especially in the creative content areas such as films, music and software programmes. Targeted events are hosted for the stakeholders in these sectors. We have also seen investment in assembly plants in the clothing industry.

IPR Enforcement underpins economic growth, promote investment into the country and create new job opportunities. Collaboration partnerships with SAPS, SARS NPA and other government agencies create an intergraded government approach towards IPR enforcement. Improved compliance drives equal playing fields and supports the ease of doing business. Partnerships on education and awareness with private sector is maintained and improved in the fast moving consumer goods industries, pharmaceuticals, and creative industries.

Collaboration to address the public demand for counterfeiting is done with International partners such as World Intellectual Property Organization, World Customs and World trade. IPR owners are also a fundamental part of these efforts to change behaviour of consumers towards counterfeit goods. Collaborate partnerships ensure that we have a capable state.

**v. *Increased compliance with Copyright legislation***

Building a capable state is achieved through auditing of Collecting Societies by CIPC to ensure good governance and transparency. The broader impact of this CIPC regulatory function is that proper and efficient distribution is achieved by Collecting Societies to ensure that musicians / artists make a living from their music careers.

The accredited Collecting Societies have been transformed and have thus far established Funeral Schemes and Performers Development Fund for their members. This transformation is as a result of CIPC's regulatory function. The broader impact is that performing artists/ musicians will benefit from the funeral scheme and the Development Fund.

Table C. 4: Programme 2: Innovation & Creativity - Outcomes, Outputs, Indicators, and Performance Targets

Outcomes	Output	Performance Indicator/ Measure	Audited Actual Performance			Estimate Performance/Baseline	Medium-Term Targets		
			2018/19	2019/20	2020/21		2021/22	2022/23	2023/24
<b>Impact Statement #1: A world-class modern regulator</b>									
Building state capacity to better regulate and ensure integrity of granted patent rights.	Implementation of Experiential Learning Project (ELP) with the SSE team.	Number of issued non-binding examination and patentability reports (NBEPRs) under the ELP	New Indicator	New Indicator	New Indicator	16 SSE examiners and trained 28 interns training patent	24	24	24
		Number of SSE training initiatives	New indicator	New Indicator	New Indicator	New Indicator	4	4	4
<b>Impact Statement #3: Investor confidence in SA businesses and innovations</b>									
Reduce IP filing costs Transform the economy	Inventor Assistance Programme (IAP) implemented	Number of IAP Review Committee meetings to screen applications	New indicator	New indicator	New indicator	New Indicator	4	4	4

Outcomes	Output	Performance Indicator/ Measure	Audited Actual Performance			Estimate Performance/Baseline	Medium-Term Targets		
			2018/19	2019/20	2020/21		2021/22	2022/23	2023/24
through localisation									
Increase compliance with IP Regulations	Accredited Collecting Societies compliant with Regulations	Number of education and awareness events to promote compliance to regulations by Collecting Societies conducted by the CIPC including collaboration with its partners	New Indicator	New Indicator	New Indicator	New Indicator	4	4	4
Increased awareness (including capacity building) IP protection	IP education and awareness events conducted by the CIPC, also in collaboration with partners	Number of education and awareness events conducted by	30	38	27	40	36 <sup>1</sup>	40	40

<sup>1</sup> The target is less than the baseline because few sessions are planned, as virtual session reach more people.

Outcomes	Output	Performance Indicator/ Measure	Audited Actual Performance			Estimate Performance/Baseline	Medium-Term Targets		
			2018/19	2019/20	2020/21		2021/22	2022/23	2023/24
laws, regulations, as well as services and related processes		the CIPC, including collaboration with its partners							
	IP enforcement public education and awareness events conducted by the CIPC, also in collaboration with partners	Number of IP enforcement education and awareness events conducted by the CIPC, also in collaboration with partners	6	9	11	15	9	6	6
	Increase capacity in Law Enforcement Agencies on IPR	Number of Law Enforcement Agency training sessions on IPR	New indicator	New indicator	New indicator	New Indicator	4	4	4

Table C. 5: Programme 2- Innovation and Creativity - Indicators, Annual, and Quarterly Targets

				Quarterly Milestones			
Output	Performance Indicator/Measure	Baseline	Annual Target	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Substantive search examination (SSE) Experiential Learning	Number of non-binding work products issued per examiner (work product includes Search Report and a Written Opinion on patentability such a work product will in future be issued to an applicant) in line with SSE Experiential Learning	16 SSE trained patent examiners and 28 interns under training	24	6	12 (6)	18 (6)	24 (6)
	Number of SSE Training initiatives undertaken	New Indicator	4	1	2 (1)	3 (1)	4 (1)
Inventor Assistance Programme Implemented	Number of IAP Review Committee meetings to screen applications	New Indicator	4	1	2 (1)	3 (1)	4 (1)
Compliance with Regulations by Accredited Collecting Societies	Number of education and awareness events to promote compliance to regulations by Collecting Societies conducted by the CIPC including collaboration with its partners	New Indicator	4	1	2 (1)	3 (1)	4 (1)

				Quarterly Milestones			
Output	Performance Indicator/Measure	Baseline	Annual Target	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
IP education and awareness events conducted by the CIPC, also in collaboration with partners	Number of IP education and awareness events conducted by the CIPC, including collaboration with partners	40	36	10	20 (10)	27 (7)	36 (9)
IP enforcement public education and awareness events conducted by the CIPC, also in collaboration with partners	Number of IP enforcement education and awareness events conducted by the CIPC, including collaboration with partners	15	9	5	1 (6)	1 (7)	2 (9)
Increase capacity in Law Enforcement Agencies on IPR	Number of Law Enforcement training sessions	4	4	1	2 (1)	3 (1)	4 (1)

Table C. 6: Recourse Considerations for Programme 2: Innovation and Creativity

Programme Name: Innovation and creativity promotion					
Economic classification	Expenditure outcome	Approved Budget	Medium-Term Expenditure Estimate		
	2020/21	2021/22	2022/23	2023/24	2024/25
	R '000	R '000	R '000	R '000	R '000
<b>Current payment</b> Compensation of employees and Goods & services, etc.	58 443	82 236	82 748	83 671	84 643
<b>Payments of capital assets</b> Building and other fixed structure Machinery & equipment	-	-	-	-	-
<b>Other classifications</b>	-	-	-	-	-

## 6.3 Programme 3: Business Regulation and Reputation

### **Purpose:**

The purpose of the Programme 3: Business Regulation and Reputation is to enhance the reputation of South African businesses and the South African business environment by ensuring that the registers of corporate entities, their managers, and their identity have integrity and that a culture of corporate compliance and high standards of governance, disclosure, and corporate reputation is established. The programme also aims to provide policy and legal insight and advice on the co-ordination, implementation, and impact of the respective laws.

The following functions, amongst others, fall within this programme:

- maintaining registers of companies and close corporations, co-operatives, directors and delinquent persons, and trade marks as well as company names and business names,
- accreditation of practitioners and intermediaries,
- educating business owners and practitioners on compliance of the legislation as well as,
- promote and enforce compliance with the legislation.

The CIPC is required to monitor compliance with certain requirements of the legislation, such as the submission of annual returns, the rotation of auditors and disclosures in terms of the financial reporting standards and the requirements for prospectuses. Furthermore, the CIPC investigates complaints and enforces the provision of the Companies Act, the Close Corporations Act, the Share Block Companies Act, and the Co-operatives Act relating to governance and disclosure.

The Business Regulation and Reputation Programme also incorporate a focus on corporate policy and legal matters. This includes support for the prosecution of offences, the interpretation of laws, as well as the proposal of amendments to legislation and regulations. The function also entails continuously tracking international developments in the areas of corporate governance, disclosure, corporate registration, and enforcement and trade marks.

Complaints relating to Companies may be filed in writing with the CIPC upon receiving a complaint, the CIPC may resolve:

- (i) not to investigate,
- (ii) to refer it to the Companies Tribunal or Accredited Agency or other appropriate regulatory authority, or
- (iii) to direct an investigator or inspector to investigate.

After receiving an investigation report the Commission may

- (i) excuse a respondent
- (ii) refer the complaint to the Companies Tribunal;
- (iii) issue a notice of non-referral to complainant, advising the complainant of any rights to seek a remedy in court;
- (iv) propose that the complainant and any affected person meet with the Commission or with the

- Tribunal, to resolve matter by consent order;
- (v) commence proceedings in a court in the name of the complainant, if the

complainant—

- has a right to apply to a court; and
  - has consented to the Commission to do so;
- (vi) refer the matter to the NPA, or other regulatory authority, if Commission alleges that a person has committed an offence in terms of this Act or any other legislation; or (vii) issue a compliance notice in terms of section 171.

List of sub-programmes

1. Corporate Compliance and Enforcement
  - a) Corporate Disclosure and Compliance
  - b) Corporate Governance, Surveillance, and Enforcement
2. Corporate Registers
  - a) Companies and Close Corporations (CCs)
  - b) Co-operatives
  - c) Directors, Members, and Practitioners
  - d) Trade mark
3. Legal Policy and Outreach
  - a) Corporate Education and Voluntary Compliance
  - b) Corporate Legal and Policy Support

### **6.3.1 Outcomes and Joint-KPI**

Programme 1 outcomes discussed below are in line with the two dtic Joint-KPIs i.e. **Delivery/Capable State** and **Transformation**.

#### ***i. Pro-active investigations***

Pro-Active Investigations and monitoring of possible offences to increase efficiency

- **2 (two) Pro-Active Investigation** in response to contraventions of Companies Act No 71 of 2008 on Companies identified on **State Capture Commission Report**;
- Pro-Active Investigation of **Foskor (Pty) Ltd, Registration No.1951/002918/07: Social and Ethics Committee in terms of** Section 72(4)(a) of the Act, which stipulates that:  
“(4) The Minister, by regulation, may prescribe –  
(a) a category of companies that must each have a social and ethics committee, if it is desirable in the public interest and having regard to- i) annual turnover; ii) workforce size; iii) the nature and extent of the activities of such companies”
- **Impulse International (Pty) Ltd** for convening **Annual General Meeting** of Shareholders in terms of section 61 of the Companies Act No. 71 of 2008;
- **Priorities on Fifteen (15) Non-Compliance Notices issues to various companies:** Section 171 (7) of the Act provides that if a person fails to comply with the Compliance Notice, the CIPC may refer the matter to court for an imposition of a fine as it is an offence in terms of section 214 (3) of the Act;
- Broad Discussion of Investigation Procedure Manual: the document outlining the process followed for investigations; and
- Collaboration with the Companies Tribunal in order to create investigated precedent cases.

