





Companies and Intellectual  
Property Commission

a member of **the dtic** group

## **CIPC FIRST QUARTER PERFORMANCE REPORT**

**2021/22**

## Approval of the Report

Endorsement Support by the Audit Committee	
I hereby support the endorsement of the report	
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Rank :	AUDIT COMMITTEE CHAIRPERSON
Date :	30/07/2021
Endorsement by the Accounting Authority	
I hereby endorse the report	
Signature:	
Name :	RW Voller
Rank :	Commissioner
Date :	30 July 2021

**\* For the purpose of this Report:**

**Accounting Officer** means the person responsible for the daily operations of the entity, eg CEO  
**Accounting Authority** means a person representing a body that provides oversight on the entity, eg Board/Tribunal Chairperson and/or Minister's direct Reportee eg. Commissioner/ CEO

## Acronyms

Abbreviation	Description
AFS	Annual Financial Statements
APP	Annual Performance Plan
BISG	Business Intelligent Services Group
CCRD	Consumer Corporate Regulation Division
CGSE	Corporate Governance Surveillance and Enforcement
CIPC	Companies and Intellectual Property Commission
EPMO	Enterprise Project Management Office
EPO	European Patent Office
FAS	Financial Accountability Supplements
ICT	Information and Communication Technology
IFRS	International Financial Reporting Standards
IP	Intellectual Property
IPAS	Industrial Property Automation System
JPO	Japanese Patent Office
MoU	Memorandum of Understanding
PEB	Patent Examination Board
QRS	Query Resolution System
SAPS	South African Police Service
SARS	South African Revenue Service
SDS	Service Delivery Standards
SMME	Small, Medium and Micro Enterprises
SSC	Self Service Centre
SSC	Shared Service Centre
SSE	Substantive Search and Examination
SST	Self Service Terminal
TAT	Turnaround time
<b>the dtic</b>	the Department of Trade, Industry and Competition
WIPO	World Intellectual Property Organization
WTO	World Trade Organisation
WSSS	WIPO Summer School South Africa
XBRL	eXtensible Business Reporting Language

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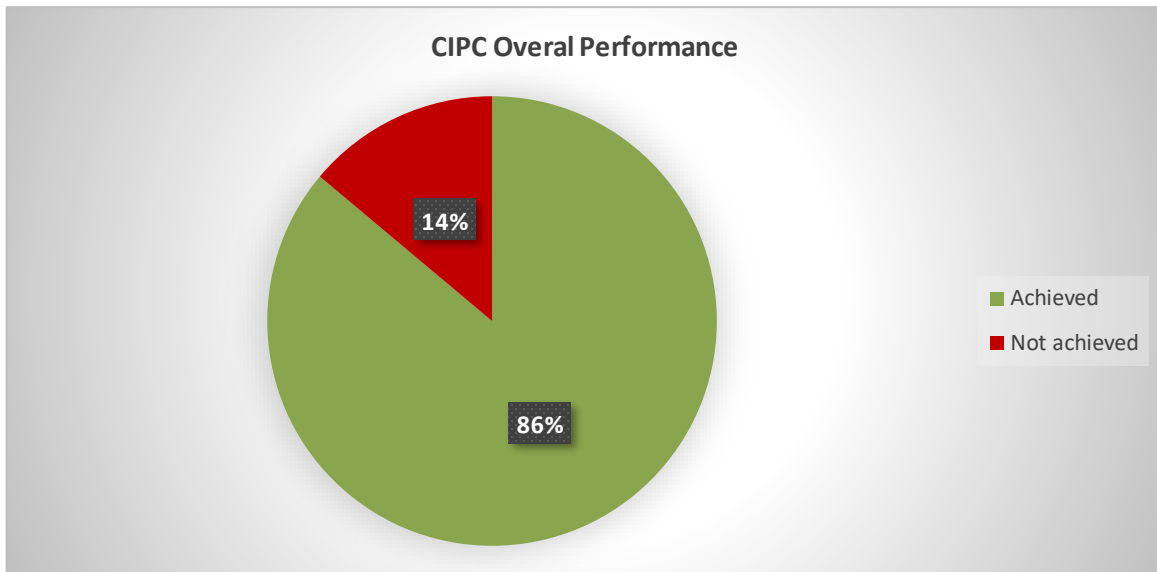
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## 1. Introduction

The purpose of this report is to outline the Companies and Intellectual Property Commission's (CIPC's) 2021/22 first quarter performance against its plans and targets, outlined in its Annual Performance Plan (APP) for the 2021/22 reporting period.

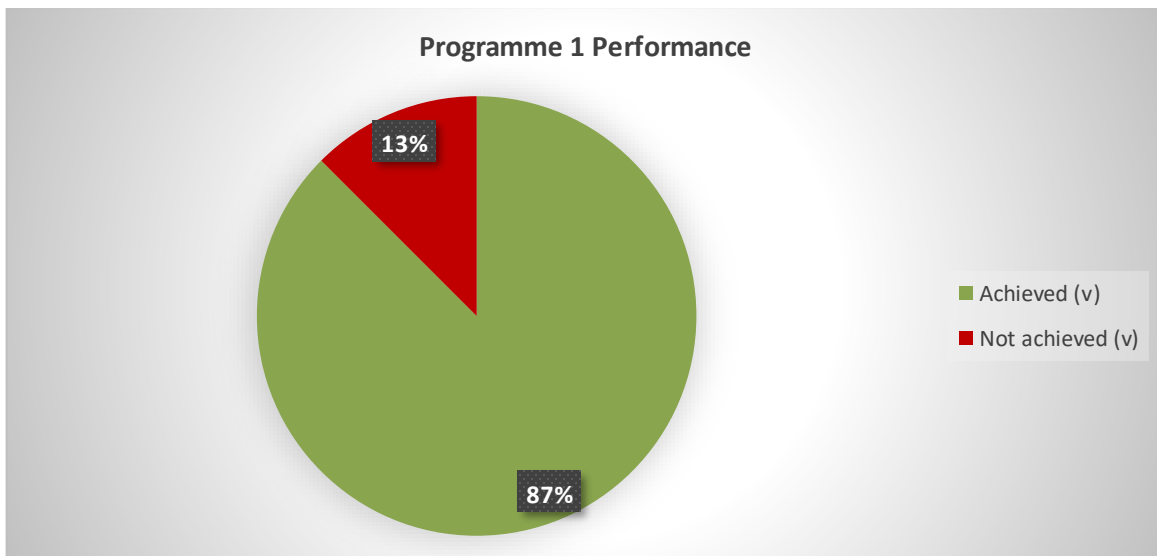
For the 2021/22 Quarter 1, 31 (86%) of the 36 targets were achieved, five (5) were not achieved.

Figure 1: Overall KPI Performance

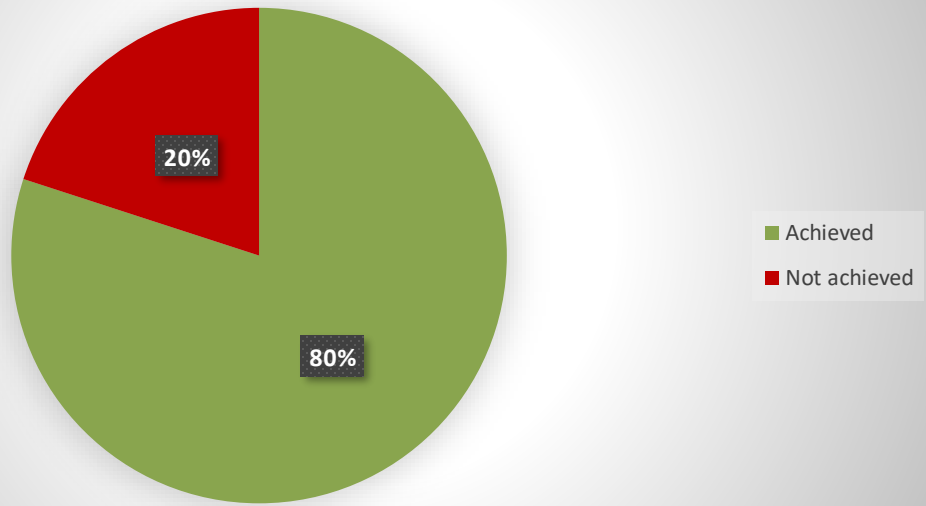


For Programme 1, 13 (87%) all out of the 16 targets were achieved, for Programme 2, 80% (12) of the 15 targets were achieved two (2) could not be verified and for Programme 3, all of the targets were achieved (5).

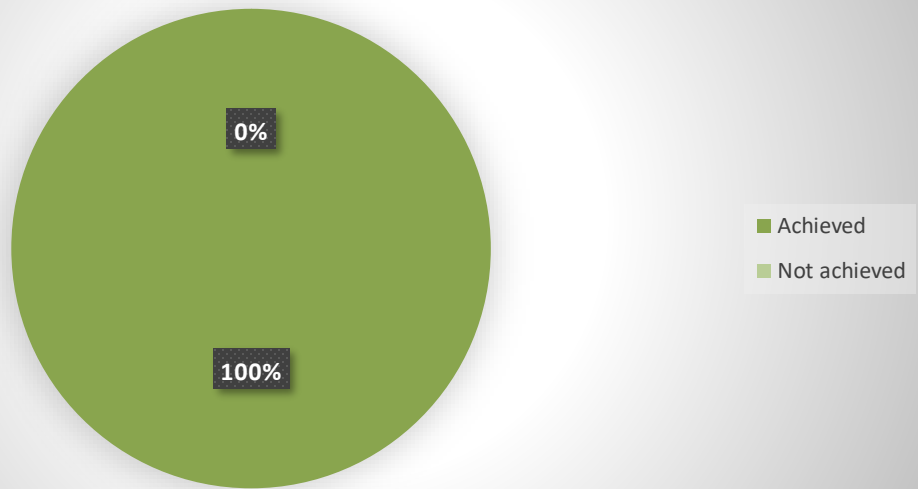
Figure 2: Programme Performance



### Programme 2 Performance



### Programme 3 Performance



## 2. Situational Analysis

The situational analysis shows the impact of the external (service delivery environment) and internal (organizational environment) context on the CIPC services during the period under review.

