



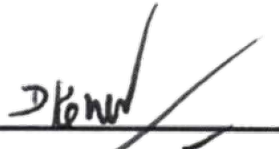

Companies and Intellectual  
Property Commission

a member of **the dtic** group

## **CIPC FIRST QUARTER PERFORMANCE REPORT**

**2022/23**

## Approval of the Report

Endorsement Support by the Audit Committee	
I hereby support the endorsement of the report	
Signature :	
Name :	<u>Dr Len Konar</u>
Rank :	<u>Chairperson: Audit Committee</u>
Date :	<u>28 July 2022</u>
Endorsement by the Accounting Authority	
I hereby endorse the report	
Signature:	
Name :	<u>Adv Rory W. Voller</u>
Rank :	<u>Commissioner</u>
Date :	<u>29 July 2022</u>

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

**Accounting Officer** means the person responsible for the daily operations of the entity, e.g. CEO

**Accounting Authority** means a person representing a body that provides oversight on the entity, e.g. Board/Tribunal Chairperson and/or Minister's direct Reportee e.g. 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

## Table of contents

Acronyms.....	3
Table of contents .....	4
List of Tables .....	6
List of Figures.....	6
1. Introduction .....	7
2. CIPC Overall Performance.....	8
2.1 Service Delivery Environment.....	8
2.1.1 Service Delivery .....	8
2.1.2 Legal, Policy Support, and Outreach.....	13
2.1.3 Compliance Monitoring and Enforcement.....	14
2.1.4 Education and Awareness.....	20
2.1.5 Customer contact: Call Centre, QRS, and Social Media etc.....	21
2.1.6 Disclosure .....	22
2.1.7 Modernisation, Automation and Channels .....	23
2.2 Organizational Environment.....	26
2.2.1 Governance, Compliance and Risk .....	26
2.2.2 Investigations and Anti-corruption .....	26
2.2.3 Industrial/Labour relations issues .....	27
2.2.5 Discontinued activities / activities to be discontinued .....	27
2.2.6 New or proposed activities .....	27
2.2.7 Facilities and Security.....	27
2.2.7 Media analysis/campaign/strategies .....	28
2.2.8 New challenges and risks identified in the quarter .....	30
2.3 New Policy and Legislative Changes .....	31
2.4 Progress towards achievement of institutional Impacts and Outcomes .....	32
3. Performance against the APP .....	37
3.1 Progress made against unachieved targets in the previous quarter – N/A.....	37
3.1.1 Programme 1: Service Delivery and Access .....	37
3.1.2 Programme 2: Innovation & Creativity Promotion .....	37
3.1.3 Programme 3: Business Regulation and Reputation.....	37
3.2 Progress made against current quarterly milestones.....	38
3.2.2 Programme 2: Innovation & Creativity Promotion .....	41
3.2.3 Programme 3: Business Regulation and Reputation.....	43
4. Governance, Risk and Compliance Quarterly Report (01 April – 30 June 2022) .....	46
5. Compliance Report .....	56
5. Audit Report .....	1
5.1 Progress against Internal Audit Finding Matrix & Progress against AG/External Audit Finding Matrix ..	1
5.2 Progress made regarding Combined Assurance Plan .....	4

6.	Financial Report.....	5
7.	PFMA and TR compliance checklist.....	6
8.	Copyright and Enforcement Report .....	7
	.....	13
9.	Joint-KPI Report.....	15

## List of Tables

Table 1: Key Services – Volumes, Average TAT and SDS .....	8
Table 2: Status of Business Rescue Proceedings (2011-2023) .....	16
Table 3: Business Rescue Commenced in each month over the years (2011 – 2023) .....	16
Table 4: Annual Financial Statements .....	18
Table 5: Reportable Irregularities 2022/23 .....	18
Table 6: High Profile Companies under Investigation .....	19
Table 7: Independent Review: Regulation 29 .....	19
Table 8: Cold Case Matters .....	19
Table 9: Prospectus .....	19
Table 10: Statistics for cases .....	20
Table 11: Customer Contact: Call centre, QRS, and Social Media .....	21
Table 12: Self Service Centers’ (Pretoria, Johannesburg and Cape Town) Traffic – Quarter 1 & 2 ..	22
Table 13: Paper Based Disclosure Production Stats .....	22
Table 14: State Department – Disclosure Billing Statistics .....	23
Table 15: Disclosure Query Resolution .....	23
Table 16: CIPC Channels and services offered .....	23
Table 17: Partner sites .....	24
Table 18: Channels and Services Available 24/7 .....	24
Table 19: Progress Report on Migration to New E-services .....	26
Table 20: Labour Relations Issues .....	27
Table 21: Appointments, Resignations, Retirements and Terminations .....	27
Table 22: Media Coverage Overview – April – June 2022 .....	29
Table 23: Impact Statement #1 – Performance Table .....	32
Table 24: Impact Statement #2 – Performance Table .....	33
Table 25: Impact Statement #3 – Performance Table .....	34
Table 26: Impact Statement #4 – Performance Table .....	36