## **ii. Business Rescue**

An analytical research paper will provide broader understanding of the triggers of financial distress (per industry and company and close corporation category and size) which leads to business rescue within the business environment. It will also provide understanding whether business rescue proceedings is delivering on the policy directive to provide an effective recovery mechanism for companies and close corporations and sharing such paper with the relevant direct stakeholder and sharing with other government department.

CIPC reduces red tape and increases the ease of doing business (specifically registering a new company) by reducing the timeline to register a company, increasing the quality of the company data and providing additional value added services by providing:

- 24/7 electronic access channels and broader access for all citizens (including women and youth) to such service via CIPC Omni channel approach;
- identity verification with Department of Home Affairs for director information associated with companies;
- sharing new company registration data with SARS (tax registration) and CSD (for government tendering);
- additional value added services on behalf of BB-BEE Commission (BB-BEE certificates for Micro exempted enterprises), ZADNA (domain name registrations) and Banks (opening a bank account)

CIPC further contributes to a capable state by providing access to company information to various governmental and research organisations via:-

- disclosure functionalities namely paper based disclosures,
- answering of subpoenas and providing access to information for prosecuting authorities,
- free enterprise search via [www.BizPortal.gov.za](http://www.BizPortal.gov.za), and
- electronic data sales for research (e.g. liquidation information to StatsSA).

## **iii. BO Register Establishment:**

In line with the objectives to prevent RSA from being grey listed/even blacklisted in terms of transparency of who owns who (FATF, G20 Requirements) and the need to prevent abuse of corporate vehicles for Money Laundering and Terror Financing

## **iv. Collaborations with LEAs, NPA, SIU, Hawks and other Regulators:**

In line with the need to collaborate successfully in the regulatory and law enforcement area, skills and expertise, information and data on AFS and other basic information from CIPC contributing to building strong cases for successful prosecutions. Mitigating prevailing disparate efforts in dealing with non-compliance with the Companies Act. Taking advantage of the preparedness by NPA and JSE to collaborate concerning matters of non-compliance.

## **v. CIPC Learning Academy**

The Academy aims to empower the HDI in line with corporate governance and IP opportunities.

Broader Impact: Continuous Learning Culture by the filing / professional community, as the learning process will be linked to CPD eventually.

**Localisation:** empower local communities with IP knowledge to use their creative minds to produce local products that can be exported and create job opportunities. For example using plants for covid medication.

Table C. 7: Programme 3: Business Regulation and Reputation: Outcomes, Outputs, Performance Indicators, and Targets

Outcomes	Output	Performance Indicator/Measure	Audited Actual Performance			Estimate Performance	Medium-Term Targets		
			2018/19	2019/20	2020/21		2021/22	2022/23	2023/24
<b>Impact Statement 1: World-class modern regulator</b>									
<b>Impact statement #2: Ease of doing business</b>									
<b>Reduced administrative compliance burden for companies and IP owners</b>	Reduction in the average number of days to register a company from the date of receipt of a complete application	The average number of days to register a company from the date of receipt of a complete application.	3	2	2	1	1	1	1
	Reduction in the average number of days to approve applications for registering a co-operative from the date of receipt of a complete application.	The average number of days to approve applications for registering a co-operative from the date of receipt of a complete application.	3	3	2	1	1	1	1
<b>Impact statement #3: Investor confidence</b>									
Capacity building Institutional capability	CIPC Learning Academy	Business case	New Indicator	New Indicator	New Indicator	Steering Committee in place	Approved Request for Proposal (RFP)	Phase 1 Implementation	Phase 2 Implementation

Outcomes	Output	Performance Indicator/Measure	Audited Actual Performance			Estimate Performance	Medium-Term Targets		
			2018/19	2019/20	2020/21		2021/22	2022/23	2023/24
						Conceptual Framework in place Nominated WIPO trainees. Nominated WIPO Project Manager (IP)	for the development of the CIPC Learning Academy Business Case		
Increased awareness of company laws, regulations, as well as CIPC services, processes, and channels...	Corporate education and awareness events (virtual or physical) conducted by the CIPC, also in collaboration with partners processes and channels	Number of corporate education and awareness events conducted by the CIPC, also in collaboration with partners	New indicator	New indicator	11	40	30	30	40
Reputable business regulation environment (Strengthened Financial System and Ownership Transparency for SA)	Business ownership Register	Beneficial Ownership Register Establishment Phase	New indicator	New indicator	Approved Beneficial Ownership Concept Paper.	Approved Business Case	Beneficial Ownership Register Establishment (Phase 1)	Integrated Business Ownership Register (Phase 2)	Monitoring and advancements
Reputable business regulation environment	Pro-active Investigations in response to contraventions of Companies Act No 71 of 2008 on	Number of Pro-Active Investigations in response to contraventions of Companies Act No 71 of 2008 on	New Indicator	New Indicator	New Indicator	New Indicator	2	2	2

Outcomes	Output	Performance Indicator/Measure	Audited Actual Performance			Estimate Performance	Medium-Term Targets		
			2018/19	2019/20	2020/21		2021/22	2022/23	2023/24
	Companies identified on State Capture Commission Report	Companies identified on State Capture Commission Report;							
	Targeted proactive investigations	Number of targeted proactive investigations	New Indicator	New Indicator	New Indicator	New Indicator	3	3	3

Table C. 8: Programme 3 – Business Regulation and Reputation - Indicators, Annual and Quarterly Targets

Output	Performance Indicator/Measure	Baseline	2022/23 Annual Target	Quarterly Milestones			
				1 <sup>st</sup> Quarter	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter
Reduction in the average number of days to register a company from the date of receipt of a complete application	The average number of days to register a company from the date of receipt of a complete application.	1	1	1	1	1	1
Reduction in the average number of days to approve applications for registering a co-operative from the date of receipt of a complete application.	The average number of days to approve applications for registering a co-operative from the date of receipt of a complete application.	1	1	1	1	1	1
CIPC Learning Academy	Business case	Steering Committee in place Conceptual Framework in place Nominated WIPO trainees. Nominated WIPO Project Manager (IP)	Approved Request for Proposal (RFP) for the development of the CIPC Learning Academy Business Case Approved	-	- Specifications Committee – Approves TOR - Commissioner approves the Advertising of the Tender (RFP) (Q2)	Bid Evaluation	Bid Adjudication  Approved Request for Proposal (RFP) for the development of the CIPC Learning Academy Business Case Approved
Corporate education and awareness events conducted by the CIPC, also in collaboration with partners	Number of education and awareness events conducted by the CIPC, also in collaboration with partners	40	30	10	20 (10)	25 (5)	30 (5)

Output	Performance Indicator/Measure	Baseline	2022/23 Annual Target	Quarterly Milestones			
				1 <sup>st</sup> Quarter	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter
Automated Beneficial Ownership Register (Strengthened financial system and ownership transparency for SA registered entities)	Beneficial Ownership Register Establishment Phase	Approved Business Case	Beneficial Ownership Register Establishment System (Phase 1)	Business Requirements Document	Business Process Development and Approval	Functional Specification Definition Systems Requirements Definition and Approval	Preferred Option – Phased Implementation Evaluation of System Development Options  Beneficial Ownership Register Establishment (Phase 1)
Pro-active Investigations in response to contraventions of Companies Act No 71 of 2008 on Companies identified on State Capture Commission Report	Number of Pro-Active Investigations in response to contraventions of Companies Act No 71 of 2008 on Companies identified on State Capture Commission Report Started	New Indicator	2	-	Approved Request for Proposal (RFP) for the development of the CIPC Learning Academy Business Case Approved	Analysis report from Intelligent-gathering phase-Study and reading of the state capture report	2 Investigations started (Commissioner appointed inspectors to investigate the contraventions observed.(COR 137.1))
Targeted Pro-active Investigations	Number of Pro-Active Investigations in response to contraventions of Companies Act No 71 of 2008 on Companies identified from XBRL and Companies Tribunal (Social and Ethics committee decisions) started.	New Indicator	3	-	Analysis report from XBRL identifying entities in contraventions of the Act	Analysis report from Companies Tribunal identifying entities in contraventions of the Act (Social and Ethics Committee decisions).	3 Investigations started (Commissioner appointed inspectors to investigate the contraventions observed.(COR 137.1))

Notes on BO System:

In line with the objectives to prevent RSA from being grey listed/even blacklisted in terms of transparency of who owns who (FATF, G20 Requirements) and the need to prevent abuse of corporate vehicles for Money Laundering and Terror Financing

Table C. 9 : Recourse Considerations for Programme 3: Business Regulation and Reputation

Programme3: Business Regulations and Reputation					
Economic classification	Expenditure Outcome	Approved Budget	Medium-Term Expenditure Estimate		
	2020/21	2021/22	2022/23	2023/24	2024/25
	R '000	R '000	R '000	R '000	R '000
<b>Current payment</b> Compensation of employees and Goods & services, etc.	39 228	45 599	47 732	48 016	48 316
<b>Payments of capital assets</b> Building and other fixed structure Machinery & equipment	-	-	-	-	-
<b>Other classifications</b>	-	-	-	-	-

## 7. Explanation of planned performance over the medium-term period

### (iv) **Reduced turnaround times**

Reducing turnaround times for resolving queries contribute to improved organisational effectiveness. Reduction of turnaround times and 24/7 access reduce the administrative regulatory burden for companies and IP owners, and therefore makes it easy to do business in SA, which in turn improves SA competitiveness.

### (v) **24/7 accessibility**

Reducing turnaround times for resolving queries contribute to improved organisational effectiveness. Reduction of turnaround times and 24/7 access reduce the administrative regulatory burden for companies and IP owners, and therefore makes it easy to do business in SA, which in turn improves SA competitiveness.

### (v) **Compliance, enforcement, and other programmes**

Building compliance surveillance and enforcement capabilities through developing strategies, partnerships, training etc.; strengthening the validity of granted IPR (patents designs and copyright), and in so doing reduce litigation costs for the client through substantive search examination; supporting businesses and innovators through directed programmes such as Investor Assistance Programme; and increased awareness of business and IP protection laws, regulations, services, processes will contribute to building a reputable business and IP protection environment thus boosting investor confidence in SA businesses and innovations.