The COVID-19 pandemic conditions, Eskom load-shedding and limited network data to access the CIPC on line services and webinars were the external issues that affected volumes and maintainance of service delivery standards. Internally, high number of staff taking leave in the month of June 2021, COVID-19 related employee absence, system problems, as well as Eskom loadshedding also affected the organisation by slowing down productivity.

### 2.1 Service Delivery Environment

The section present the demand for the CIPC services and discuss how this impact the average turnaround times and the percentage of transactions processed within the set external service delivery standards (SDS).

#### 2.1.1 Service Delivery

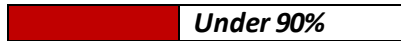
**Table 1** shows the performance in key services in volume, average TAT, and percentage of transactions processed within the set SDS. Each of the key services are discussed thereafter.

**Table 1: Key Services – Volumes, Average TAT and SDS**

CIPC Services	Number/Average Turnaround Time (ATAT)	Quarter 1
<b>Patents applications</b>	Number	2 363
	ATAT	2 days
	SDS (2 working days)	98%
<b>Patents registration certificates</b>	Number	1 185
	ATAT	24 days
	SDS (44 working days)	91%
<b>Designs applications</b>	Number	407
	ATAT	2 days
	SDS (2 working days)	98%
<b>Designs registration certificates</b>	Number	369
	ATAT	37.85
	SDS (44 working days)	50%
<b>Copyright in film applications</b>	Number	1
	ATAT	8 days
	SDS (1 working day)	0%
<b>Copyright in film registrations</b>	Number	1
	ATAT	66 days
	SDS (22 working days)	0%
<b>Trade marks applications</b>	Number	10 504
	ATAT	2
	SDS (3 working days)	90%
<b>Trade marks registrations</b>	Number	6 099

<b>CIPC Services</b>	<b>Number/Average Turnaround Time (ATAT)</b>	<b>Quarter 1</b>
	ATAT	Not available
	SDS (66 working days)	Not available
<b>Name reservations</b>	Number	111 833
	ATAT	1 day
	SDS	99%
<b>Companies Registrations</b>	Number	117 799
	ATAT	1 day
	SDS	97%
<b>Co-operatives Registrations</b>	Number	913
	ATAT	2 days
	SDS (3 days)	91%
<b>Director Amendments</b>	Number	43 067 (Electronic) 1 012 (Manual)
	ATAT	3 days (Electronic) 3 days (Manual)
	SDS	75%
<b>Member Amendments</b>	Number	4 887 (Electronic) 2 495 (Manual)
	ATAT	2 days (Electronic) 1 day (Manual)
	SDS	92% (Electronic) 99% (Manual)
<b>Company Name Changes</b>	Number	14 977
	ATAT	1 day
	SDS	100%
<b>Company Financial Year End Changes</b>	Number	1 187
	ATAT	1 day
	SDS	100%
<b>Query Resolution</b>	Number closed	37 092
	ATAT	5
	SDS	89%
<b>Facebook</b>	Queries received	20 137
	ATAT	Not available
	SDS (24 hours)	Not available
<b>Twitter</b>	Queries received	7 471
	ATAT	Not available
	SDS (24 hours)	Not available

## **Legend**



### **(i) Patents and Designs**

#### Applications

The CIPC satisfactorily maintained and complied with the external SDS set for processing both patents and designs applications, despite the COVID-19 pandemic conditions in the 2021/22 Quarter 1. This is due to the high number of applications filed through the automated processes. Further, this shows that telecommuting as a strategy to mitigate challenges posed by the COVID-19 pandemic, is working.

The CIPC received 2 363 patents applications and 407 designs application during the 2021/22 Quarter 1. This is significantly higher than patent applications received in the same quarter last year (2075 applications were received in Quarter 1 of 2020/21), and slightly higher compared to last quarter (2020/21 Quarter 4 wherein 2254 applications were received) despite the COVID-19 pandemic conditions. As for design applications the number of applications received i.e. 407 is lower than those received in the same quarter last year (510 applications were received in quarter 1 of 2020/21), and higher compared to last quarter (2020/21 Quarter 4 – 350 design applications received). It would seem that the COVID-19 pandemic had negative effect to design applications.

The average turnaround time for patent applications was two (2) working days. Ninety-eight percent (98%) of transactions were processed within the set external SDS of two days (2). Two percent (2%) processed outside the SDS is attributed to manual applications and queries related thereto.

The average turnaround time for designs applications was two (2) working days. Ninety-eight percent (98%) of the applications were processed within the SDS of two (2) working days. The 2% processed outside the SDS is also attributed to the manual application queries.

#### Registrations

During 2021/22 Quarter 1, the CIPC issued 1 185 patents and 47 designs registration certificates, 91% of patent registration certificates and 50% of designs registration certificates were processed within the set SDS of 44 days at an average turnaround times of 24 days and 38 days respectively.

#### Renewals

During 2021/22 Quarter 1, the CIPC processed 1 868 designs renewals, and 87% designs renewals were processed within the set external SDS of two (2) working days at an average turnaround times two (2) working days.

## **(ii) Copyright in film**

### Applications

Ten (10) applications were during this quarter, which is significantly higher than applications received in the same quarter last year (1), and slightly higher compared to last quarter (2020/21 Quarter 4), which was 7.

Out of the ten (10) copyright in film applications received, nine (9) were referred back as they did not meet the compliance requirements. This signaled lack of compliance by the applicants and the CIPC therefore sent explanatory notes to assist applicants to comply. The one (1) application was processed outside the set SDS due to Ptolemy system error. The CIPC continues to encourage applicants for file electronically to avoid delays because of manual inputs of applications into system, and therefore avoid system errors.

### Registrations

One (1) copyright in film registration certificate was issued during 2021/22 Quarter 1, outside of the set external SDS of thirty (30) days after publication in the Patents Journal. This was because a new person processed the registration, and this person had yet to be fully trained.

## **(iii) Trade marks**

### Applications

The CIPC received 10 504 trade marks application during 2021/22 Quarter 1. This is higher than trade marks applications received in the same quarter last year (2020/21 Quarter 1 – 8 111), and higher compared to last quarter (2020/21 Quarter 4 – 9 917). The average turnaround time for trade marks applications was two (2) working days. Ninety percent (90%) of transactions were processed within the set external SDS of three (3) working days.

### Special searches

The CIPC received and processed 248 special searches during 2021/22 Quarter 1.

### Registration certificates

The CIPC issued 6 099 trade marks registration certificates during 2021/22 Quarter 1.

### Renewals

The CIPC processed 6 842 trade marks renewals during 2021/22 Quarter 1. This is higher than trade marks applications received in the same quarter last year (2020/21 Quarter 1 – 6 757), and higher compared to last quarter (2020/21 Quarter 4 – 6 397). The average turnaround time for processing trade mark renewals was 2 working days. Ninety percent (90%) of transactions were processed within the set external SDS of three (3) working days.

**(iv) Companies and CCs**

Compared with 2020/21 Quarter 1, most of the listed business processes indicates an increase in filings in 2021/22 Quarter 1. The main reason for the indicated increase is that during 2020/21 Quarter 1, the country (South Africa) was under National Lockdown Level 5 (April 2020) when only fully automated CIPC business processes were active. During this period, only essential service businesses were allowed to conduct business and the focus was therefore on conducting business affairs and not administration with regulators.

New company registrations (including company name reservations) and voluntary deregistration increased dramatically. The main reason for the increase in voluntary deregistration may be the closing down of businesses due to the current economic circumstances. Some businesses closed down, others converted to sole proprietors that has less regulatory and compliance obligations, or merged. The phenomenon of 'survivalist registrations' may have also contributed to the increase for new company registrations. Because economic conditions are worsening, and therefore economic recovery will take time, this increase is likely to continue.

Although some areas (such as CCs to companies conversions, external company registration, and location of company records) did not reach its target of 90% of the transactions processed within the set external SDS, their average turnaround times (TAT) was within the set SDS because so many filings being well within SDS. Poor performance in meeting SDS in some areas is because of teething problems (such as system crashes, application failures, correct set-up of equipment) with the implementation of the telecommuting strategy, and many staff taking accumulated leavedays from the previous financial year before these are forfeited at the end of June 2021. As the CIPC staff gets stable with telecommuting the SDS and the average TAT will improve.

The CIPC registered 117 799 new companies during 2021/22 Quarter 1. This is slightly higher than the number of companies registered in the same quarter last year (106 332 companies were registered in Quarter 1 of 2020/21), and slightly lower compared to last quarter (2020/21 Quarter 4 wherein 132 487 companies were registered).

**(v) Co-operatives**

The impact of the COVID-19 pandemic on the co-operatives volumes and processing of the applications has been minimised through automation of processes and telecommuting. As a result we have reduced the turnaround times, maintaining the set external SDS.

The volumes have been more or less the same around +/- 1000 applications. Government incentives drive the cooperatives applications volumes. Because of the COVID-19 pandemic, government is currently prioritising providing support to the existing enterprises, which had to close because of the lockdown restrictions, not the new and upcoming cooperatives. This may explain the reduced co-operatives services volumes. In addition, many co-operatives activities are in abeyance to reduce the spread of the COVID-19 pandemic.

Registrations

During 2021/22 Quarter 1, the CIPC registered 913 co-operatives of which we processed 91% within the set external SDS of three (3) working days, at an average of two (2) working days. This is significantly higher than co-operatives registered in the same quarter last year (643), and significantly lower than in last quarter (2020/21 Quarter 4), which was 1 372. It is worth noting that there were more than 6 000 co-operatives applications initiated but abandoned by clients, others cancelled.

#### Conversions

During 2021/22 Quarter 1, the CIPC received five (5) applications for conversions of which only three (3) met the requirements and therefore approved. We processed 99% of the three (3) within the set external SDS of seven (7) working days.

#### Amalgamations

There were no applications received for amalgamations.