## List of Figures

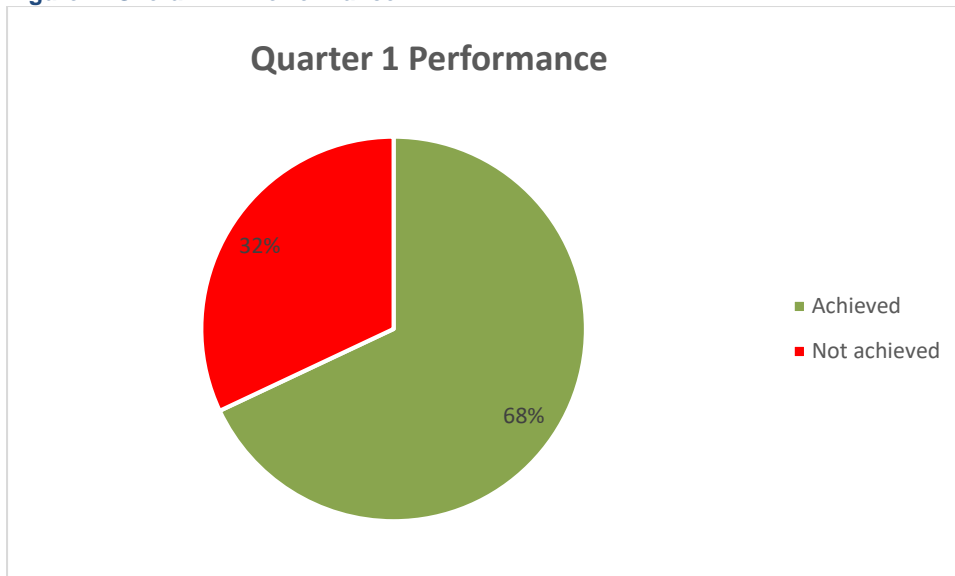
Figure 1: Overall KPI Performance .....	7
Figure 2: Programme Performance .....	8
Figure 3: AR Filings Comparison (Gross Filings) April to March (2012 – 2023) .....	15
Figure 4: AR Filing Comparision (In time filings) April to March (2014 – 2023) .....	15
Figure 5: Volume of Business Rescue Proceedings .....	17
Figure 6: Enterprise Category Specification for commenced Business Rescue Proceedings 2022-23 .....	17

## 1. Introduction

The purpose of this report is to outline the Companies and Intellectual Property Commission's (CIPC's) 2022/23 first quarter performance against its plans and targets, outlined in its Annual Performance Plan (APP) for the 2022/23 reporting period.

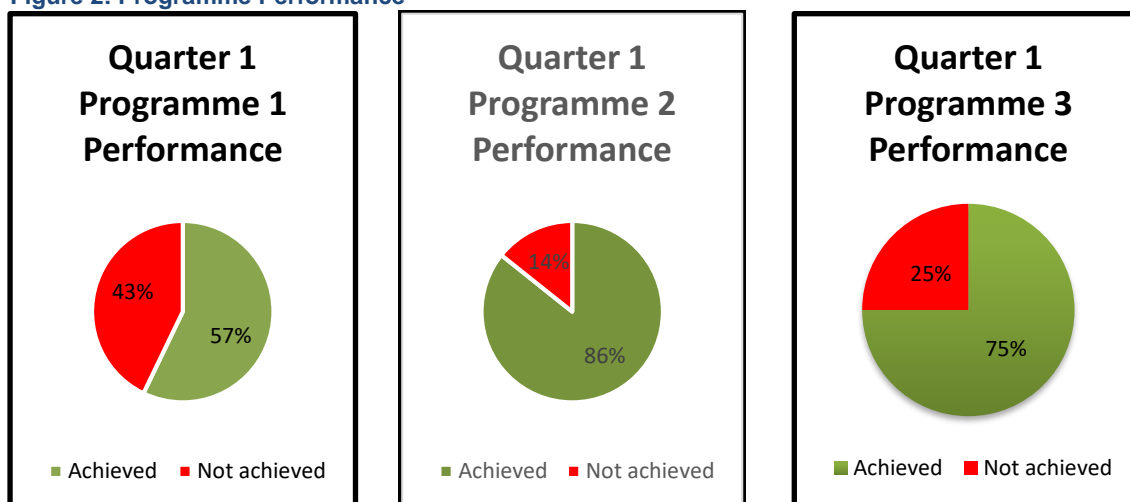
For the 2022/23 Quarter 1, 17 (68%) of the 25 quarterly targets were achieved.