### (vi) **Data**

Data and system integrity is critical to a data sharing strategy as this will assure users that data and information shared is reliable. The CIPC data sharing strategy is also underpinned by digitisation and collaboration. Digital platforms will be used to gather as well as to share data. The CIPC will also rely on its partners and stakeholders to share their data.

## 8. Key risks

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTORY FACTOR/S	EXISTING CONTROLS	MITIGATING ACTIONS
CIPC 1	Reduced regulatory administrative burden	Service delivery	Inadequate availability and accessibility of service channels	Manual processes in some areas e.g. Co-ops	<ul style="list-style-type: none"> <li>- Automated business tools (email, website, query resolution system, mobile)</li> <li>- Call centre</li> </ul>	<ul style="list-style-type: none"> <li>- Systems change processes for prioritised and identified areas with manual processes (Projects)</li> <li>- K2 development programme implementation</li> <li>- Mobility Applications and ChatBot programmes implementation</li> <li>- Continuous monitoring and reporting on the status of identified priority automation projects</li> <li>- Self-service terminals/centres to be accessible for IP customers</li> <li>- SST and SSC training</li> <li>- Roll-out IP training to call centre</li> </ul>
				Lack of awareness of CIPC services, channels and know-how by the customer	<ul style="list-style-type: none"> <li>- Website</li> <li>- Education and awareness initiatives (e.g. campaigns and workshops)</li> <li>- Marketing collateral (e.g. brochures)</li> <li>- Social media</li> <li>- Partnerships with other role players (e.g. Seda, the dtic, WIPO)</li> </ul>	<ul style="list-style-type: none"> <li>- Review media strategy (digital, broadcast, print)</li> <li>- Optimise information presentation on website (simple, accessible and easy to use)</li> <li>- Utilisation of technology to build awareness where accessible</li> </ul>
				Ineffective quality management	Ongoing quality management initiatives	Resourcing of quality management function

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTORY FACTOR/S	EXISTING CONTROLS	MITIGATING ACTIONS
				Customer / stakeholder dissatisfaction	Customer communication, education and awareness initiatives (including media campaign)	Continuous SMME training and reporting on IP services
				Reputational harm	- Customer survey - Crisis communications - Media monitoring and management	Enhance research capability to gather customer intelligence
				Revenue loss (delay)	Service delivery channels (physical and digital)	None suggested
CIPC 2	CIPC competencies and capabilities support a world class and modern organisational environment	Technology	Inadequate ICT infrastructure	Lack of alignment between business expectation and technology support capacity and infrastructure	ICT strategic plan included in organisational business plan	Modernisation of key systems (to reduce dependence on 3rd parties)
				Lack of clear identification of business requirements	- BISG high-level processes - Project prioritisation forum - Change control procedures	Develop and implement identified and prioritised technology platform components according to plan
				Lack of appropriate testing environment	- Separation between live, testing, production and pre-production environments - Implementation standards	Finalise technology migration and configure new testing, production and pre-production environments
				Inappropriate configuration and systems integration (disparate technologies)	- Integration of various business systems through e-channels (digital) - Prioritised application systems rollout strategy and plan implementation	Prioritised application systems rollout strategy and plan implementation
					SLA management with the dtic	Dependence on connectivity to the dtic network to be addressed through procurement of new VOIP call centre solution

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTORY FACTOR/S	EXISTING CONTROLS	MITIGATING ACTIONS
				Impaired service delivery and performance	Consequence management (performance)	None proposed
				Impaired organisational sustainability (continuity)	<ul style="list-style-type: none"> <li>- Business continuity plan</li> <li>- Disaster recovery plan</li> <li>- Revised business impact analysis (sub-set of BCP)</li> <li>- Approved ICT continuity and recovery standard</li> <li>- Approved ICT continuity and recovery plan</li> <li>- Database and server restores are tested periodically</li> <li>- BCP function to be transferred to CIPC GRC function (ICM to be seconded for 12 months to fulfil this role)</li> </ul>	None proposed
				Customer / stakeholder dissatisfaction	Customer communication, education and awareness initiatives (including media campaign)	None proposed
CIPC 3	CIPC competencies and capabilities support a world class and modern organisational environment	Technology	Lack of stability of IT systems (CIPC, Partners and 3rd party providers)	Service provider dependency	<ul style="list-style-type: none"> <li>- SLA management</li> <li>- Skills transfer (into CIPC)</li> </ul>	Staff retention model and succession plan
				Legacy systems	<ul style="list-style-type: none"> <li>- Integration of various business systems through e-channels (digital)</li> <li>- Prioritised application systems rollout strategy and plan implementation</li> </ul>	Business process driven application development model using the K2 development framework

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTORY FACTOR/S	EXISTING CONTROLS	MITIGATING ACTIONS
				System maintenance monitoring and continuous improvement	Planned proactive systems maintenance	None proposed
				ICT staff skills & capacity constraints	<ul style="list-style-type: none"> <li>- Skills procurement as required</li> <li>- Skills development (needs-based)</li> <li>- Skills transfer included in all technology procurement and SLAs</li> </ul>	Skills transfer to be included in all future technology procurement and SLAs
				Lack of clarity on roles and responsibilities resulting in low staff morale and conflict	Resource planning and procurement aligned with business needs	<ul style="list-style-type: none"> <li>- Review and align BISG structure and Job Descriptions to business model</li> <li>- Provide inputs into the OD review project</li> </ul>
				Impaired service delivery and performance	Consequence management (performance)	None proposed
				Customer / stakeholder dissatisfaction	<ul style="list-style-type: none"> <li>- Trouble-shooting</li> <li>- Customer communication, education and awareness initiatives (including media campaign)</li> </ul>	None proposed
				Litigation (IP, Trademarks)	Legal support	None proposed
				Low staff morale	Human resource management and staff engagement	None proposed
				Revenue loss (delay)	Service delivery channels (physical and digital)	Continuously increase channels that offer products and services (Per APP targets)

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTORY FACTOR/S	EXISTING CONTROLS	MITIGATING ACTIONS
				Unreliable data	- Integration of various business systems through e-channels (digital) - Prioritised application systems rollout strategy and plan implementation	Prioritised application systems rollout strategy and plan implementation
CIPC 4	Organisational effectiveness	Stakeholder	Inability to effectively manage stakeholder relations and expectations	Limited customer awareness	Education, awareness, branding and media campaign initiatives	- Consolidation meetings (for relevant process stakeholders) - Integration of education and awareness with customer communication process
				Inadequate stakeholder communications during business and process interruption	Proactive communication of expected process interruptions via website	- Ensure adherence with communication protocols (web, social-media, print etc.) - Integrated marketing and communication structure
				Inefficient customer service (expectations, errors & waiting times)	Current automation initiatives (reduce human error rate) and optimise efficiencies	- Training on CIPC products & services, customer care to CIPC staff - Quality assurance in customer service - Debriefing for staff dealing with difficult circumstances in client service
				Inadequate dedicated research capacity to support organisational planning and implementation	Ad hoc research conducted in the process of developing strategic planning documents	
				Lack of a dedicated unit/ lead for stakeholder management	Signed MOU and SLAs with various stakeholders	
				Lack of integrated stakeholder management planning	Each business unit manages own stakeholders on an Ad hoc basis	Finalisation and approval of stakeholder management strategy

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTORY FACTOR/S	EXISTING CONTROLS	MITIGATING ACTIONS
CIPC 5	CIPC competencies and capabilities support a world class and modern organisational environment	Technology	Inadequate information & cyber-security	Customer / stakeholder dissatisfaction	Crisis communications	Finalisation and approval of stakeholder management strategy
				Revenue loss (delay)	Financial monitoring and reporting	None proposed
				Reputational harm	- Crisis communications - Media monitoring and management	Finalisation and approval of stakeholder management strategy
				Unauthorised access to systems	- Security, network and infrastructure policies and procedures - Information security management system (policies and procedures) - Data disclosure strategy	- Business process driven application development model using the K2 development framework - Complete legacy migration to oracle
				Inability to prevent, detect and respond to security threats	- ICT continuity strategy - Review and continuous improvement of physical and logical access protocols - Vulnerability assessments - Data back-ups - Periodic penetration testing - Conduct social engineering test/ audit - Cyber-security solution (McAfee)	Complete cyber-security solution: ID management
				Inadequate physical security due to work-from-home.	Telecommuting policy	Awareness building on requirements regarding physical security

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTORY FACTOR/S	EXISTING CONTROLS	MITIGATING ACTIONS
CIPC 6	CIPC data and networks shared with third parties	Information management	Inadequate data integrity	Inadequate staff awareness of cyber-security threats and recommended action	ICT security policy	Awareness building on common security threats (physical and logical) to staff members
				Data breach	<ul style="list-style-type: none"> <li>- Security, network and infrastructure policies and procedures</li> <li>- Information security management system (policies and procedures)</li> <li>- Data disclosure strategy</li> </ul>	None proposed
				Reputational harm	<ul style="list-style-type: none"> <li>- Crisis communications</li> <li>- Media monitoring and management</li> <li>- Troubleshooting (ICT)</li> </ul>	Enhance research capability to gather customer intelligence
				Litigation (IP, Trademarks)	Legal support	None proposed
				Inaccurate data capture at source	<ul style="list-style-type: none"> <li>- Data policies, processes, procedures and conventions</li> <li>- Data validation techniques</li> <li>- Third party verification system</li> <li>- Automated integrity checks</li> </ul>	Continuous improvement of automated integrity checks

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTORY FACTOR/S	EXISTING CONTROLS	MITIGATING ACTIONS
CIPC 7	Organisational effectiveness	Financial governance	Ineffective governance and oversight over finance and supply chain management	Malicious system/ data alteration	<ul style="list-style-type: none"> <li>- Access to the source code of our systems</li> <li>- Security, network and infrastructure policies and procedures</li> <li>- Information security management system (policies and procedures)</li> <li>- Data disclosure strategy</li> </ul>	Complete cyber-security solution: ID management
				Incompleteness of information due to transfer and integration of data from various databases (migration)	Improvement of data accuracy and integrity through implementation of business rules in applications	Transformation of and migration to new data structures
				Inefficient data retrieval (per request)	<ul style="list-style-type: none"> <li>- Digitisation of records</li> <li>- Automation of dematerialised data and records</li> </ul>	<ul style="list-style-type: none"> <li>- Procurement, development and implementation of data warehouse and BI environment</li> <li>- Finalise technology migration and configure new testing, production and pre-production environments</li> </ul>
				Impaired service delivery and performance	Consequence management (performance)	None proposed
				Reputational harm	<ul style="list-style-type: none"> <li>- Crisis communications</li> <li>- Media monitoring and management</li> <li>- Troubleshooting (ICT)</li> </ul>	None proposed
				Litigation (IP, Trademarks)	Legal support	None proposed
				Adverse audit outcome	Stakeholder management	None proposed
				Ineffective supply chain management policies and procedures		<ul style="list-style-type: none"> <li>- Review SCM structure, policy and procedures to ensure operational effectiveness and role clarity</li> <li>- Review of the delegation of authority framework (Finance</li> </ul>