#### **(vi) Directors, Members and Practitioners (DMP)**

During 2021/22 Quarter 1, the COVID-19 pandemic and Eskom load-shedding impacted performance in the DMP area. Three (3) staff members had to isolate as they had been exposed to people who had tested positive to COVID-19. Eskom load-shedding affected performance, because a majority of staff telecommute and therefore could not perform their duties whenever there was load shedding in their residential areas. However, the target of processing 90% of transactions within the set external SDS was met, except for *Electronical changes of directors* of which we processed only 75% within the set SDS.

The COVID-19 pandemic and Eskom load-shedding did not however impact the demand for DMP services (volumes) mainly because the DMP processes are automated, do not therefore need anyone to physically visit the office.

In addition to focusing on meeting the set SDS, the CIPC's focus is on maintaining quality standards. To achieve this, the use of third parties ('agents') to file amendments is discouraged, so that the CIPC eliminate filing of falsified information.

#### **(vii) Query Resolutions**

During 2021/22 Quarter 1, the CIPC received 38 561 queries through the query resolution system (QRS). We closed 37 092 queries, including those lodged in previous quarters. Of the closed queries, we closed 89% within the set external SDS of ten (10) working days, at an average TAT of five (5) working days.

## **2.1.2 Legal, Policy Support, and Outreach**

### ***(i) IP Policy and Outreach***

#### IP for SMME

The project ended off last financial year with the initiation of training for a pool of trainers. Over twenty-eight (28) individuals had indicated their interest and were then directed to complete the DL101 course, which was to end in June 2021 (2021/22 Quarter 1). To date, three (3) of the private candidates had successfully completed the course and the CIPC is awaiting the results from the majority of the group being the SEDA practitioners.

During 2021/22 Quarter 1, the partnership with the Swiss Governments on IP for SMME project continued, and further included the South African Institute of IP Law (SAIPL) and Technology Innovation Agency (TIA). Engagements centered around understanding the scope of the project and agreeing on the approach for the implementation of the pre-determined deliverables on the IP SMME project.

#### IP BRICS

Engagements began during this quarter in preparation for the HIPO (Heads of IP offices) Annual Meeting (which will take place around 26 August 2021).

### ***(iii) Corporate Legal and Policy Support***

Acute monitoring of timeframes with regards to response to subpoenas, implementation of court orders, and representation of the CIPC in court or at Companies Tribunal, is of the utmost importance. Strict adherence to such timelines was observed during 2021/22 Quarter 1.

The COVID-19 pandemic that the world is experiencing currently has continued to affect the country negatively. Concerning enforcement procedures, social distancing and rules about gatherings and interpersonal interaction has resulted in a decline of the CIPC representation at court and/or the Companies Tribunal. As a mitigating factor, however, many institutions such as the High Court (Pretoria) has implemented virtual representation, and the CIPC is able to give evidence, attend court proceedings and represent the CIPC in legal matters virtually.

## **2.1.3 Compliance Monitoring and Enforcement**

### ***(i) Annual Returns***

The gross and in time filing rate of annual returns continued to increase regardless of the current economic and pandemic circumstances. This may be a result of combined efforts from several CIPC units (Corporate Education and Voluntary Compliance Unit, IP Education and Awareness Unit, IP Policy Support and Outreach, Corporate Enforcement and Surveillance Unit, and Corporate Compliance and Voluntary Disclosure) to increase awareness on compliance

requirements such as annual returns filings. These activities include SMME engagement, webinars, investigations, and boardroom visits.

**Table 2: Annual Returns Filing**

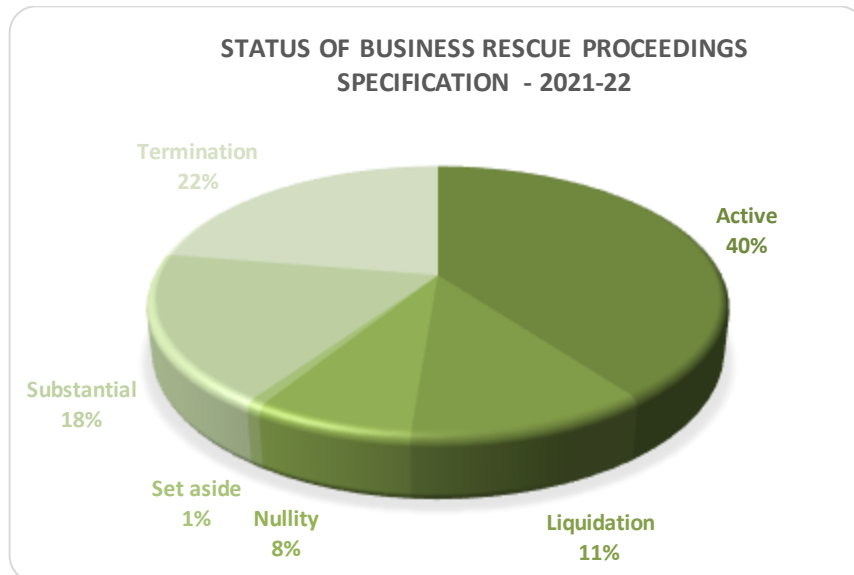
Description	06	07	08	10	12	21	23	30	Total
Total Filed @ June 2020	177	66775	2371	192	9	1427	34873	9	105833
Total Due @ June 2020	462	352834	11471	447	12	3948	95022	38	464234
Compliance Rate @ June 2020	38%	19%	21%	43%	75%	36%	37%	24%	23%
Total Filed @ June 2021	189	83556	3032	220	9	1685	37399	16	126106
Total Due @ June 2021	426	302331	9933	418	13	3829	85425	38	402413
Compliance Rate @ June 2021	44%	28%	31%	53%	69%	44%	44%	42%	31%

**(ii) Business Rescue**

**Table 3: Business Rescue Statistics**

Count of Status of BR Proceedings	Status											
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Grand Total
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	
<b>Status of Proceedings</b>												
<b>Active</b>	52	117	118	124	147	126	149	174	224	311	66	1608
<b>Liquidation</b>	58	64	70	73	73	49	32	19	17	5		460
<b>Nullity</b>	111	28	21	26	24	17	22	32	15	4	7	307
<b>Set aside</b>	2	5	6	4		2	2	5	2	1		29
<b>Substantial</b>	83	108	105	97	87	71	57	46	56	18		728
<b>Termination</b>	77	118	89	89	150	110	100	73	59	34	4	903
<b>Grand Total</b>	<b>383</b>	<b>440</b>	<b>409</b>	<b>413</b>	<b>481</b>	<b>375</b>	<b>362</b>	<b>349</b>	<b>373</b>	<b>373</b>	<b>77</b>	<b>4035</b>

**Figure 3: Status of Business Rescue Proceedings Specifications – 2021-22**



### ***Corporate Compliance and Disclosure Regulation***

During 2021/22 Quarter 1, the CIPC continued to monitor compliance and disclosure according to the provisions of the Companies Act, 2008 (Act No. 71 of 2008).

#### Reportable Irregularities (RI) arising from Independent Review of Financial Statements

There is a slight decrease in terms of closed cases in this regard and this is due to incomplete contact information on the submitted reports. Investigators make all efforts to follow through on the RI's relating to Independently Reviewed Annual Financial Statements (AFS).

**Table 4: Annual Financial Statements**

Statistics	Description
<b>Quarter 1</b>	
1385	Annual Financial statements received
167	Annual financial statements reviewed
59	Pro-active investigations
	Annual financial statements reviewed
	Pro-active investigations
	Pro-active investigations

The volumes received demonstrates compliance by industry to our requirements for filing of AFS and the commitment by the reviewers to monitor compliance of AFS with IFRS and Companies Act.

The COVID-19 pandemic did have an impact on the volumes, many companies have not yet had their financial statements audited, that affects filing volumes. LSSA raised objections against our issuance of a notice demanding inclusion of Section 4 statements in the AFS of companies as well as objections to the filing of AFS by "Incorporated" Companies.

A formal meeting with Law Society of South Africa (LSSA) was held to deal with their objections; one on Section 4 of the Companies Act, 2008, was not approved by the CIPC, the one on AFS Filings by incorporated companies, the CIPC committed to make further follow up to review the notice.

#### XBRL Taxonomy Developments

The CIPC, through a representative, participated in a meeting with the International Taxonomy Consultative Group. Four matters were discussed, i.e.:

- (i) Request for Information Third Agenda Consultation
- (ii) Digital reporting implications for the Exposure Draft Disclosure Requirements in IFRS Standards—A Pilot Approach
- (iii) IFRS Taxonomy content—tagging implicitly reported concepts
- (iv) IFRS Taxonomy content—tagging comparative information reported in accordance with a superseded IFRS Standard

None of the above agenda items affects the CIPC XBRL taxonomy in the short or medium term.

#### Reported irregularities

**Table 5: Reportable Irregularities 2020/21**

	<b>Q1</b>
<b>Opening Balance</b>	313
<b>Cases Received</b>	20
<b>Closed Cases</b>	12
<b>Closing Balance</b>	321

The volumes of Reportable Irregularities received shows a downward trend. COVID-19 may be having either a positive or negative impact in terms of governance. Notable RI's received came from Cell C Ltd and Cell C Service provider (Pty) Ltd and relates to the procurement process of a service provider to deal with SARS payments.

The COVID-19 impact on businesses cannot be ruled out, accounting records keeping and inability to conduct audits by Auditors. The instability in IRBA and therefore low capacity could also be a factor in terms of processing of RI's from Auditors.

**Table 6: High Profile Companies under Investigation**

<b>High Impact Cases</b>
South African Post Office SOC
Communicare NPC
Denel SOC
Attacq td

**Table 7: Independent Review: Regulation 29**

	<b>Q1</b>
<i>Opening Balance</i>	<b>159</b>
<b><i>Allocated</i></b>	51
<b><i>Total Closed</i></b>	<b>18</b>
<b><i>Closing Balance</i></b>	<b>192</b>

**Table 8: Cold Case Matters**

	<b>Q1</b>
Administrative fine	
Opening balance	<b>22</b>
Order granted	4
Settlement order/offer	2
opposed	4
Removed from the list	1
Currently in court/set down	5
Closing balance	6

Due to the effect of the COVID-19, we have noted a slow movement of matters referred to the office of the State Attorney and as such, it is not possible to comment on the overall compliance with regard to compliance activities save to say for a single matter that was finalized during this period. No administrative fines were issued during Quarter 1. 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. The State Attorney is facilitating this process .