Figure 1: Overall KPI Performance



For Programme 1, 8 (57%) out of the 14 quarterly targets were achieved, for Programme 2, 6 (86%) of the seven (7) quarterly targets were achieved and for Programme 3, 3 (75%) out of the five (5) of the quarterly targets were achieved.

Figure 2: Programme Performance



## 2. CIPC Overall Performance

This section shows the impact of the external (service delivery environment) and internal (organizational environment) context on the CIPC overall performance and service delivery during the period under review.

### 2.1 Service Delivery Environment

The section present the demand for the CIPC services and discuss how this affected the CIPC.

#### 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	3 551
	ATAT	2 days
	SDS (2 working days)	96%
<b>Patents registration certificates</b>	Number	2 694
	ATAT	33 days
	SDS (44 working days)	100%
<b>Patent Renewals</b>	Number	No report
	ATAT	No report
	SDS	No report
<b>Designs applications</b>	Number	440
	ATAT	2 days
	SDS (2 working days)	96%
<b>Designs registration certificates</b>	Number	507
	ATAT	11 Days
	SDS (44 working days after publication)	100%
<b>Designs Renewals</b>	Number	No report
	ATAT	No report
	SDS	No report
<b>Copyright in film applications</b>	Number	3
	ATAT	9 hours

<b>CIPC Services</b>	<b>Number/Average Turnaround Time (ATAT)</b>	<b>Quarter 1</b>
	SDS (1 working day)	100%
<b>Copyright in film registrations</b>	Number	3
	ATAT	3 days
	SDS (22 working days)	100%
<b>Trade marks applications</b>	Number	9 548
	ATAT	3 days
	SDS (3 working days)	96%
<b>Trade marks registrations</b>	Number	9 005
	ATAT	180 days
	SDS (90 + 90 working days)	Not available
<b>Trade Marks Official Action</b>	Number	6 850
	ATAT	12 months
	SDS	99%
<b>Name reservations</b>	Number	118 652
	ATAT	1 day
	SDS	95%
<b>Companies Registrations</b>	Number	104 031
	ATAT	1 day
	SDS	93%
<b>BBBEE Certificates</b>	Number	87 588
	ATAT	Immediate
	SDS	100%
<b>Co-operatives Registrations</b>	Number	2 123
	ATAT	2 days
	SDS (3 days)	100%
<b>Director Amendments</b>	Number	37 853
	ATAT	2 days
	SDS	99%
<b>Member Amendments</b>	Number	5 969
	ATAT	2 days
	SDS	100%
<b>Company Name Changes</b>	Number	14 299
	ATAT	Immediate
	SDS	100%
<b>Company Financial Year End Changes</b>	Number	1 086
	ATAT	Immediate
	SDS	100%
<b>Query Resolution</b>	Queries received	40 484
	Queries closed	39 381
	ATAT	3 days
	SDS (10 days)	95%
<b>Facebook</b>	Queries received	12 000

CIPC Services	Number/Average Turnaround Time (ATAT)	Quarter 1
	Queries closed	10 000
	ATAT	5h 2m
	SDS (24 hours)	83%
<b>Twitter</b>	Queries received	3 600
	Queries closed	2 800
	ATAT	4h 19m
	SDS (24 hours)	78%

**Legend**

	<b><i>Under 90% - SDS Performance Target</i></b>
--	--

**(i) Patents and Designs**

**Quarter 1**

**Applications (include breakdown – Local vs Foreign)**

The CIPC satisfactorily maintained and complied with the external SDS set for processing both patents and designs applications in Quarter 1.

The CIPC received 3 551 patents applications (3 126 Foreign applications and 425 local applications) were received and 440 designs applications (250 Foreign and 190 Local Applications) during the Quarter 1 of 2022/23. This is significantly higher than patent applications received in the same quarter last year (2 363 applications were received in Quarter 1 of 2021/22 i.e an approximately 50% increase in the number of applications). Similarly the number of design applications received in Quarter 1 of 2022/23 is also higher than the number of applications received in Quarter 1 of 2021/22 (407 applications were received in Quarter 1 of 2021/22, this is an approximately 10% increase in the number of design applications).