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTORY FACTOR/S	EXISTING CONTROLS	MITIGATING ACTIONS
						to provide input to GRC on financial delegations)
				Ineffective procurement planning	<ul style="list-style-type: none"> <li>- Integration of planning and budgeting processes</li> <li>- Signed-off divisional procurement plans as part of the annual budget process</li> </ul>	Integration of strategic planning, annual procurement planning and budgeting
				Poor contract management	<ul style="list-style-type: none"> <li>- Contract management process</li> <li>- SCM reporting requirements (supplier performance)</li> </ul>	<ul style="list-style-type: none"> <li>- S/Term: Units to provide quarterly SLA reports</li> <li>- L/Term: Implementation of contract management system</li> </ul>
				Inadequate reporting	Quarterly SCM & Financial reporting to EXCO and Risk and Audit Committees	Monthly SCM & Financial reporting to be introduced
				Fraud, waste and abuse	<ul style="list-style-type: none"> <li>- SCM policy</li> <li>- Irregular expenditure monitoring</li> <li>- Fruitless, wasteful expenditure monitoring</li> <li>- Anti-fraud and corruption plan</li> </ul>	None proposed
				Misalignment of current policies, processes and practices (including manual process overrides)	Preference to legislative compliance requirements where there is process conflict	Action pending completion of OD project
				Impaired service delivery and performance	Consequence management (performance)	None proposed
				Financial resource wastage/ abuse or losses	<ul style="list-style-type: none"> <li>- Finance policies</li> <li>- Anti-fraud policy</li> <li>- Investigations and recovery process</li> </ul>	None proposed

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTORY FACTOR/S	EXISTING CONTROLS	MITIGATING ACTIONS
CIPC 8	Organisational effectiveness	Financial governance	Financial sustainability	Higher relative cost-increase to revenue	<ul style="list-style-type: none"> <li>- Cost-containment measures</li> <li>- Approved fee structure</li> <li>- Budget process</li> <li>- Budget monitoring</li> </ul>	Implement approved fee structure (deferred in 2019/20)
				Diminished reserves	Quarterly SCM & Financial reporting to EXCO and Risk and Audit Committees	Timeous procurement planning to ensure funding commitment within the relevant financial year
				Impaired organisational sustainability (continuity)	CIPC Vision 2030	None proposed
CIPC 9	Organisational effectiveness	Culture and people	Lack of optimal and professional organisational culture	Ineffective and inconsistent implementation of performance management	Performance management system	<ul style="list-style-type: none"> <li>- Review alignment between performance management system and related SOPs</li> <li>- Review of job descriptions to ensure alignment with performance management system</li> <li>- Implementation of consequence management for performance management exceptions</li> </ul>
				Ineffective leadership and output-based management	None suggested	<ul style="list-style-type: none"> <li>- Talent management strategy implementation</li> <li>- Staff survey</li> <li>- Output based management (aligned with organisational targets)</li> <li>- Implement change management strategy</li> </ul>
				Ineffective knowledge management and sharing	Policies and procedures	<ul style="list-style-type: none"> <li>- Develop a knowledge management system</li> <li>- Develop and regularly update the intranet information sharing platform</li> <li>- Policy and procedure awareness</li> </ul>

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTORY FACTOR/S	EXISTING CONTROLS	MITIGATING ACTIONS
				Inadequate communication and clarity of strategy, role-functions and expectations of leadership	Strategic plan	<ul style="list-style-type: none"> <li>- Embark on organisational design process (will define the structural enhancements and skill needs)</li> <li>- Review of internal governance framework (GRC) to clarify roles and responsibilities</li> </ul>
				Living the values	Values defined	<ul style="list-style-type: none"> <li>- Values survey</li> <li>- Education and awareness (on values)</li> <li>- Simplification and rationalisation of values</li> </ul>
				Impaired service delivery and performance	Consequence management (performance)	None proposed
CIPC 10	Organisational effectiveness	Culture and people	Ineffective people management	Lack of specialised skills in certain critical functions		<ul style="list-style-type: none"> <li>- Recruitment policy review</li> <li>- Implementation of recruitment strategy</li> <li>- As-and-when review of HR policies, procedures and practices</li> </ul>
				Outdated job descriptions	None suggested	Embark on organisational design process (will define the structural enhancements and skill needs)
				Outdated organisational structure	None suggested	Embark on organisational design process (will define the structural enhancements and skill needs)
				Labour issues	<ul style="list-style-type: none"> <li>- HR Policies</li> <li>- Employee engagement</li> </ul>	Ongoing engagement with organised labour
				Ineffective management of impact of automation drive on skills and performance of staff	None suggested	Continuous training of staff
				Ineffective staff development	<ul style="list-style-type: none"> <li>- Bursary programme</li> <li>- Short courses</li> <li>- Internal training</li> <li>- Personal development plans</li> </ul>	Training on CIPC products & services, customer care to CIPC staff

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTORY FACTOR/S	EXISTING CONTROLS	MITIGATING ACTIONS
				Non-conducive physical work environment (office layout and design)	None suggested	- Procurement of new office premises - Facilities management plan
				Skills mismatch (skills not placed in correct functions)	None suggested	Embark on organisational design process (will define the structural enhancements and skill needs)
				Health, safety and security	- Health and safety policy - Compliance certificate - Health and safety inspections - Security provided by landlord	Security policy approval and implementation
				Reputational harm	- Crisis communications - Media monitoring and management	None proposed
				Low staff morale	HR Policies	Implement updated people strategy
				Loss of critical skills	HR Policies	Implement updated people strategy
				Harm to persons	Liability insurance	None proposed
CIPC 11	A reputable business and IP protection environment	Service delivery	Inadequate accessibility of Intellectual Property (IP) services	Inadequate capacity (e.g. skills, HR and tools) within CIPC to assist and reach potential IP customers	- Partnerships with other role players (e.g. Seda, the dtic, EPO, WIPO) - Training and awareness (to build internal skills)	- Develop training plan (for IP services) - Ongoing training and awareness (to build internal skills) - Build in-house ICT capacity for IP tools development

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTORY FACTOR/S	EXISTING CONTROLS	MITIGATING ACTIONS
				High-cost (legal) of patent protection	<ul style="list-style-type: none"> <li>- Inventors assistance programme</li> <li>- WIPO partnership</li> </ul>	<ul style="list-style-type: none"> <li>- Optimisation of inventor assistance programme in terms of education and awareness and application system</li> <li>- Inputs to influence policies and law (Consultations with DTI to ensure the IP policy is being developed)</li> </ul>
				Lack of awareness (including relevant segmentation)	<ul style="list-style-type: none"> <li>- Website</li> <li>- Education and awareness initiatives (e.g. campaigns and workshops)</li> <li>- Marketing collateral (e.g. brochures)</li> <li>- Social media</li> <li>- Partnerships with other role players (e.g. Seda, the dtic, WIPO)</li> </ul>	<ul style="list-style-type: none"> <li>- Review media strategy (digital, broadcast, print)</li> <li>- Optimise information presentation on website (simple, accessible and easy to use)</li> <li>- Utilisation of technology to build awareness where accessible</li> </ul>
				Current programmes support only sophisticated business (no focus on programmes to integrate small business participation in IP)	<ul style="list-style-type: none"> <li>- International engagements to shape and direct the IP space</li> <li>- Train the trainer programme with WIPO and Department of Small Business Development</li> <li>- Inventors assistance programme (IAP)</li> </ul>	<ul style="list-style-type: none"> <li>- Optimisation of inventor assistance programme in terms of education and awareness and application system</li> </ul>
				Reputational harm	<ul style="list-style-type: none"> <li>- Customer survey</li> <li>- Crisis communications</li> <li>- Media monitoring and management</li> </ul>	<ul style="list-style-type: none"> <li>- Enhance research capability to gather customer intelligence</li> </ul>

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTORY FACTOR/S	EXISTING CONTROLS	MITIGATING ACTIONS
				Impaired service delivery and performance	Consequence management (performance)	None proposed
				Customer / stakeholder dissatisfaction	Customer communication, education and awareness initiatives (including media campaign)	Continuous SMME training and reporting on IP services
CIPC 12	A reputable business and IP protection environment	Financial governance	Ineffective implementation of the substantive search and examination programme	Capacity constraints	<ul style="list-style-type: none"> <li>- SSE training and competency testing programme</li> <li>- European Patent Office oversight on the quality of work produced by examiners</li> <li>- MOU between CIPC and European Patents Office</li> </ul>	Training for the second group of SSEs (Interns) scheduled for completion by 31 March 2022
				Inadequate ICT system/ Inadequate search tool	<ul style="list-style-type: none"> <li>- IPAS (intellectual property administration system) approved for implementation</li> <li>- Readily available tools in use for patent searches</li> </ul>	<ul style="list-style-type: none"> <li>- Implementation of IPAS system in terms of plan (data migration)</li> <li>- Appointment of 2 x ICT Officers to support SSEP</li> <li>- Testing of the SSEP system (ICT support required)</li> <li>- Procurement of an adequate tool for the purpose of patent searching</li> </ul>
				Lack of enabling HR policies to enable the CIPC to retain examiners	Signed MOU between CIPC and WIPO	None proposed

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTORY FACTOR/S	EXISTING CONTROLS	MITIGATING ACTIONS
				Impaired service delivery and performance	Consequence management (performance)	None proposed
				Reputational harm	- Customer survey - Crisis communications - Media monitoring and management	Enhance research capability to gather customer intelligence
				Customer / stakeholder dissatisfaction	Customer communication, education and awareness initiatives (including media campaign)	None proposed
				Litigation (IP, Trademarks)	Legal support	None proposed
CIPC 13	A reputable business and IP protection environment	Service delivery	Ineffective and inefficient regulatory oversight	Lack of integration of the end to end enforcement process with key stakeholders	Integration with law enforcement agencies	Enter into MoU with SAPS Commercial Crime and NPA for information on Legal entities and Directors
				Incorrect utilisation of enforcement capacity	- Education and awareness on enforcement to various stakeholders (IP) - Law enforcement authorities now conduct raids	IP to develop a training tool/material to share with LE officials a  Proactive monitoring of compliance and investigation approach to be formally adopted. Guidelines to the marketplace to be developed