COVID-19 and tough economic conditions continues to have an impact on the industry. This is evident on the lack of matters before court through the office of the State Attorney.

The Belgacom International Carriers SA (Pty) Ltd has paid the administrative fine as per the settlement agreement order.

**Table 9: Prospectus**

COMPANY NAME	PROSPECTUS	FINAL PROSPECTUS	CURRENT STATUS
<b>Quarter 1</b>			
KALON VENTURE PARTNERS FUND II	APRIL	REGISTERED	REGISTERED
POLO FIELDS EP7	APRIL	REGISTERED	REGISTERED
DESTINATA CAPITAL	APRIL	REGISTERED	REGISTERED
GAIA VENTURE CAPITAL	APRIL	REGISTERED	REGISTERED
EUPHORIC CAPITAL	APRIL	PENDING	PENDING
NORTHAM PLATINUM HOLDINGS	APRIL	REGISTERED	REGISTERED
ANUVA PRIVATE EQUITY	APRIL	REGISTERED	REGISTERED
EXCHANGE LOFTS EP6	MAY	REGISTERED	REGISTERED
AP GLOBAL INVESTMENTS	MAY	REGISTERED	REGISTERED
AP GLOBAL INVESTMENTS	MAY	REGISTERED	REGISTERED
OPTOMISE VENTURES	MAY	REGISTERED	REGISTERED
ORA CAPITAL	MAY	REGISTERED	REGISTERED
WESTBROOKE STAC 2021	MAY	REGISTERED	REGISTERED
WESTBROOK ARIA 2022	MAY	REGISTERED	REGISTERED
DECENTRAL ENERGY CAPITAL	MAY	REGISTERED	REGISTERED
ERIDANUS VC1	MAY	PENDING	PENDING
12 CAPE	MAY	REGISTERED	REGISTERED
GROUNDSTONE CAPITAL	MAY	PENDING	PENDING
INTERNATIONAL TITANS BASKET	MAY	PENDING	PENDING
OLIVE VENTURE CAPITAL	MAY	REGISTERED	REGISTERED
EXPONENTIAL VENTURE CAPITAL	JUNE	REGISTERED	REGISTERED
MONROE EP8	JUNE	REGISTERED	REGISTERED
PERSEUS VC1	JUNE	PENDING	PENDING
HASANAAT CAPITAL	JUNE	REGISTERED	REGISTERED
CAPITALE STUDENT HOUSING FUND	JUNE	PENDING	PENDING
DELTA VC1	JUNE	REGISTERED	REGISTERED

**(iii) Corporate Governance, Surveillance and Enforcement**

**Table 6: Statistics for Cases** is summary of the statistics of the cases during the quarter.

**Table 10: Statistics for cases**

	Case intake (Received)	Escalated (Appointments)	Closed	Open
<b>Q1</b>	122	16	60	46

Out of the 122 cases received, 60 cases were closed within the set requirements, thus representing 49%. The trends emerging in the quarter under review are the following:

**ALLEGATIONS AND/OR SPECIFIC SECTION (S) OF THE ACT CONTRAVENED**

- Company hijacking (resignation/ removal of directors – Sections 70, 70 (6) and 71 of the Companies Act, 2008 including fraud and process issues in terms of CoR39, director amendments;
- Breach of contract (including contractual dispute regarding unpaid salaries)
- Memorandum of Incorporation (MOI) dispute among directors, refusing to incorporate new clauses.

There is an increase in company hijackings. This will be dealt with in quarterly meetings.

**(iv) IP Enforcement**

The CIPC through various frontline activities is playing a key role in the war against counterfeits. The protection of IP Rights is key in driving the protection of goods as well as aligning authorities, manufacturers and suppliers to do the same. COVID-19 has changed the ways of working for professionals combating illicit trade. Active participation and sharing of lessons learned, not only nationally, but also on an international level, led to increasing public-private and cross-sector, collaboration.

Finding the positive aspect is tough during the times in which we find ourselves, but the impact of COVID-19 has led to closer collaboration in South Africa's fight against illicit trade. Collaboration and closer cooperation between different sectors, countries, and public and private institutions is key in our fight against counterfeit goods. While we have not won the war against illicit trade, the pandemic has widened the possibilities that exist through technology, allowing authorities to become more united in the fight against illicit trade.

Towards contributing to a greener environment, a project to upcycle confiscated counterfeit goods is underway. Given the challenges faced to destroy counterfeit goods in an environmentally friendly way, not only in South Africa but also in the rest of the World, the idea for an innovative project came to life. The project is designed to transform the counterfeit goods into useful items. Taking away the trade mark or any reference thereto and adding value through artistic effort. It is foreseen that the project will create opportunities for social entrepreneurs and create new jobs.

It is difficult to determine the exact cost that IP infringements have on the South Africa economy but through the new cellphone application called Accurate Reliable Stats (AJS) developed by CIPC, the lacuna will be addressed. This significant development will contribute greatly to limit the severe impact on consumers that are continuously misled by sub-standard and potentially harmful products and the loss of investment opportunities and subsequent job losses, due to the impact of the trade in counterfeit goods on a country.

Fast moving consumer goods became the focus and target area for counterfeiters. Authorities destroyed counterfeit goods and expired food confiscated from spaza shops mostly owned by foreign nationals. Concerns were raised that there were rising concerns of foodstuffs described as fake as well as harmful food colourants in some goods.

The role CIPC play in ensuring that law enforcement agencies active in the sector of the economy is fully capacity to deal effectively with counterfeit goods should be stressed. A training workshop to focus on a way forward to deal with buildings occupied and used to manufacture and sell counterfeit goods was held. A group of individuals that will form part of a task team was identified. The first meeting that was held in May served as a training workshop to enable us to build capacity within the team and to cross pollinate the skill sets.

#### **2.1.4 Education and Awareness**

##### ***(i) Corporate Education and Voluntary Compliance***

We hosted webinars on social media, as well as, participated upon invite from external stakeholders in webinars on Company and Co-operative Laws and processes. The volume of requests for CIPC participation decreased due to virtual engagements. The unit also responded to Facebook queries from customers. The unit is busy with a process to have a director e-learning program developed.

Due to the COVID-19 pandemic that influenced the way the unit does education and awareness of customers and the public, as it could no longer host or participate in education and awareness events or provide CIPC eServices. A new platform was implemented with which CIPC can livestream webinars on social media (CIPC Facebook and YouTube). Working from home had an impact on the way staff within CIPC work and communicate with one another and the public. Load shedding also affected access to the systems while working from home.

With the new platform used to host webinars on social media, it appears that more members of the public view the webinars than before. As the webinars remain on social media, members of the public can view the webinars after it was live-streamed. However, viewing webinars is dependent on members of the public having internet connectivity in their area and funds for data. Some areas have very poor or no internet connectivity and many cannot afford to buy data.

The unit previously used MS Teams as a platform for webinars, but it created a problem with the limited number of persons that could attend webinars. CIPC implemented a new platform during this quarter, which live-stream webinars on social media. The platform does not have a limit to number of persons that can attend the webinars. Through this platform, the unit successfully hosted a Companies Act 10 Year Celebration webinar. Professor Mangalo was the key-speaker at the webinar to reflect on the corporate law journey.

**(ii) IP Education and Awareness**

During 2021/22 Quarter 1, eleven (11) IP education and awareness events were held. The first quarter of the year has always displayed positive results as stakeholders respond better. The threats posed by online sessions is unaffordability of data by some of the stakeholders and this problem was flagged in the last financial year. The WIPO SA IP Summer School was held for through the virtual platform for the first time, successfully. The World IP Day Celebrations also took place in April 2021 where CIPC held talks on community radios.

**2.1.5 Customer contact: Call Centre, QRS, and Social Media etc.**

**(i) Client Engagement and E-communication**

**Table 10: Customer Contact: Call centre, QRS, and Social Media** shows overall performance of the customer contact platforms.

**Table 11: Customer Contact: Call centre, QRS, and Social Media**

Platform	Number	Quarter 1
<b>Call centre</b>	Calls received	28 580
	Calls answered (%)	Not determinable
<b>Query Resolution System</b>	Queries received	38 561
	Queries closed	37 092
	Queries closed within 10 days	33 144 (89%)
<b>Facebook</b>	Queries received	20 137
	Queries resolved (%)	18 497
<b>Twitter</b>	Queries received	7 471
	Queries resolved (%)	3 716

The call centre answered 28 580 calls during this quarter.

The CIPC received 38 501 queries via the Query Resolution System (QRS) in this quarter, and closed 37 092. It took an average of 5.2 days to close a query. Most queries received, were

relating to manual updating of customer details/password reset, allocation of funds and paper based disclosure requests.

The overall performance from the perspective of customers for social media management has been positive for 2021/22 Quarter 1. The e-communication satisfaction survey conducted reveals that customers are 83% satisfied with the services provided through social media. Moreover, Facebook queries resolved amount to 91.8%, of which 98% were responded to with 24 hours above the set target. However, Twitter query resolution is sitting at 49.7%, of which 98% were responded to within 24 hours. The latter may be attributed to the fact that not all Twitter incoming messages need a response.

The call centre agents work from home, as the COVID-19 pandemic still has a significant impact on the way of work, and this has affected the performance and monitoring systems in a somewhat negative way. In terms of social media we have seen the benefits of working from home as staff are able to perform their duties even at night and during weekends, as the social media environment requires an immediate response all the time

The call centre is currently using a call forwarding system, which does not necessarily achieve optimal performance, as there is no virtual queue where customers can wait for the next available agent. We are in the process of procuring a cloud based contact centre system, which will improve the process.