The average turnaround time for patent applications was maintained at two (2) working days. Ninety-six percent (96%) of transactions were processed within the set external SDS of two days (2). Four percent (4%) processed outside the SDS is attributed to manual applications and queries related thereto.

The average turnaround time for designs applications was maintained at two (2) working days. Ninety-six percent (96%) of the applications were processed within the SDS of two (2) working days. The four (4%) processed outside the SDS is also attributed to the manual application queries.

**Registration Certificates**

During 2022/23 Quarter 1, the CIPC issued 2 694 patent certificates, this is an increase of over 100% in comparison to Quarter 1 of 2021/22 where 1 185 Patent Registration Certificates were issued. Furthermore 507 designs registration certificates were issued in quarter 1 of 2022/23; this is also a marginal increase in comparison to 369 design registration certificates issued in Quarter 1 of 2021/22. 100% of patent registration certificates were processed within the set SDS of 44 days at an average turnaround times of 33 days. Similarly; 100% of designs registration certificates were 24 days and 38 days respectively.

**Renewals**

No report.

**(ii) Copyright in film**

**Quarter 1**

**Applications**

During this reporting period, the Copyright unit received nine (9) film applications and all were processed within the set service standard turn around time.

**Registrations**

During this reporting period, three (3) film applications were processed and three (3) film registrations certificates issued within the set service delivery turn around time.

**(iii) Trade marks**

**Quarter 1**

**Applications**

No report.

**Special searches**

No report.

**Registration certificates**

No report.

**Renewals**

No report.

**(iv) Companies and Close Corporations (CCs)**

**Quarter 1**

The number of new company registrations processed is lower than the comparative period of 2021-2022 and follows the same trend as per the 2021-2022 financial year namely a decrease post the first year of Covid19. The trend in the increase in volume of automated new company registrations compared with hybrid new company registrations continued.

**(v) Co-operatives**

**Quarter 1**

**Registrations**

There has been a noticeable increase in the numbers of registrations for new co-operatives compared to the previous period in 2020/21 financial year. This is a demonstration that people are getting used to the system. The volumes of Secondary and Tertiary Co-operatives are a handful and the requirement for registration has changed, requiring filling of Financial Statements and Annual Reporting first before conversion of which the co-operatives are non-compliant.

**Conversions**

Seven (7) conversions out of 10 received were processed and the volumes are still very low.

**Amalgamations**

No amalgamations were received.

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

**Quarter 1**

**CoR39's**

We received close to 60 000 e-services applications, of which just over 36 000 were approved. We received over 1 800 manual application, of which 1122 were approved. Most of the rejections are visible fabrication of identity documents and falsification of applications. We experienced some problems system problems with e-services from the 28 June 2022.

**CK2's**

Over 10 000 applications were received for member changes as the CK2 form deals with many changes of which others are done by Companies and Close Corporations. From the 10 000 we only approved 3 850 e-services applications and 2 119 for manual applications.

**CoR44's**

We received 4 631 applications and only approved 3 017. We experienced some technical problems whereby ICT takes time to update database to reflect the information from IRBA for all Registered Auditors.

**Business Rescue**

Twenty-one (21) Business Rescue Practitioners licenses were issued and seventy-eight (78) appointments made during the period under review.

**(vii) Query Resolutions**

**Quarter 1**

All queries were attended to within the published services standards turnaround time except those, which are ICT related, for an example dispatching of forms, and certificates to clients took longer as ICT took time to respond.

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

**(i) IP Policy and Outreach**

**Quarter 1**

**IP for SMME**

Through the intervention of the SSAIP (Swiss-South Africa intervention) the IP for SMME project is being pursued.

Six committee meetings were held in this quarter. These meetings mainly served to engage on the specific interventions which the committee reached agreement with. Broadly these interventions are based on IP in general with a specific focus on SMMEs. The interventions included the SMME stakeholder mapping, customization of the IP panorama and the compilation of training materials for SEDA employees. As regards the development of the stakeholder map (a feature in the development of SMME portal on the CIPC website), a consultant company was appointed (by the Swiss) to assist in the development of the design and development of a single on-line stakeholder map. This feature provides details of all key and relevant IP stakeholders which the SMMEs will use (based on their request through the survey previously conducted). The features for the SMME benefit will cover aspects such as briefings, training, service, guidance). A concept note based on a phased approach

was developed. It was further agreed to pilot the implementation (user needs analysis and scoping) in the Gauteng province (having CIPCs majority clients).