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTORY FACTOR/S	EXISTING CONTROLS	MITIGATING ACTIONS
				Different interpretation of the Act between CIPC and the Tribunal for cases referred to the Tribunal	Legal opinion/ support	Engage formally with the Head of the Co-Tribunal for general technical discussions on Companies Act
				Dependence on other law enforcement agencies	Capacitated internal staff with regards to enforcement	MoU to be developed entered into with relevant Law Enf. Agencies
				Lack of understanding of IP related matter by other law enforcement agencies	Training of law enforcement agencies in the CIPC enforcement mandate and law- considering the Covid challenge the IP division has engaged the IT diivision to assist a solution to enable virtual training for LE (zero rated data and /or any solution which will enable access)	Implement additional training of law enforcement agencies on IP enforcement (affected by COVID-19 pandemic) IP to develop a training tool to be shared with the LE officials
				Current legislation does not provide for proactive enforcement by CIPC (IP space)	None suggested	To provide formal inputs for legislative review to the dtic
				Inadequate education and awareness on when and how enforcement is conducted (when does CIPC get involved) especially on IP	Capacitated internal staff with regards to enforcement	None proposed
				Lack of awareness by customers and potential offenders	Education and awareness on enforcement to various stakeholders (IP)	None proposed

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTORY FACTOR/S	EXISTING CONTROLS	MITIGATING ACTIONS
				Reputational harm	- Customer survey - Crisis communications - Media monitoring and management	Enhance research capability to gather customer intelligence
				Impaired service delivery and performance	Consequence management (performance)	None proposed
				Litigation	Legal support	None proposed
CIPC 14	Organisational effectiveness	Culture and people	Labour relations and stability thereof	Co-management	- Bargaining forums - Employee engagement	- Management review to ensure that EXCO resolutions are appropriately communicated into the bargaining forums to build effectiveness - Relationship building initiatives with Labour
				Impaired service delivery and performance	Consequence management (performance)	None proposed
CIPC 15	Organisational effectiveness	Culture and people	Occupational health, safety & business continuity threats	COVID-19 pandemic health and safety risks	- Alignment with national COVID-19 regulations - Committee for COVID-19 management and response - Dedicated Resource to ensure implementation of COVID-19 regulation and other related matters	- Formalised COVID-19 risk assessment - COVID-19 risk response plan

REF	STRATEGIC GOAL	RISK CATEGORY	RISK DEFINITION	CONTRIBUTORY FACTOR/S	EXISTING CONTROLS	MITIGATING ACTIONS
				Inadequate responsiveness of facilities and business processes to cater for COVID-19 threats	<ul style="list-style-type: none"> <li>- Organisational health and safety policy</li> <li>- Telecommuting policy</li> <li>- Wellness initiatives</li> <li>- No more than 50% staff permitted in the office and by default, staff should work from home</li> <li>- Staff screening upon arrival at premises</li> <li>- Separation of working areas to prevent spread of infection (if any) between teams</li> </ul>	Extended monitoring of staff welfare and wellness whilst working onsite.
				Inadequate business continuity planning and execution thereof	Business continuity plan	Review and update of business continuity plan
				Inadequate crisis communications management	Ongoing team communications	Establishment of communication protocols and reporting (customised to CIPC)
				Harm to persons	<ul style="list-style-type: none"> <li>- Health and safety policy</li> <li>- Employee wellness initiatives</li> <li>- Lockdown and other COVID-19 regulations and guidelines</li> </ul>	Regular monitoring and assessment of COVID-19 regulations and changes thereof
				Impaired service delivery and performance	Monitoring and evaluation (including corrective actions thereof)	None proposed

## 9. Risk Management and Fraud Prevention Plan

### 1. EXECUTIVE SUMMARY

The Companies and Intellectual Property Commission (CIPC) acknowledges the need to implement a holistic and structured process of corporately managing its exposure to risk, to this end, a risk management policy and framework have been developed and approved.

This plan provides a road map on how the risk management and fraud prevention policies and strategies will be translated into practical steps for improving the risk management maturity of the CIPC.

### PURPOSE AND SCOPE OF THE DOCUMENT

This document sets out the risk management and prevention business units' rolling plan for the period 2022/23 – 2026/27 financial year, as well as the annual implementation plan detailing activities to be conducted in the 2022/23 financial year. In developing the plan, the potential outcomes of the ongoing organisational design process and the impact of the continuing Covid-19 pandemic were taken into consideration.

### OBJECTIVE

The primary objective of the risk management plan is to facilitate the execution of risk management within the CIPC. This plan is developed in compliance with the sections 51(1) (a) of the PFMA and 27.2.1 of the Treasury Regulations and gives effect to the implementation of the risk management policy and framework of the CIPC. Furthermore, it provides a roadmap for the embedding of risk management within the CIPC and sets out activities planned for the identified periods in line with the strategic plan and details the activities and timelines for the 2022/23 financial year.

### 2. APPROACH

In developing the plan, the following factors were taken into account the:

- ✓ Approved Risk Management and Fraud Prevention policies;
- ✓ approved Risk Management Framework and Fraud Prevention Strategy;
- ✓ best practice;
- ✓ resource requirements and availability;
- ✓ past performance of the Division; and
- ✓ The results and recommendations of the June 2021 risk maturity report.

### 3. DETAILED PLAN

The five-year rolling plan below includes both the Risk Management and Fraud Prevention activities. The plan is aligned to the strategic planning period and is designed to improve the management and maturity within the CIPC. It forms the basis for assessing the performance of the Risk and Fraud prevention sections and Highlights key activities and resources required by the Governance Risk and Compliance Division for the period.

#### 3.1 Five year rolling plan 2022/23-2026/27

Activities	Period				
	22/23	23/24	24/25	25/26	26/27
<b>1.Risk Management</b>					
1.1. Risk management plan development and approval	✓	✓	✓	✓	✓
1.2. Revision of risk management policy.		✓			✓
1.3. Review the risk framework and methodology		✓		✓	
1.4. Develop a risk management maturity framework		✓			
1.5. Conduct a risk management maturity assessment		✓		✓	
1.6. Strategic risk register review	✓	✓	✓	✓	✓
1.7. Risk appetite statement and tolerance levels review	✓	✓	✓	✓	✓
1.8. Conduct strategic and operational root causes analysis	✓	✓	✓	✓	✓
1.9. Quarterly monitoring, review and reporting on management of strategic risks	✓	✓	✓	✓	✓
1.10. Operational risk register review	✓	✓	✓	✓	✓
1.11. Quarterly monitoring, review and reporting on management of strategic risks	✓	✓	✓	✓	✓
1.12. Conduct risk management training for employees	✓		✓		✓
1.13. Review strategic risk indicators	✓	✓	✓	✓	✓
1.14. Facilitate and ensure alignment of risk management with individual performance		✓	✓	✓	✓
1.15. Development, review and implementation of third party Risk management framework	✓	✓	✓	✓	✓

Activities	Period				
	22/23	23/24	24/25	25/26	26/27
1.16. Corporate BCP development and review and testing	✓	✓	✓	✓	✓
<b>2. Fraud Prevention</b>					
2.1 Fraud prevention plan review and approval	✓	✓	✓	✓	✓
2.2 Fraud prevention policy and strategy review		✓		✓	
2.3 Whistleblowing policy and strategy review		✓			✓
2.4 Review of fraud prevention methodology/processes		✓			✓
2.5 Fraud Risk Register review	✓	✓	✓	✓	✓
2.6 Ethics policy and framework review			✓		
2.7 Fraud awareness and education	✓	✓	✓	✓	✓
2.8 Facilitate the declaration of interest process in line with the approved policies	✓	✓	✓	✓	✓
2.9 Maintain an effective fraud complaints case database	✓	✓	✓	✓	✓
2.10 Conduct investigations	✓	✓	✓	✓	✓
2.11 Quarterly reporting on fraud prevention to relevant governance structures	✓	✓	✓	✓	✓

*Note: See paragraph 4 for factors considered in determining frequency of activities.*

### 3.2 Annual Implementation Plan 2022/2023

Activities	2022/23	Q1	Q2	Q3	Q4
<b>1. Risk Management</b>					
1.1 Risk management plan development and approval	✓			✓	
1.2 Revision of risk management policy.	✓	✓			
1.3 Strategic risk register annual review	✓			✓	
1.4 Risk appetite statement and tolerance levels review	✓			✓	
1.5 Conduct operational strategic and operational root cause analysis	✓		✓		
1.6 Quarterly monitoring, review and reporting on strategic and operational risks	✓	✓	✓	✓	✓
1.7 Operational risk review for all divisions	✓			✓	✓
1.8 Develop a third party risk management framework	✓	✓	✓		
1.9 Conduct risk management awareness	✓		✓		✓
1.10 Develop Corporate BCP and testing	✓	✓	✓	✓	
1.11 Review of BCM Risk register	✓		✓		
<b>2. Fraud Prevention</b>					
2.1 Fraud prevention plan review and approval for 2022/23	✓			✓	
2.2 Fraud Risk Register review	✓	✓			
2.3 Implementation of the ethics plan in line with the ethics framework	✓		✓	✓	
2.4 Fraud data analysis and reporting	✓	✓	✓	✓	✓
2.5 Fraud awareness and education	✓	✓	✓	✓	✓
2.6 Facilitate the declaration of interest process in line with the approved policies	✓	✓			
2.7 Maintain an effective fraud complaints case database	✓	✓	✓	✓	✓
2.8 Conduct investigations	✓	✓	✓	✓	✓
2.9 Quarterly reporting on fraud prevention to relevant governance structures	✓	✓	✓	✓	✓

#### 4. RESOURCES IMPLICATIONS AND ASSUMPTIONS

Over the years, the GRC Division has had capacity challenges arising misaligned job descriptions and lack of expertise and training. The plan assumes that the ongoing OD process would alleviate some of the capacity challenges.

Full implementation of the plan is based on the assumptions that additional permanent and or temporary resources will be made available.