## **(ii) Service centres**

**Table 12: Self Service Centers' (Pretoria, Johannesburg and Cape Town) Traffic**

	Quarter 1 Pretoria	Johannesburg	Cape Town	TOTAL
Company Registrations	1532	2338	2994	6864
Create Customer Codes	2357	2847	3187	8391
Re-set Password	2474	1206	2961	6641
Name Reservations	265	1157	2801	4223
Annual Returns	2167	3388	3160	8715
IP	442	520	197	1159
Director Amendments	671	632	351	1654
Member Amendments	122	128	109	359
Auditor & ACC Officers	0	0	0	0
CO & CC address	473	97	13	583
Cert and Disc	1928	665	921	3514
Ent Enquiry	1736	1289	1330	4355
Name Change	99	186	179	464
Name Transfer	90	5	35	130
Cust Transactions	1481	0	0	1481
General/Other	2004	1849	2453	6306
Walk-in's	<b>17842</b>	<b>16307</b>	<b>20661</b>	<b>54810</b>

There has been a significant increase in the number of transactions (54 810) compared to the previous quarter (31 604).

Although a number of our customers still prefer human interaction, we have an opportunity to increase electronic transacting and develop other channels to replace human interaction and still satisfy customer requirements.

The COVID-19 pandemic has affected our self-service terminal customers who are served through partnerships mainly with the provincial economic development entities. Some of these entities have not been operating optimally due to the pandemic, so our electronic channels have played a major role in keeping our momentum going.

### 2.1.6 Disclosure

Our staff come to the office three (3) times per week because of the nature of the work, as they are unable to work from home.

**Table 13: Paper Based Disclosure Production Stats**

	Q1
Disclosure Request received	3916
Disclosure Request Completed	3826
Disclosure Transaction Billed	2646
Escalated tickets resolved by Managers	575

**Table 14: State Department – Disclosure Billing Statistics**

	Q1
Disclosure Request Received	1650
Disclosure Request Outstanding	496

### 2.1.7 Channels

The CIPC multi-channels strategy seeks to extend the CIPC footprint nationally and globally by the development and expansion of multiple channels, more so for virtual channels.

The CIPC channels in place are e-services website, self-service centres (SSCs) and partner sites (self-service terminals (SSTs)), BizPortal, which includes the Banks (FNB, Nedbank, Standard Bank, ABSA, and SASFIN) I, Mobile App, the call center, the resolution system (QRS), USSD, as well as social media (Facebook, Twitter, You Tube and WhatsApp). **Table 14: CIPC Channels** show services offered in each channel.

Furthermore, the CIPC is in the process of implementing the chatbot channel. The development of the channel is complete, however, quality assurance of it will be done in Q2 of this financial year. The CIPC aims to use the chatbot channel towards assisting CIPC clients to get instant answers in regards to their transaction questions. Moreover, the channel will assist with guiding users with information on how to transact on the various electronic platforms that the CIPC currently implements. Lastly, the channel exposes short-click services or services that are consumed with at most ten steps, e.g., resetting of passwords and reservation of names etc. Rollout of the channel is expected to take place in Q2.

BISG has implemented another channel, New E-Services. This is not a new channel though, but a platform that seeks to replace E-services. Electronic services implemented on the New E-Services platform are listed on **Table 14** below and the full re-implementation of the E-services eservices on the New E-services platform is projected to complete at the end of Q4 2021/22. In addition, the new E-Services has automated four new business processes as follows:

1. **Cedding of rights** – a service that will enable clients to securely cede rights of their CIPC profiles to one another. Service is pending deployment.
2. **Transact in Behalf of** – a service that will enable clients to securely transact on behalf of one another. Service is pending deployment.
3. **Enterprise registration** – a service that will allow clients to create CIPC profiles that represents organization. Currently, the CIPC only caters for individual profiles. Service is pending deployment.
4. **Invoicing** – a service that will automate the service provider submission of invoices to the CIPC. Service is pending deployment.
5. **Business Rescue Practitioner Appointments** – a process that enables prospective Business Rescue practitioners register with the CIPC. Service is live.
6. **Business Rescue Filing** – a process that enables business file for Business Rescue. Service is live.

**Table 15: CIPC Channels and services offered**

Services/Channels	E-service Website	SSCs and Partner Sites (SSTs)	Banks (FNB, Nedbank, ABSA)	BIZPORTAL
<b>Integrated services (SARS, UIF, Compensation Fund, Banks Acc, BEE Cert)</b>	No	Yes – BBBE certificate	Yes – company registration and business bank account	Yes
<b>Patents applications</b>	Yes	No	No	No
<b>Designs applications</b>	Yes	No	No	No
<b>Copyright in film</b>	Yes	No	No	No
<b>Trade marks applications</b>	Yes	No	No	No
<b>Name reservations</b>	Yes	Yes	Yes	Yes
<b>Companies registration</b>	Yes	Yes	Private company registration only	Yes
<b>Co-operatives Registrations</b>	No	No	No	No
<b>Domain Name Registrations</b>	Yes	No	No	Yes
<b>Director Amendments</b>	Yes	Yes	No	No
<b>Member Amendments</b>	Yes	Yes	No	No

Services/Channels	E-service Website	SSCs and Partner Sites (SSTs)	Banks (FNB, Nedbank, ABSA)	BIZPORTAL
Auditor Changes	Yes	Yes	No	No
Name changes	Yes	Yes	No	Yes
address changes	Yes	Yes	No	Yes
Financial Year End Changes	Yes	Yes	No	No
Enterprise enquiry	Yes	Yes	No	No
Disclosures	Yes	Yes	No	No
BBBEE Certificates	Yes	Yes	Yes – Only Nedbank	Yes
Disclosures- MOI Documents	Yes	Yes	No	No
Disclosures -Approved names	Yes	Yes	No	No
Queries	No	No	No	No
Information access	Yes	Yes	Yes	Yes
Annual Returns filing	Yes	Yes	No	Yes
AFS filing	Yes – XBRL portal	No	No	No

**Table 15: Partner Sites** show the CIPC partner sites where self-service terminals (SSTs) are hosted:

**Table 16: 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).

The multi-channels strategy is geared towards availing the CIPC products and services 24/7. **Table 16: Channels and Services Available 24/7** shows the CIPC channels and service available 24/7 as at 30 June 2021.

**Table 17: Channels and Services Available 24/7**

Channels available 24/7	Services available 24/7per channel
<p><b>1. CIPC Website</b></p>	<p>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</p>
<p><b>2. CIPC Mobile App</b></p>	<p>Company registration            Company name reservation            Annual Returns            BB-BEE certificate            Booking</p>
<p><b>3. BizPortal &amp; Banks</b></p>	<p>Company Registration            Company name reservation            Domain Name Registrations            BB-BEE certificate</p>
<p><b>4. SSTs</b></p>	<p>Company Registration            Company name Reservation            Company and close corporation address changes            BB-BEE            Domain names            Annual Returns</p>
<p><b>5. Emails</b></p>	<p>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 de registration            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</p>

## 2.2 Organizational Environment

### 2.2.1 Policies

During the first quarter of 2021/22 financial year, two policies were approved; Disciplinary Procedure Policy and Grievance Procedure Policy. Conflict of Interests and Ethics Policies were tabled and presented to Organized Labour during this period.

### 2.2.2 Frameworks/Strategies

Telecommuting

- (a) The CIPC follows a working from home policy, which has resulted in more effort required for communication between staff through virtual meetings. There is no new legislative development that affects the unit.
- (b) Working from home influences the way staff communicate with one another and with customers and the public. However, staff have adapted quite well to the new circumstances and are able to perform their duties effectively.
- (c) For communication virtual meetings (MS Teams) are used, as well as, more emails and phone calls.

### 2.2.3 Appointments, Resignations, Retirements, Terminations

Table 18: Appointments, Resignations, Retirements and Terminations

	Quarter 1
Appointments	5
Resignations	1
Retirements	2
Terminations	0

### 2.2.4 Discontinued activities / activities to be discontinued

None.

### 2.2.5 New or proposed activities

None.

## **2.2.6 Facilities and Security**

### **2.2.7 Other matters**

- (a) The CIPC follows a working from home policy, which has resulted in more effort required for communication between staff through virtual meetings. There is no new legislative development that affects the unit.
- (b) Working from home influences the way staff communicate with one another and with customers and the public. However, staff have adapted quite well to the new circumstances and are able to perform their duties effectively.
- (c) For communication virtual meetings (MS Teams) are used, as well as, more emails and phone calls.

## **2.3 New Policy and Legislative Changes**

This section describes new policy and legislative developments, the effect on the CIPC activities, and how these were addressed.

The Protection of Personal Information Act, 4 of 2013 (POPIA) came into operation on 1 July 2021.

As a public body in terms of POPIA, the CIPC must ensure compliance to the POPI Act about the personal information that is collected, processed and disclosed. All CIPC processes external (as well as internal – HR) is and will be affected by the new legislation.

In the first quarter, the only measures taken, was to conduct a risk assessment about the CIPC processes and the type of information that we hold and must protect. A POPIA implementation plan has been drafted and awaits EXCO approval. The real work concerning the legislation will only commence in the second quarter, with the implementation of the POPIA plan and the effect that it will have on ALL CIPC processes, whether internal or external.

## **3. Executive Summary**

### **3.1 Key Highlights**

#### **A. Progress towards Impact Statements, Outcome and Outputs – Programme 1: Service Delivery and Access**

Through a collaboration with SARS, the CIPC further enhanced its flagship channel, *BizPortal*, by giving access to business owners to all SARS services. In addition to this, a partnership has been formed with the National Small Business Chamber to assist the micro and small business sector

not only in formalizing their businesses, but to stay compliant and to have access to information. A private sector partnership that CIPC is particularly proud of is one with GoogleSA, which gives small business owners access to a range of services offered by Google. This is available through the BizPortal platform.

### **B. Progress towards Impact Statements, Outcome and Outputs – Programme 2: Innovation and Creativity Promotion**

Delays encountered in patents and designs processes relates to the current manual inputs into the system, this is as a result of applications received as hard copies and processed manually. The CIPC is in the process of deploying a fully automated IP Administration system with the assistance of the World Intellectual Property Organization. It is believed that this end-to-end automated system will not only will make the patent system seamless and enable the 100% compliance to the SDS but will also make the patent system seamless and encourage improved applications.

### **C. Progress towards Impact Statements, Outcome and Outputs – Programme 3: Business Regulation and Reputation**

We hosted three webinars and participated in seven webinars on invite during the 2021/22 Quarter 1. The webinars were live-streamed on social media. Webinar presentations increased awareness of Company and related legislation, as well as, of services, processes and the channels available to customers.

We are in the process of developing a Director eLearning course to empower company directors with knowledge to understand their fiduciary duties.

## **3.2 Report on Joint Indicators**

### ***Joint Indicator 1: Integrated Support to Drive Industrialisation***

Effectively use IP as an economic strategy:

- Number of Patents registered – 2363 Patents have been registered
- Number of Designs registered – 407 Designs have been registered

IP4SMME- Technology Stations:

- The engagement with the Technology Innovation Agency initiated in the quarter for an Agreement to work with Technology Stations and train them to provide IP guidance to SMMEs

### ***Joint Indicator 2: Contribution to the development of an AfCFTA Export Plan***

The CIPC continues to engage with its counterparts in the Region, the latest engagement between the CIPC and the Lesotho Registrar of Companies Office. They have been requested to lodge a request with the CIPC for renewal of the MoU in order to allow for mutual co-operation. The CIPC participated in the webinars about Beneficial Ownership with our counterparts from locally–and Africa (Open Ownership).

### ***Joint Indicator 3: Investment Facilitation and Growth***

- Strengthening of the IP regulation system through improving efficiencies, and maintain turnaround times
- Service Delivery Standards are maintained on an ongoing basis
- Turn Around Time in the Quarter for Patent Application is two (2) working days
- Turn Around Time in the Quarter for Design Application is two (2) working days
- Implementation of SSE (Training of examiners and interns)
- Training of SSE Examiners and Interns on an ongoing basis through the re-enforced Partnership Agreement with the European Patent Organisation.

### ***Joint Indicator 4: Development Model and Spatial Equity***

Entities who are not making disclosures in terms of Section 4 of the Companies Act, 2008 about the Solvency and Liquidity Tests are being proactively investigated to check compliance, 59 were being investigated in 2021/22 Quarter 1.

### ***Joint Indicator 5: Actions to Promote Transformation***

#### Corporate Education & Voluntary Compliance

Educating business community regarding the CIPC products and services to ensure that they take informed decisions and encourage adherence to the provisions of the Companies Act, 2008 in terms of directors of SOEs acting in the best interest of the institutions (compliance).

### ***Joint Indicator 6: The Green Economy and Greening the Economy***

We will focus on environment, social and governance (ESG) reporting in the ensuing quarter to evaluate if companies report accordingly when it comes to environmental, social and governance matters.

### ***Joint Indicator 7: Strengthening and Building a Capable State***

#### IPAS

- Through Intellectual Property Automation System (IPAS), to automate all processes end to end in the intellectual property (IP) area.

- Implementation of IPAS end-to-end automation system for Patents and Designs in progress. Ongoing training and testing for formalities as well as engagements with IP Law Firms.

#### SSE Internship – youth (under 35)

- 29 Interns currently undergoing SSE training

#### IP for SMME

- We are building capacity countrywide of SMMEs to realise their potential. The IP for SMME project is being implemented through the Swiss-SA Collaboration Project. Project plans were put in place in the 1st quarter.

#### Collaboration with the Japan IP Office

- Training opportunities were availed by the Japan IP Office for training of South African Examiners in the second quarter.

### **3.3 Media analysis/campaign/strategies**

The tracked Advertising Value Equivalent (AVE) in Q1 is R21 474 489.30. Media coverage was generated through various activities such as:

- A webinar to unpack the 2021 World Bank Ease of Doing Business Index drove positive coverage in traditional media while the 10-year anniversary of the Companies Act and the CIPC journey, as well as a webinar on services offered on the BizPortal website were the main drivers of positive conversation on social media. Other positive conversation drivers on social media were customer compliments and the Ease of Doing Business Webinar.

All negative-rated items in traditional media reported that some criminal syndicates were allegedly working with the CIPC officials in defrauding COVID-19 TERS payments.

Negative coverage on social media was linked to customer complaints from unanswered calls, proof of payment not showing on their accounts and too slow turnaround times.

Neutral-rated coverage across all media channels was linked to company registrations, deregistration, general inquires and business rescue mentions.

It must be noted that the tracked AVE above, is not a true reflection of the publicity generated on traditional and social media in this period. A new media monitoring service provider was appointed, who commenced providing services to CIPC from Mid-May in Quarter 1. Therefore, this AVE does not reflect media coverage in April and early May, which would have included a media campaign the CIPC ran from 19-26 April to commemorate World IP Day.

### 3.4 Investigations/Anticorruption cases

**Table 19: Number of allegations received**

01 Apr 2021 – 30 Jun 2021						
Opening balance 01/04/21	Adjustment 01/04/21	Adjusted opening balance	Calls logged Q1	Feedback Requests additional info	Resolved	Balance 30/06/21
111	(86)	25	86	(34)	(28)	49

The Opening balance at the beginning of the quarter was adjusted downward taking into consideration factors, which influence the likelihood of resolution of a complaint. Some of the factors considered include:

- Long outstanding complaints - (more than 6 months) with no progress and or without contact from the complainant.
- Lack of information - information has been received from the complainant for more than 2 months.
- Unavailability- Complainants no longer reachable.

The adjustment ensures that the limited resources employed in the resolution of complaints are efficiently and adequately utilised.

**Table 20: Status of Open Cases: 30 June 2021**

	Total	Under investigation	Pending investigation
Quarter 1	49	(26)	23

The status of open cases is indicated by the table above. Although the balance was 49 at the end the review period, some complaints had were under different stages of the complaint resolution process. Based on internal assessment and analysis, some of the matters under investigation were referred to external service providers for investigation.

#### Summary – Reporting Channels

The hotline is the preferred channel of reporting, presumably because it provides an option for anonymity of whistle-blowers if they so wish. Internally, the utilisation of the hotline has been useful in that it provides adequate audit trail of all complaints. Such controls help build trust and confidence in the system.

### 3.5 Industrial/Labour relations issues

Table 21: Labour Relations Issues

	Quarter 1
Misconduct cases under investigation	1
Misconduct cases at a disciplinary hearing stage	6
Warnings	0
Grievances finalised	3
Labour disputes at CCMA	3
Labour disputes at GPSSSBC	1
Labour disputes at Labour Court stage pending	4

### 3.6 New challenges and risks identified in the quarter

#### ***Leave accumulated from the previous financial year (2020) & Sick employees***

During 2021/22 Quarter 1, high number of staff being on leave affected organizational performance (Companies & CCs, DMP, Disclosure) because of many staff took accumulated leave days from the previous financial year before these are forfeited at the end of June 2021.

#### ***Deaths, Retirements, and Employees with chronic and serious illnesses***

There has been more than a handful of deaths and retirements in the organisation resulting in staff shortages. Some staff members have chronic and serious illnesses and therefore absent from work for lengthy periods. Because many staff member are facing retirement age, staff shortage problem is likely to continue if it is not addressed soon.

#### ***System problems***

System problems affected performance in areas such as DMP.

#### ***Lack of data and internet connectivity***

Participants unable to attend webinars due to lack of data and internet connectivity.

#### ***Equipment***

The printers are too old and most of the time not working. Printer challenges have huge impact on production. ICT still waiting for the Tender process to be finalized. The current contract of the Printers is ending on 31 August 2021.

#### ***Postal services***

The CIPC was unable to award the tender to the South African Post Office (SAPO) because of Tax non-compliance. We have a backlog of about 9 973 mail to be dispatched mostly "Deregistration letters". SAPO challenges not yet resolved. National Treasury advised the CIPC to get other company to assist in posting mail. We have started with the process of looking at the Courier

services who can assist us with the post; the response is very negative as these companies only offer Courier services not the normal physical posting like the Post Office. Urgent Disclosure requests are emailed to the clients. We also allow clients to arrange with the staff, come, and collect their documents.

#### 4. Performance against the APP

#### 4.1 Progress made against current quarterly milestones - Annexure A

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

Programme 1: Service Delivery and Access: Indicators, Annual and Quarterly Targets						
Output	Performance Indicator	2021/22 Annual Target	1st Quarter Milestones	Actual Achievement	Reasons for variance	Corrective Action
<b>Impact Statement 1: A world-class modern regulator</b>						
<b>Outcome: Organisational Competencies and Capabilities</b>						
Organisation Design (OD)	OD Process	OD Process Completed	Finalise review of service provider contract	Done. Service Provider has been appointed. The Contract Unit within the Finance Division is negotiating a Service Level Agreement with the appointed Service Provider.	N/A	N/A
Skills Assessment	Skills assessment conducted	Skills assessment completed	Background preparation for skills assessment	Done. The skills assessment will be carried out through the guidance of the appointed Service Provider as shown in their methodology and approach document.	N/A	N/A
Processes migrated to a new platform (K2)	Number of processes migrated to (K2)	29	7	7	N/A	N/A

Programme 1: Service Delivery and Access: Indicators, Annual and Quarterly Targets						
Output	Performance Indicator	2021/22 Annual Target	1st Quarter Milestones	Actual Achievement	Reasons for variance	Corrective Action
Business processes (BP) in line with future projected CIPC standards (From X hours and Y days to instant delivery)	Number of processes conceived for automation	4	0	0	N/A	N/A
Customer satisfaction at the call centre	% - average call centre customer satisfaction	7.5	7.5	7.5	N/A	N/A
E-communication satisfaction	% customer satisfaction on e-communication	60%	60%	83%	A number of interventions have been implemented since the last evaluation, including improvement of turn around time for social media responses and regular monitoring of the quality of posts and responses.	N/A
SSCs customer satisfaction	% customer satisfaction on SSCs	Baseline +2%	Customer satisfaction measurement tool developed	Done. Customer satisfaction survey tool has been developed.	N/A	N/A

Programme 1: Service Delivery and Access: Indicators, Annual and Quarterly Targets						
Output	Performance Indicator	2021/22 Annual Target	1st Quarter Milestones	Actual Achievement	Reasons for variance	Corrective Action
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%	89%	Most units reached the target of tickets responded to within the required turnaround time. However some units (ICT, Finance and Paper Based disclosure) who received very high volumes of tickets on the Query Resolution System did not meet the target.	A meeting to review the QRS strategy will be held amongst relevant managers, to devise a plan to ensure proactive action is taken where there might be a backlog.
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	75%	75%	98%	The response turnaround time has improved by ensuring that the team respond to all the queries received before 16:00 on the same day.	N/A
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%	60%	98%	The response turnaround time has improved by ensuring that the team respond to all the queries received before 16:00 on the same day.	N/A