Diagram 6.1 below shows the current risk management and fraud prevention organogram. This structure is aligned to current operational requirements and improvement initiatives. Diagram 6.2 highlights proposed resources requirements.

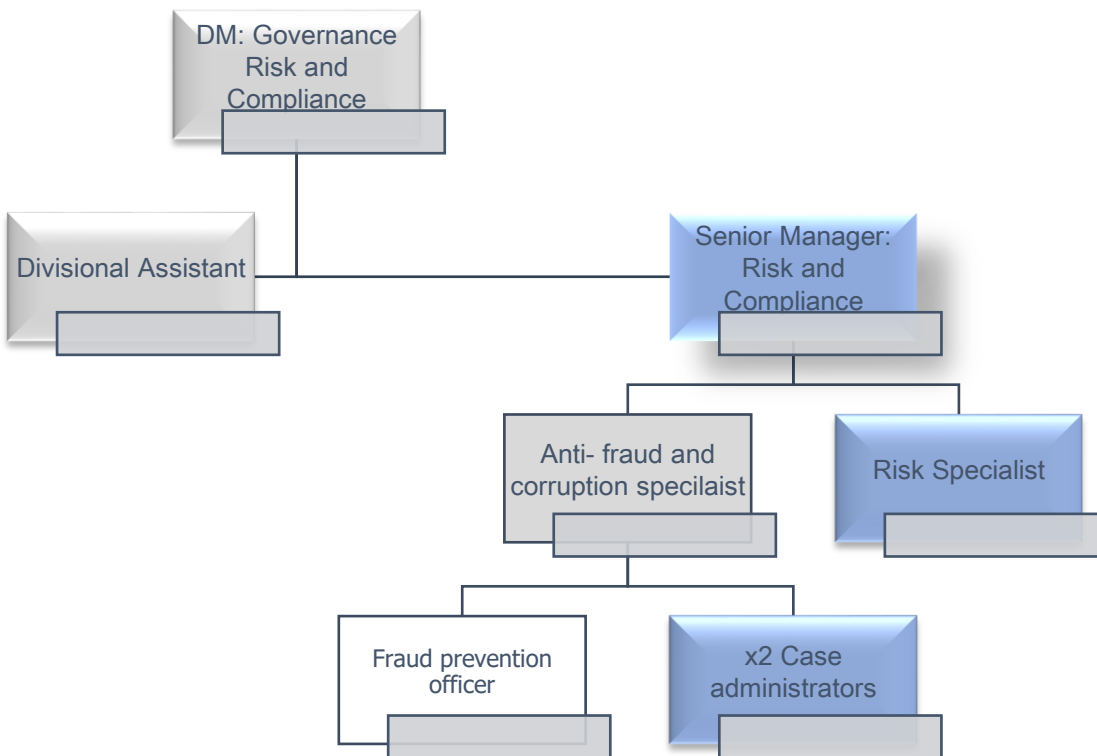
##### 4.1 Current Risk Management and Fraud prevention resources (Approved GRC organogram)



*Notes:*

- (a) Positions highlighted in purple are occupied. With the exception of the administrative assistant who occasionally assists with some of the fraud prevention activities, the Fraud Risk Management Specialist performs both the risk management and fraud prevention functions.
- (b) Senior Fraud and Risk Management specialist position is remains vacant.

**4.2 Proposed Risk Management and Fraud Prevention Organogram:**



**5. REVIEW OF THE PLAN**

The plan shall be reviewed annually or as when circumstances dictate. Any amendments to the plan shall be brought to the attention of the Executive and the RiskICT Committees for consideration and approval.

# PART D: Technical Indicator Descriptions (TID)

## 10. Technical Indicator Description

### 10.1 Programme 1: Service Delivery and Access

Indicator Title	Performance Management Policy Document		
Definition	The Performance Management Policy is reviewed to align to the organisation design outcomes.		
Source of data	Management reports		
Method of calculation/ Assessment	Read management reports		
Means of Verification	Management Reports and the Performance Management Policy Document		
Assumptions	The OD process completed Appropriate resources		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)	X	
	Non-cumulative		
Reporting cycle	Quarterly and annually		
Desired performance	The Performance Management Policy aligned to the OD outcomes		
Indicator responsibility	The Divisional Manager: Human Capital is responsible for managing and reporting on this indicator.		

Indicator Title	AG Audit Outcome		
Definition	To promote a governed, accountable, clean and compliant administration, a clean audit is pursued.		
Source of data	Management reports		
Method of calculation/ Assessment	AGSA audit report		
Means of Verification	Management reports and other supporting documents (including AG audit report)		
Assumptions	Appropriate resources		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	x	
Reporting cycle	Annually		
Desired performance	Clean Audit		
Indicator responsibility	The Chief Audit Executive is responsible for managing and reporting on this indicator.		

Indicator Title	<b>A score between 1 – 10 of the customer and stakeholder value index, a higher score indicating satisfaction with CIPC</b>		
Definition	The customer and stakeholder value index measure the customer and stakeholder satisfaction and perception of CIPC. This tests the impact of CIPC programmes, strategies, etc., in other words organisational effectiveness. Survey results should inform further designs of CIPC programmes, strategies, interventions etc.		
Source of data	Stakeholder and customer survey report.		
Method of calculation/ Assessment	The results will be extracted from the survey report.		
Means of Verification	Approved Survey Report.		
Assumptions	Resourcing appropriate.		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and Annually		
Desired performance	At least 8 score.		
Indicator responsibility	The Chief Strategy Executive is responsible for managing and reporting on this measure.		

Indicator Title	Average customer satisfaction score at the call centre		
Definition	The call centre customer satisfaction is measured to determine organisational effectiveness in servicing the call centre.		
Source of data	Management report Survey report		
Method of calculation/ Assessment	Read the reports		
Means of Verification	Management report and survey reports		
Assumptions	Resourcing appropriate		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and Annually		
Desired performance	7.7 call centre customer satisfaction score		
Indicator responsibility	The Executive Manager: Corporate Services is responsible for managing and reporting on this indicator.		

Indicator Title	% customer satisfaction on e-communication		
Definition	The customer satisfaction on e-communication tests the impact of CIPC e-communication, in other words organisational effectiveness. Survey results should inform further designs of CIPC e-communication strategies and initiatives.		
Source of data	Management report E-communication customer survey report		
Method of calculation/ Assessment	Read reports		
Means of Verification	Management report and other supporting documents		
Assumptions	Appropriate resources		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Bi-annually		
Desired performance	70% customer satisfaction on e-communication		
Indicator responsibility	The Executive Manager: Corporate Services is responsible for managing and reporting on this indicator.		

Indicator Title	% customer satisfaction on SSCs		
Definition	Measuring customer satisfaction on the self service centres tests the impact of CIPC SSCs, in other words organisational effectiveness in running SSCs. Survey results should inform future decisions regarding SSCs.		
Source of data	Management report SSC customer survey report		
Method of calculation/ Assessment	Read reports Customer satisfaction survey		
Means of Verification	Management report and/or other supporting documentation		
Assumptions	Appropriate resources.		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and Annually		
Desired performance	80% customer satisfaction on SSCs		
Indicator responsibility	The Executive Manager: Corporate Services is responsible for managing and reporting on this indicator.		

Indicator Title	% of queries received through the QRS resolved within the set turnaround time – 10 working days		
Definition	The queries resolved through QRS within the set turnaround time are measured to determine the organisational effectiveness in resolving queries lodged through QRS within the set turnaround time (10 working days). This aim is ensure that customer expectations are met.		
Source of data	Management report. System report.		
Method of calculation/ Assessment	Read the reports. Queries resolved within turnaround time divided by queries resolved during the reporting period.		
Means of Verification	Management report and QRS system report.		
Assumptions	Resources appropriate.		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)	X	
	Non-cumulative		
Reporting cycle	Quarterly and Annually		
Desired performance	92%		
Indicator responsibility	The Executive Manager: Corporate Services takes responsibility for reporting on this measure.		

Indicator Title	% of queries received through Facebook resolved within the set turnaround time (1 working day)		
Definition	The queries resolved through Facebook within the set turnaround time are measured to determine the organisational effectiveness in resolving queries lodged through Facebook within the set turnaround time (1 working days). This aim is ensure that customer expectations are met.		
Source of data	Management report Facebook report		
Method of calculation/ Assessment	Read the reports Queries resolved within turnaround time divided by queries resolved during the reporting period		
Means of Verification	Management report and supporting documentation		
Assumptions	Appropriate resources		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and Annually		
Desired performance	96% of queries received through Facebook resolved within the set turnaround time		
Indicator responsibility	The Executive Manager: Corporate Services takes responsibility for managing and reporting on this measure.		

Indicator Title	% of queries received through Twitter resolved within the set turnaround time		
Definition	The queries resolved through Twitter within the set turnaround time are measured to determine the organisational effectiveness in resolving queries lodged through Twitter within the set turnaround time (1 working days). This aim is ensure that customer expectations are met.		
Source of data	Management report Twitter report		
Method of calculation/ Assessment	Read the reports Queries resolved within turnaround time divided by queries resolved during the reporting period		
Means of Verification	Management report and survey report		
Assumptions	Appropriate resources		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and Annually		
Desired performance	65% of queries received through Twitter resolved within the set turnaround time (1 day)		
Indicator responsibility	The Executive Manager: Corporate Services takes responsibility for reporting on this measure.		

Indicator Title	Number of services (Company Registration) migrated		
Definition	To automate company registration, services are migrated to BizPortal, E-services, and SSCs		
Source of data	Management report		
Method of calculation/ Assessment	Read reports		
Means of Verification	Management report		
Assumptions	Resources appropriate		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)	x	
	Non-cumulative		
Reporting cycle	Quarterly and annually		
Desired performance	56 services migrated		
Indicator responsibility	The Executive Manager: Business Information Systems is responsible for managing and reporting on this indicator.		

Indicator Title	Number of new services (Company Registration) developed		
Definition	To automate company registration, new services are developed on BizPortal, E-services, and SSCs		
Source of data	Management report		
Method of calculation/ Assessment	Read reports		
Means of Verification	Management report		
Assumptions	Resources appropriate		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)	x	
	Non-cumulative		
Reporting cycle	Quarterly and annually		
Desired performance	19 new services developed		
Indicator responsibility	The Executive Manager: Business Information Systems is responsible for managing and reporting on this indicator.		