Programme 1: Service Delivery and Access: Indicators, Annual and Quarterly Targets						
Output	Performance Indicator	2021/22 Annual Target	1st Quarter Milestones	Actual Achievement	Reasons for variance	Corrective Action
Website performance	% of website performance	93%	95%	94%	<ul style="list-style-type: none"> <li>• Related to the massive amount of traffic generated by the 2000 odd search requests a minute.</li> <li>• This results in system slowdown and possible non response.</li> <li>• Data harvesting is a constant issue plaguing this service.</li> </ul>	<ul style="list-style-type: none"> <li>• Migrate the search function off the "es services" server to the Bizportal server.</li> <li>• Edit the current search page name, so that it is no longer accessible externally for data harvesting.</li> </ul>
Reduced turnaround time to resolve queries received through the QRS - 10 working days	Average turnaround time to resolve queries received through the QRS - 10 working days	10	10	5	There is a very line between reaching the 10 days turnaround time and exceeding it. Some business units with less queries reach the target easily, while business units with high volumes of tickets battle to reach the required target of 10 days turnaround time. For this quarter, only 89% of tickets were responded within the 10 days turnaround time, although the average turnaround time was 5,2 days.	N/A

Programme 1: Service Delivery and Access: Indicators, Annual and Quarterly Targets						
Output	Performance Indicator	2021/22 Annual Target	1st Quarter Milestones	Actual Achievement	Reasons for variance	Corrective Action
Reduced turnaround time to resolve queries received through Facebook (working days)	Average turnaround time to resolve queries received through Facebook (working days)	1	1	1 hour, 57 minues	The team is required to respond to all the queries received before 16:00 on the same say.	N/A
Reduced turnaround time to resolve queries received through Twitter	Average turnaround time to resolve queries received through Twitter (days)	1	1	1 hour, 57 minues	The team is required to respond to all the queries received before 16:00 on the same say.	N/A
Implement mobile/Chat bot services in line with future projected CIPC standards (X hours and Y days to instant delivery)	Number of processes conceived for automation on Mobile/Chat Bot platform	4	0	0	N/A	N/A

Programme 1: Service Delivery and Access: Indicators, Annual and Quarterly Targets						
Output	Performance Indicator	2021/22 Annual Target	1st Quarter Milestones	Actual Achievement	Reasons for variance	Corrective Action
New automated service on eservices or BizPortal	Number of automated services added on BizPortal	1	-	2	Additional services added are Google for Business and SARS links. The purpose is to add as many services as possible. However, the setting of realistic targets are difficult as sometimes all stakeholders are ready to engage within a said quarter. Other times its not the case	N/A

#### 4.1.2 Programme 2: Innovation & Creativity Promotion

Programme 2: Innovation and Creativity Promotion: Indicators, Annual and Quarterly Targets						
Output	Performance Indicator	2021/22 Annual Target	1st Quarter Milestones	Actual Achievement	Reasons for variance	Corrective Action
<b>Impact Statement 1: A world-class modern regulator</b>						
<b>Outcome: Organisational Competencies and Capabilities</b>						
Patent examiners trained on substantive search examination (SSE)	Number of patents examiners trained on SSE	All (16 SSE trained and 29 interns)	Implementation of training for examiners with EPO - 16 SSE and 29 interns	Training with EPO for 16 SSE and 29 Interns implemented	N/A	N/A
Migrating patent end to end processes to an automated system – Intellectual Property Automated System (IPAS)	% patent processes migrated to IPAS	80%	10%	50%	Change in project plan as per CAB direction	To revise the target
Migrating designs end to end processes to an automated system - IPAS	% designs processes migrated to IPAS	80%	10%	34%	Change in project plan as per CAB direction	To revise the target

Programme 2: Innovation and Creativity Promotion: Indicators, Annual and Quarterly Targets						
Output	Performance Indicator	2021/22 Annual Target	1st Quarter Milestones	Actual Achievement	Reasons for variance	Corrective Action
<b>Impact Statement 2: Ease of doing business in SA</b>						
<b>Outcome: Reduced administrative compliance burden for companies and IP owners</b>						
Reduced turnaround time (TAT) for patent applications	Average turnaround time for patent applications	2	2	2	N/A	N/A
Reduced TAT for designs applications	Average turnaround time for designs application	2	2	2	N/A	N/A
Reduced TAT for copyright in films applications	Average turnaround time for copyright in film application	2	2	8	Ptolemy system error	To engage the Service Provider on SLA
<b>Impact Statement 3: Investor confidence in SA businesses and innovations</b>						
<b>Outcome: Strengthening the validity of granted IPR (patents designs and copyright), and in doing so reduce litigation costs for the client</b>						
Patents SSE implemented and patent registrations service delivery standards maintained as legislated	Patent SSE Proof of Concept implemented	Patent SSE Proof of Concept implemented	Patent Search Tool procurement	RFI for Patent Search Tool evaluation concluded; Proof of Concept implemented with EPO (Annual Target)	N/A	N/A

Programme 2: Innovation and Creativity Promotion: Indicators, Annual and Quarterly Targets						
Output	Performance Indicator	2021/22 Annual Target	1st Quarter Milestones	Actual Achievement	Reasons for variance	Corrective Action
Designs registrations service delivery standards maintained as legislated – 18 months	% design registrations processed within the legislated service delivery standards – 18 months	90%	90%	60%	The processes are still largely manual and there is a lot that happens to a file from the date of application through the issuing of a certificate.	IPAS implementation is geared at resolving this
Copyright in film registration service delivery standards maintained as legislated – 2 months	% copyright in film registrations processed within the legislated service delivery standards – 2 months	60%	60%	0	Team member under training	The SM will check the work of the team member
<b>Outcome: Reduce IP filing costs</b>						
Reduce filing costs for IPR owners	Number of persons assisted	7	100% of applications received screened.	100% of applications received screened.	N/A	N/A
<b>Outcome: Increased awareness (including capacity building) IP protection laws, regulations, as well as services and related processes</b>						
IP education and awareness sessions hosted by the CIPC or in collaboration with its partners for identified stakeholders	Number of webinars held hosted by the CIPC or in collaboration with its partners for identified stakeholders	16	4	12	Positive response from stakeholders	N/A

Programme 2: Innovation and Creativity Promotion: Indicators, Annual and Quarterly Targets						
Output	Performance Indicator	2021/22 Annual Target	1st Quarter Milestones	Actual Achievement	Reasons for variance	Corrective Action
CIPC Learning Academy	The establishment of the CIPC Learning Academy	WIPO needs assessment complete and MoU finalization	WIPO needs assessment complete and submitted	WIPO needs assessment complete and submitted	N/A	N/A
IP enforcement public education and awareness sessions hosted by the CIPC or in its collaboration with its partners for identified stakeholders	Number of IP enforcement education and awareness sessions hosted by the CIPC or in collaboration with its partners for identified stakeholders	6	1	4	A wider footprint on Social media increases the demand for the material that we share.	N/A
Increase capacity in Law Enforcement Agencies on IPR	Number of officials trained	80	20	231	Collaboration with partners provided a global platform that increased the reach and numbers of the training sessions. '	N/A
<b>Impact Statement 4: Third Party Decision-Making</b>						
<b>Outcome: IPR Enforcement</b>						
<b>Data/Information Integration (All stakeholders)</b>						
Mobile App used to collect data/information on IPR enforcement	Stage of development of the Mobile App	Testing and launch of pilot	-	The ICT team designed and application and provided a testing sample to law enforcement agents.	No deviation on track with Application	N/A

#### 4.1.3 Programme 3: Business Regulation and Reputation

Programme 3: Business Regulation and Reputation: Indicators, Annual and Quarterly Targets						
Output	Performance Indicator	2021/22 Annual Target	1st Quarter Milestones	Actual Achievement	Reasons for variance	Corrective Action
<b>Impact Statement 2: Ease of doing business in SA</b>						
<b>Outcome: 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	2	2	1	N/A	N/A
Reduction in the average number of days to register a cooperative from the date of receipt of a complete application.	The average of number of days to register a co-operative from the date of receipt of a complete application.	3	3	2	Introduction of K2	N/A
<b>Impact statement 3: Investor confidence</b>						
<b>Outcome: Increased awareness of company laws, regulations, as well as CIPC services, processes, and channels</b>						

<p>Education and awareness sessions on Company Act and other related legislation (including Cooperatives Amendment Act), services, processes and channels using Ms Teams, Zoom, Facebook live, and other platforms</p>	<p>Number of education and awareness sessions initiated or participated in on the Companies Act and related legislation (including Cooperatives Amendment Act), services, processes and channels using Ms Teams, Zoom, Facebook live, and other platforms.</p>	<p>18</p>	<p>4</p>	<p>10</p>	<p>A greater number were done due to requests internally from CIPC and from external stakeholders.</p>	<p>N/A</p>
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Programme 3: Business Regulation and Reputation: Indicators, Annual and Quarterly Targets						
Output	Performance Indicator	2021/22 Annual Target	1st Quarter Milestones	Actual Achievement	Reasons for variance	Corrective Action
Stakeholder education seminars or provide professional support. Collaborate with IODSA	Stakeholder education seminars or provide education support/ training - including collaboration with IODSA	2	0	N/A	N/A	N/A
Outcome: Reputable business and IP regulation environment						
Automated Beneficial Ownership Register	Beneficial Ownership Register in place	Approved Beneficial Ownership Register Business case	Consultations	Internal (CCDR) and External Consultations (DPSA; UN; Tim Law; EITI; Open Ownership; Open Gov Partnership) were conducted	N/A	N/A