<b>Indicator Title</b>	Number of automated business intelligence report (Reports to be specified by business)		
Definition	Automated business intelligence reports to be specified by managers		
Source of data	Management report		
Method of calculation/ Assessment	Read reports		
Means of Verification	Management report		
Assumptions	Resources appropriate		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and annually		
Desired performance	15 reports automated		
Indicator responsibility	The Executive Manager: Business Information Systems is responsible for managing and reporting on this indicator.		

Indicator Title	<b>Average turnaround time to resolve queries received through the QRS (working days).</b>		
Definition	Reduced turnaround time to resolve queries received through the QRS contributing to reduced administrative burden for companies and IP owners, thus making it easy to do business in SA.		
Source of data	Management report QRS		
Method of calculation/ Assessment	Instruct the system to extract total number of queries resolved within the reporting period. The number of queries are totalled and the turnaround time is calculated for each transaction – FORMULA = NETWORKINGDAYS (RECEIVED DATE*; RESOLVED DATE, excluding holidays and days on which the CIPC is closed such as during December/January). The average turnaround time is then calculated by adding all the numbers (Turnaround time) and then it is divided by the number of transactions that exists. In other words, the sum divided by the count.		
Means of Verification	Management report and system report.		
Assumptions	Resources appropriate		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and annually		
Desired performance	Reduction in the average turnaround time		
Indicator responsibility	The Executive Manager: Corporate Services is responsible for managing and reporting on this indicator.		

Indicator Title	<b>Average turnaround time to resolve queries received through Facebook (hours).</b>		
Definition	Reduced turnaround time to resolve queries received through Facebook contributing to reduced administrative burden for companies and IP owners, thus making it easy to do business in SA.		
Source of data	Management report Facebook		
Method of calculation/ Assessment	The number of queries resolved within the reporting period are totalled and the turnaround time is calculated for each transaction – FORMULA = NETWORKINGDAYS (RECEIVED DATE*; RESOLVED DATE, excluding holidays and days on which the CIPC is closed such as during December/January). The average turnaround time is then calculated by adding all the numbers (Turnaround time) and then it is divided by the number of transactions that exists. In other words, the sum divided by the count.		
Means of Verification	Management report and system report		
Assumptions	Appropriate resources		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and annually		
Desired performance	Reduction in the average turnaround time		
Indicator responsibility	The Executive Manager: Corporate Services is responsible for managing and reporting on this indicator.		

Indicator Title	<b>Average turnaround time to resolve queries received through Twitter (hours).</b>		
Definition	Reduced turnaround time to resolve queries received through Twitter contributing to reduced administrative burden for companies and IP owners, thus making it easy to do business in SA.		
Source of data	Management report Twitter system report		
Method of calculation/ Assessment	The number of queries resolved within the reporting period are totalled and the turnaround time is calculated for each transaction – FORMULA = NETWORKINGDAYS (RECEIVED DATE*; RESOLVED DATE, excluding holidays and days on which the CIPC is closed such as during December/January). The average turnaround time is then calculated by adding all the numbers (Turnaround time) and then it is divided by the number of transactions that exists. In other words, the sum divided by the count.		
Means of Verification	Management report and system report		
Assumptions	Resources appropriate		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and annually		
Desired performance	Reduction in the average turnaround time		
Indicator responsibility	The Executive Manager: Corporate Services is responsible for managing and reporting on this indicator.		

## 10.2 Programme 2: Innovation and Creativity

Indicator Title	Number of non-binding work products issued per examiner		
Definition	Work product includes Search Report and a Written Opinion on patentability (such a work product will in future be issued to an applicant) in line with SSE Experiential Learning		
Source of data	Management Reports		
Method of calculation/ Assessment	A simple count (Examiners in CIPC employment during the entire reporting period. Take into consideration resignations and appointments, if employed during the reporting period – if an average of two are done per month, the target will be taken as achieved)		
Means of Verification	Signed Management Reports		
Assumptions	Budget and other resource available		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: To be determined</li> <li>• Target for Youth: To be determined</li> <li>• Target for People with Disabilities: To be determined</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: To be determined</li> <li>• Reflect on the spatial impact area: To be determined</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)	x	
	Non-cumulative		
Reporting cycle	Quarterly and annually		
Desired performance	24 per Examiner (Average of 2 per month)		
Indicator responsibility	The Divisional Manager: Innovation Support and Protection is responsible for managing and reporting on this indicator.		

<b>Indicator Title</b>	Number of SSE Training initiatives undertaken		
Definition	Substantive Search Examination Training of Patent Examiners and Interns		
Source of data	Management Reports		
Method of calculation/ Assessment	A simple count		
Means of Verification	Signed Management Reports (May include a printout of attendees from Ms Teams and/or the recording of the session)		
Assumptions	Budget and other resource available		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: To be determined</li> <li>• Target for Youth: To be determined</li> <li>• Target for People with Disabilities: To be determined</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: To be determined</li> <li>• Reflect on the spatial impact area: To be determined</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)	x	
	Non-cumulative		
Reporting cycle	Quarterly and annually		
Desired performance	All 4 initiatives held		
Indicator responsibility	The Divisional Manager: Innovation Support and Protection is responsible for managing and reporting on this indicator.		

Indicator Title	Number of IAP Steering Committee meetings to screen applications		
Definition	The IAP Programme entails matching of eligible inventors/innovators with Pro-Bono Patent Attorneys to reduce their filing costs. Regular steering committee meetings are held where applications are screened and shortlisted.		
Source of data	Management Reports		
Method of calculation/ Assessment	A simple count of meetings held		
Means of Verification	Signed Management Reports on Inventor Assistance Programme (May include a printout of attendees from Ms Teams and/or the recording of the session)		
Assumptions	Steering Committee appointed Pro-Bono Patent Attorney's avail their services Budget and other resource available		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: To be determined</li> <li>• Target for Youth: To be determined</li> <li>• Target for People with Disabilities: To be determined</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: To be determined</li> <li>• Reflect on the spatial impact area: To be determined</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)	x	
	Non-cumulative		
Reporting cycle	Quarterly and annually		
Desired performance	All four meetings held		
Indicator responsibility	The Divisional Manager: Innovation Support and Protection is responsible for managing and reporting on this indicator.		

Indicator Title	<b>Number of education and awareness events to promote compliance to regulations by Collecting Societies conducted by the CIPC including collaboration with its partners</b>		
Definition	The education and awareness events are aimed at promoting compliance to regulations by Collecting Societies		
Source of data	Management report		
Method of calculation/ Assessment	Simple count		
Means of Verification	Signed management reports, (May include a printout of attendees from Ms Teams and/or the recording of the session).		
Assumptions	Budget and other resource available		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)	X	
	Non-cumulative		
Reporting cycle	Quarterly and annually		
Desired performance	All planned education and awareness events held.		
Indicator responsibility	The Senior Manager: Copyright and IP Education and Awareness is responsible for managing and reporting on this indicator.		

Indicator Title	<b>Number of IP education and awareness webinars conducted by the CIPC, also in collaboration with partners</b>		
Definition	IP (patents, designs, copyright in film, and trade marks) education and awareness sessions conducted by the CIPC and its collaboration partners for different stakeholders will increase awareness of IP protection laws, regulations, services, and related processes and innovators, and therefore strengthen the IP protection system. In so doing, boost investor confidence in the IP protection system and innovations.		
Source of data	Management reports		
Method of calculation/ Assessment	Simple count		
Means of Verification	Signed management report (May include a printout of attendees from Ms Teams and/or the recording of the session)		
Assumptions	Targeted audience have internet access, and smart devices.		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: To be determined</li> <li>• Target for Youth: To be determined</li> <li>• Target for People with Disabilities: To be determined</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: To be determined</li> <li>• Reflect on the spatial impact area: To be determined</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)	X	
	Non-cumulative		
Reporting cycle	Quarterly and annually		
Desired performance	Planned sessions or more conducted.		
Indicator responsibility	The Senior Manager: Creative Industries (Copyright) is responsible for managing and reporting on this indicator.		

Indicator Title	Number of IP enforcement education and awareness events conducted by the CIPC, also in collaboration with partners		
Definition	Increasing public awareness and capacity building on IP enforcement contributes to the strengthening of the IP protection system, in so doing, boost investor confidence in the IP protection system and innovations.		
Source/ of data	Management reports		
Method of calculation/ Assessment	Simple count		
Means of Verification	Signed management report ((May include a printout of attendees from Ms Teams and/or the recording of the session)		
Assumptions	<p>Audiences have access to virtual platforms</p> <p>IP is a priority for government</p> <p>Resources and support from IPR owners AND an appetite to enforce IP rights</p>		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: To be determined</li> <li>• Target for Youth: To be determined</li> <li>• Target for People with Disabilities: To be determined</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: To be determined</li> <li>• Reflect on the spatial impact area: To be determined</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)	X	
	Non-cumulative		
Reporting cycle	Quarterly and annually		
Desired performance	All planned sessions conducted.		
Indicator responsibility	The Senior Manager: IP Enforcement is responsible for managing and reporting on this indicator.		

Indicator Title	Number of Law Enforcement Agencies officials trained		
Definition	Increase IPR capacity in Law Enforcement Agencies. In so doing, strengthen the IP protection system thus improving the country's competitiveness.		
Source of data	Management reports and any other supporting documentation		
Method of calculation/ Assessment	Simple count		
Means of Verification	Signed management report (can include printout of attendees from Ms Teams and/or the recording of the session)		
Assumptions	Targeted group have access to the internet.		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: To be determined</li> <li>• Target for Youth: To be determined</li> <li>• Target for People with Disabilities: To be determined</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: To be determined</li> <li>• Reflect on the spatial impact area: To be determined</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)	X	
	Non-cumulative		
Reporting cycle	Quarterly and annually		
Desired performance	All targeted groups reached.		
Indicator responsibility	The Senior Manager: IP Enforcement is responsible for managing and reporting on this indicator.		

### 10.3 Programme 3: Business Regulation and Reputation

Indicator Title	<b>The average number of days to register a company from the date of receipt of a complete application</b>		
Definition	The average number of days it takes to register a company from the date the customer submits a complete application. To reduce the regulatory administrative burden of long waiting periods to process applications, initiatives such as automation and other innovations are directed at reducing turnaround times. Measuring turnaround times show progress made in this regard.		
Source of data	ERMS/INFORMIX /K2		
Method of calculation/ Assessment	<p>Instruct the system to extract total companies registered within the reporting period and produce a report in an Excel spread sheet. The report should include the script used to extract the report and data limitations. The report should cover from the 1st day of the month of the reporting period until the last day of the month of the reporting period. The number of transactions are summarised and the turnaround time is calculated for each transaction – FORMULA = NETWORKINGDAYS (RECEIVED DATE*; DISPATCH DATE, excluding holidays and days on which the CIPC is closed such as during December/January). The average turnaround time is then calculated by adding all the numbers (Turnaround time) and then it is divided by the number of transactions that exists. In other words, the sum divided by the count. Because separate reports are extracted for manual and electronic (including banks) transactions, weighted average is used. To calculate a weighted average, percentages of manual and electronic (including banks) of the total company registration are calculated and the average TAT for manual transactions must first be multiplied by its percentage. This is done similarly for electronic transactions (including banks). All of these new values must then be added together to arrive at the weighted average, which is what will be reported.</p> <p>*RECEIVED DATE – When the customer has fulfilled all the filing requirements.</p>		
Means of Verification	System report signed off system by the relevant manager		
Assumptions	System downtime limited		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and annually		

Indicator Title	<b>The average number of days to register a company from the date of receipt of a complete application</b>
Desired performance	Reduction in the average number of days to register a company from the date of receipt a complete application.
Indicator responsibility	The Senior Manager: Companies is responsible for managing and reporting on this indicator

Indicator Title	<b>The average number of days to approve applications for registering a co-operative from the date receipt of a complete application.</b>		
Definition	Reduction in the average number of days to approve applications for registering a co-operative from the date of uploading all required documentation for receipt of a complete application, with the aim of reducing time for overall co-operatives registration process. To reduce the regulatory administrative burden of long waiting periods to process applications, initiatives such as automation and other innovations are directed at reducing turnaround times. Measuring turnaround times show progress made in this regard.		
Source of data	ERMS/INFORMIX/ORACLE DATA BASE/K2		
Method of calculation/ Assessment	Instruct the system to extract total co-operatives registered within the reporting period and produce a report in an Excel spreadsheet. The report should include the script used to extract the report and data limitations. The report should cover from the 1st day of the month of the reporting period until the last day of the month of the reporting period. The transactions are summarised and the turnaround time is calculated for each transaction – FORMULA = NETWORKINGDAYS (DOCUMENTS UPLOADED; APPROVE DATE, excluding holidays and days on which the CIPC is closed such as during December/January). The average number of days is then calculated by adding all the numbers (Turnaround time) and then divided by the number of transactions that exist. In other words, the sum divided by the count.		
Means of Verification	Signed off system report		
Assumptions	System downtime not too long		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and annually		
Desired performance	Reduction in turnaround time it takes to approve an application for co-operative registration from the date of receipt of a complete application.		
Indicator responsibility	The Senior Manager: Co-operatives is responsible for managing and reporting on this indicator.		

Indicator Title	Approved Request for Proposal (RFP) for the development of the CIPC Learning Academy Business Case		
Definition	The establishment of the CIPC Learning Academy will ensure focused and streamlined capacity building, education and public awareness on Company and IP Law and related legislation, services, and related process.		
Source of data	Management reports and supporting documentation if available		
Method of calculation/ Assessment	Reading of reports and supporting documentation if available		
Means of Verification	Signed management report and supporting documentation if available		
Assumptions	No major delays in approval processes		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul> Not at the stage of the establishment of the Academy.		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)	X	
	Non-cumulative		
Reporting cycle	Quarterly and annually		
Desired performance	All set milestones achieved.		
Indicator responsibility	The Chairperson of the CIPC Learning Academy Steering Committee is responsible for managing and reporting on this indicator.		

<b>Indicator Title</b>	<b>Number of corporate education and awareness events conducted by the CIPC, also in collaboration with partners</b>		
Definition	Education and awareness events increase knowledge and public awareness therefore supporting broad economic participation as well as strengthening corporate regulation. Under COVID-19 conditions, the events will be held using virtual platforms.		
Source of data	Management reports (Each event) and attendance registers (Ms Teams printout <b>or photo of number of views on social media platform</b> ) or recording of session		
Method of calculation/ Assessment	Read reports and supporting documentation		
Means of Verification	Signed management and printout of attendees from Ms Teams <b>or photo of number of views on social media platform</b> or the recording of the session (indicating the venue, date, purpose/outcomes of the session)		
Assumptions	Targeted group have access to the internet		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and annually		
Desired performance	Events planned to be conducted		
Indicator responsibility	The Senior Manager: Corporate Education is responsible for managing and reporting on this indicator.		

Indicator Title	Beneficial Ownership Register Establishment Phase		
Definition	<p>South Africa is a member of the G20, therefore a member of the Financial Action Task Force (FATF). FATF advocates for economies to be transparent about ultimate beneficial owners of legal entities. As the CIPC, we are expected to develop a registration and filing capability to collect Ultimate Beneficial Owner (UBO) information on incorporation of legal entities; on amendments and during annual returns. We are also expected to verify the information and adopt a risk-based approach in investigations and enforcement by using triangulated data from both local and international authorities.</p> <p>After the concept and business case are done, the BO system need to be developed and user tested, deployment is dependent on the Companies Act Amendment and Regulations being finalized by <i>the dtic</i>.</p>		
Source of data	Management report		
Method of calculation/ Assessment	Read report		
Means of Verification	Signed management report		
Assumptions	Appropriate resourcing		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)	X	
	Non-cumulative		
Reporting cycle	Quarterly and annually		
Desired performance	The system is must be developed and functional (Not deployed, as there is no legal support yet. It is dependent on the Companies Act Amendment and Regulations being finalized by <i>the dtic</i> .)		
Indicator responsibility	The Senior Manager: Corporate Compliance Disclosure Regulation is responsible for managing and reporting on this indicator.		

Indicator Title	Number of Pro-Active Investigations in response to contraventions of Companies Act No 71 of 2008 on Companies identified on State Capture Commission Report Started		
Definition	<p>→ The performance indicator relates to the increasing the number of the initiating pro-active investigations on the contraventions of the Act. Increase of the pro-active investigations is an indication of enhancement of enforcement strategy.</p> <p>The intention of proactive investigation is to identify any alleged contraventions of the Companies Act that could ultimately be the subject of investigation or potential litigation.</p> <p>Proactive investigations are important part of the compliance effort, mitigating potential damage—both financial and reputational—that could result from the behaviour of a few bad directors of the entities.</p> <p>→ Successful pro-active investigations consist of: –</p> <ul style="list-style-type: none"> <li>- The positive identification of entities and the directors;</li> <li>- Commissioner appointing inspectors;</li> <li>- Investigations conducted and concluded;</li> <li>- Entities and directors successfully rectifying the non-compliance ; or</li> <li>- Investigation concluded and entities paying the administrative fines.</li> </ul>		
Source of data	Management reports and supporting documentation		
Method of calculation/ Assessment	Management reports and supporting documentation		
Means of Verification	Management reports and supporting documentation Annual and Q4 target: Submission approved by the Commissioner and COR 137.1 Q2 target: Analysis report		
Assumptions	Assumptions are risk and enabling factors—external conditions that are outside the direct control of the project. Therefore, the outcome is dependent on the following: <ul style="list-style-type: none"> <li>- Positive coordination between concerned parties;</li> <li>- Commissioner to approve the appointment of inspectors;</li> <li>- Availability of budget for required resources;</li> <li>- Stakeholder collaboration.</li> </ul>		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women:</li> <li>• Target for Youth:</li> <li>• Target for People with Disabilities:</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities:</li> <li>• Reflect on the spatial impact area:</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and annually		

<b>Indicator Title</b>	<b>Number of Pro-Active Investigations in response to contraventions of Companies Act No 71 of 2008 on Companies identified on State Capture Commission Report Started</b>
Desired performance	- Commissioner to approve appointment of investigators to conduct full investigations of contraventions.
Indicator responsibility	The Senior Manager: Corporate Governance Surveillance and Enforcement

<b>Indicator Title</b>	<b>Number of Pro-Active Investigations in response to contraventions of Companies Act No 71 of 2008 on Companies identified from XBRL and Companies Tribunal (Social and Ethics committee decisions) started.</b>		
Definition	<p>→ The performance indicator measures the number of targeted proactive investigations to be conducted, thereby extending CIPC's visible enforcement capability. CGSE will internally monitor data to identify potential contraventions of the Companies Act and pro-actively investigate any observed contraventions.</p> <p>Leverage on XBRL data to identify, track, and investigate noncompliant and unethical activities – specifically on Auditors rotation;</p> <p>To gather Companies Tribunal decisions where the entities were denied Social and Ethics committee exemption and follow-up that the said entities comply with the requirements of the Companies Act by appointing Social and Ethics Committee.</p> <p>Monitoring supported by data analytics and automation can serve as a proactive first line of defence against non-compliant and unethical behaviour.</p>		
Source of data	Management reports and supporting documentation		
Method of calculation/ Assessment	Management reports and supporting documentation		
Means of Verification	<p>Management reports and supporting documentation</p> <p>Annual and Q4 target: Submission approved by the Commissioner and COR 137.1</p> <p>Q2 target: Analysis report (Auditors rotations)</p> <p>Q3 target: Analysis report (Social and Ethics committee)</p>		
Assumptions	<p>Assumptions are risk and enabling factors—external conditions that are outside the direct control of the project. Therefore, the outcome is dependent on the following:</p> <ul style="list-style-type: none"> <li>- Positive coordination between concerned parties;</li> <li>- Commissioner to approve the appointment of inspectors;</li> <li>- Availability of budget for required resources;</li> <li>- Stakeholder collaboration.</li> </ul>		
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> <li>• Target for Women: N/A</li> <li>• Target for Youth: N/A</li> <li>• Target for People with Disabilities: N/A</li> </ul>		
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> <li>• Reflect on contribution to spatial transformation priorities: N/A</li> <li>• Reflect on the spatial impact area: N/A</li> </ul>		
Calculation type	Cumulative (Year – End)		
	Cumulative (Year to date)		
	Non-cumulative	X	
Reporting cycle	Quarterly and annually		
Desired performance	Commissioner appointed inspectors to investigate the contraventions observed.		

<b>Indicator Title</b>	<b>Number of Pro-Active Investigations in response to contraventions of Companies Act No 71 of 2008 on Companies identified from XBRL and Companies Tribunal (Social and Ethics committee decisions) started.</b>
	The Senior Manager: Corporate Governance Surveillance and Enforcement