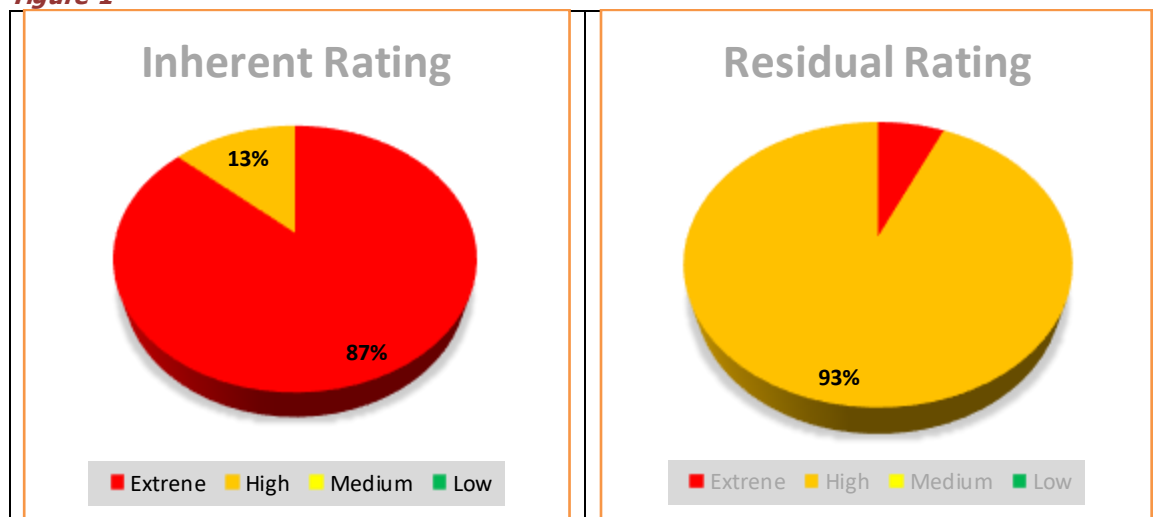
## 5. Risk Management Report - Annexure C

### 5.1 Progress on actions in the Strategic Risk Register

#### 5.1.1 Strategic Risk Dashboard

The strategic risk dashboard below provides a summary of the strategic risk ratings as at 30 June 2021.

*Figure 1*



The strategic Risk register for 2021/22 contains 15 risks rated both inherently and residually to provide view on the adequacy of controls implemented in mitigating the risk. Overall, based on the information provided by risk owners, the implemented controls resulted in the risk rating dropping from "Extreme" to "High". No review independent risk owners has been conducted to determine control adequacy and effectiveness.

To determine the acceptable gap between current and desired residual risk rating, a comparison of the tolerance levels with the risk rating for the quarter will have to be made.





The strategic risk register provides detailed information on the progress made in implementing mitigating actions for the review period.

### 5.1.2 Risk Movement Dashboard

A summary of the residual risk ratings movement from the beginning to the end of the period is illustrated by the table below :

Figure 2

<b>Key:</b> Improved = ↑ : Regressed = ↓ : No movement = ↔	<b>Residual rating</b>	<b>Movement</b>
<b>Risk Name</b>	<b>01/04/21</b>	<b>30/06/21</b>
1. Inadequate availability and accessibility of channels	High	↔
2. Inadequate ICT infrastructure	High	↔
3. Lack of Stability of IT systems (CIPC, Partners and 3rd party providers)	High	↔
4. Inability to effectively manage stakeholder relations and expectations	High	↔
5. Inadequate information & cyber-security	High	↔
6. Inadequate data integrity	High	↔
7. Ineffective governance and oversight over finance and supply chain management	High	↔
8. Financial sustainability	High	↔
9. Lack of optimal and professional organisational culture	High	↔
10. Ineffective people management	High	↔
11. Inadequate Accessibility of Intellectual Property (IP) services Programme	Extreme	↑
12. Ineffective implementation of the substantive search and examination programme	High	↔
13. Ineffective and inefficient enforcement	High	↔
14. Labour relations and stability thereof	High	↔

<b>Key:</b> Improved =  : Regressed =  : No movement = 	<b>Residual rating</b>	<b>Movement</b>
<b>Risk Name</b>	<b>01/04/21</b>	<b>30/06/21</b>
15. Occupational Health and Safety	Extreme	

Historically, the 1<sup>st</sup> quarter of the financial year does not record significant movement in the residual rating as evidenced by the table above. This could be partly due to the fact that most mitigations are scheduled for completion and or implementation in the latter part of the financial year.

## 6. Audit Report - Annexure D

### 6.1 Progress against Internal Audit Finding Matrix & Progress against AG/External Audit Finding Matrix

#### (AUDIT FINDINGS TRACKING SUMMARY REPORT FOR THE QUARTER ENDED 30 JUNE 2021)

##### 1. Purpose of the Report

This report provides a high level summary of progress made with regard to the implementation of corrective actions to address previously reported audit findings. The report covers findings emanating from the audit conducted by the Auditor General (AG) for the 2019/20 financial year as well as findings and observations from internal audit reviews conducted in the 2016/17, 2017/2018, 2018/19, 2019/2020 AND 2020/2021 financial years. Details of progress are contained in the respective registers attached to this report.

##### 2. Summary of all Unresolved Findings

Audits assignment Involved = 25

Total findings at the beginning of Q1 of 2021/2022 = 97

Total findings resolved = 15

Total findings in progress = 35

Total findings unresolved = 47

##### 2.1 Auditor General Findings 2019/20

<b>Audit Assignment</b>	<b>Q1 2021/2022 opening balance</b>	<b>Addressed and risk accepted</b>	<b>In progress</b>	<b>Not Addressed</b>
AG: Management report findings	11	3	8	0
% Total	100%	27%	73%	0%

## 2.2 Internal Audit Findings

### 2.2.1 2016/2017

Audit Assignment	Total outstanding Findings at beginning of Q1 of 2021/2022	Addressed and risk accepted	Partially Addressed	Not Addressed
1. IT Audit Follow Up Audit	1	1	0	0
<b>OVERALL TOTAL</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>
		<b>100%</b>		<b>0%</b>

### 2.2.2 2017/2018

Audit Assignment	Total outstanding Findings Q1 of 2021/2022	Addressed and risk accepted - Total	Partially Addressed	Not Addressed - Total
Free State Self Service Terminal	1	0	1	0
Registry audit	5	0	2	3
Annual returns compliance	1	0	1	0
<b>TOTAL</b>	<b>7</b>	<b>0</b>	<b>4</b>	<b>3</b>
		<b>0%</b>	<b>57%</b>	<b>43%</b>

### 2.2.3 2018/2019

Audit Assignment	Total outstanding Findings Q1 of 2021/2022	Addressed and risk accepted - Total	Partially Addressed	Not Addressed - Total
Application control review on the Ptolemy system	1	0	0	1
Education and awareness audit	4	0	0	4
Surveillance and enforcement audit	1	0		1
IT Security Review	1	1		0
Security management review	7	0	3	4
Service Delivery Standards review	11	0	0	11
<b>TOTAL</b>	<b>25</b>	<b>1</b>	<b>3</b>	<b>21</b>
		<b>4%</b>	<b>12%</b>	<b>84%</b>

### 2.2.4 2019/2020

Audit Assignment	Total outstanding Findings Q1 of 2021/2022	Addressed and risk accepted - Total	Partially Addressed	Not Addressed - Total
Business Plan 2019/2020	1	0	1	0
General IT Control Audit	3	2	1	0
Disclosure	2	1	0	1

Audit Assignment	Total outstanding Findings Q1 of 2021/2022	Addressed and risk accepted - Total	Partially Addressed	Not Addressed - Total
Trade Marks	2	1	0	1
Penetration test	11	0	1	10
<b>TOTAL</b>	<b>19</b>	<b>4</b>	<b>3</b>	<b>12</b>
		<b>21%</b>	<b>11%</b>	<b>63%</b>

### 2.2.5 2020/2021

Audit Assignment	Total outstanding Findings at beginning of Q1 of 2021/2022	Addressed and risk accepted - Total	Partially Addressed	Not Addressed - Total
Communications	8	0	8	0
Supply Chain and Contract Management	2	0	0	2
Training	6	2	2	2
ICT Governance	2	2	0	0
Cyber security	1	0	1	0
ICT Business Continuity Management	2	0	0	2
Financial Statement Reporting	8	1	6	1
Q2 Performance Information	1	0	0	1
Website & QRS	4	1	0	3
<b>TOTAL</b>	<b>34</b>	<b>6</b>	<b>17</b>	<b>11</b>
		<b>18%</b>	<b>50%</b>	<b>32%</b>

### **6.3 Progress made regarding Combined Assurance Plan**

The progress report on the Combined Assurance Plan is provided bi-annually.

## **7. Financial Report - Annexure E**

## 8. PFMA and TR compliance checklist - Annexure F

Key:
Compliant = All assessed requirements met.
Partially Compliant= Some areas of the business not fully compliant with requirements assessed
Non-compliant = Requirement not met

No	Act Name	High Risk Compliance Status
1	Protection of Personal Information Act 4 of 2013	Partially Compliant
2	Promotion of Access to Information Act, No 2 of 2000	Partially Compliant
3	Public Finance Management Act, No 1 of 1999	Compliant
4	Companies Act, No 71 of 2008	Compliant
5	Disaster Management Act (Act 57 of 2002)	Compliant
6	Copyright Act (Act 98 of 1978)	Compliant
7	Patents Act (Act 57 of 1978)	Compliant
8	Trademarks Act, No 194 of 1993	Compliant
9	Co-operatives Act 14 of 2005, including the Co-operatives Amendment Act 6 of 2013	Compliant
10	Cooperatives, Act 14 of 2005	Compliant
11	Counterfeit Goods Act, 37 of 1997	Compliant
12	Occupational Health and Safety Act, No 85 of 1993	Compliant

No	Act Name	High Risk Compliance Status
13	Broad-Based Black Economic Empowerment Act, No. 53 of 2003 and 2014 Code	
14	Preferential Procurement Policy Framework Act, No 5 of 2000	
15	Skills Development Levies Act, 9 of 1999	
16	Basic Conditions of Employment Act, No 75 of 1997	
17	Employment Equity Act, No 55 of 1998	
18	Labour Relations Act No 66 of 1995	
19	Skills Development Act, No 97 of 1998	
20	Prevention and Combating of Corrupt Activities Act, No 12 of 2004	