Further to this intervention and following the initial ToT (training of trainers) with the SEDA practitioners, a relationship with TIA (The Technology Agency) commenced. TIA has technology stations nationally and it is the intention therefore to train these practitioners who will serve a better IP service in the communities in which the technology stations exist. A programme of action was developed and is set to commence in the 2<sup>nd</sup> quarter.

### **IP BRICS**

CNIPA (China) is the hosting office in this round of IP BRICS forum. In this quarter, the co-ordinators (country focal point persons) engaged on issues such as workstream progress, preparations for the main HIPO (heads of IP Offices meeting) and other logistical and substantive issues. The proposed schedule of events for the year under the chair was agreed upon by members. The Co-ordinators meeting was scheduled for the 21<sup>st</sup> July 2022. The co-ordinators meeting is an important part of the IP BRICS events as the focal point persons meet to discuss/engage and deliberate on issues, which the Heads of the IP offices find consensus and provide approval.

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

#### **Quarter 1**

The following activities were done:

- Finalisation of the POPIA Compliance Framework (submitted to EXCO) for use by CIPC annually to monitor compliance in terms of POPIA.
- Development of "General Counsel" (in-house legal) implementation plan, which includes structure, functions and responsibilities. (ongoing).
- Multitude of subpoena's and request for specific and technical information received from law enforcement agencies – which is indicative of the number of criminal matters involving fraud, director and shareholder disputes, etc. Law enforcement agencies requests for information are no longer simply corporate registration documentation, but becoming much more technical. CIPC presence (providing expert testimony) in court and other forums – becoming more prominent.
- Beneficial Ownership Project – attending legal framework and practical BO workshops and seminars – development of CIPC's own beneficial ownership register. CIPC compliance is crucial in terms of SA's world ranking. Development of Companies Act Amendment Regulations crucial to cater for BO register – CCRD & dtic driving force.
- Publication of several legal opinions and articles on Companies Act interpretation and application – creating precedent.

### **2.1.3 Compliance Monitoring and Enforcement**

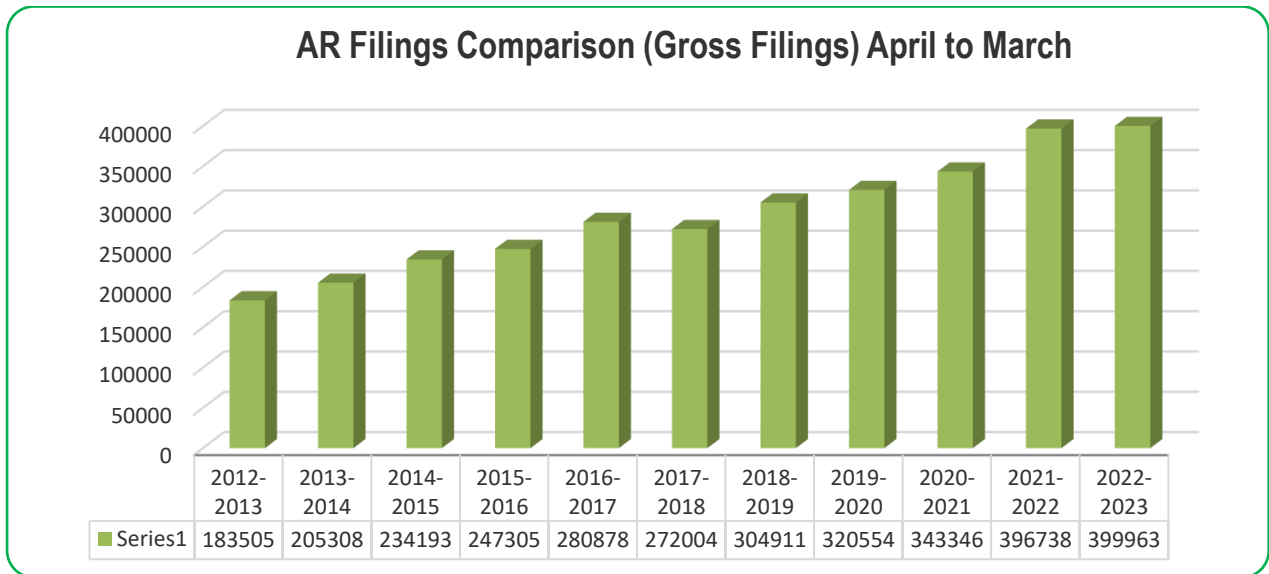
#### ***(i) Annual Returns***

#### **Quarter 1**

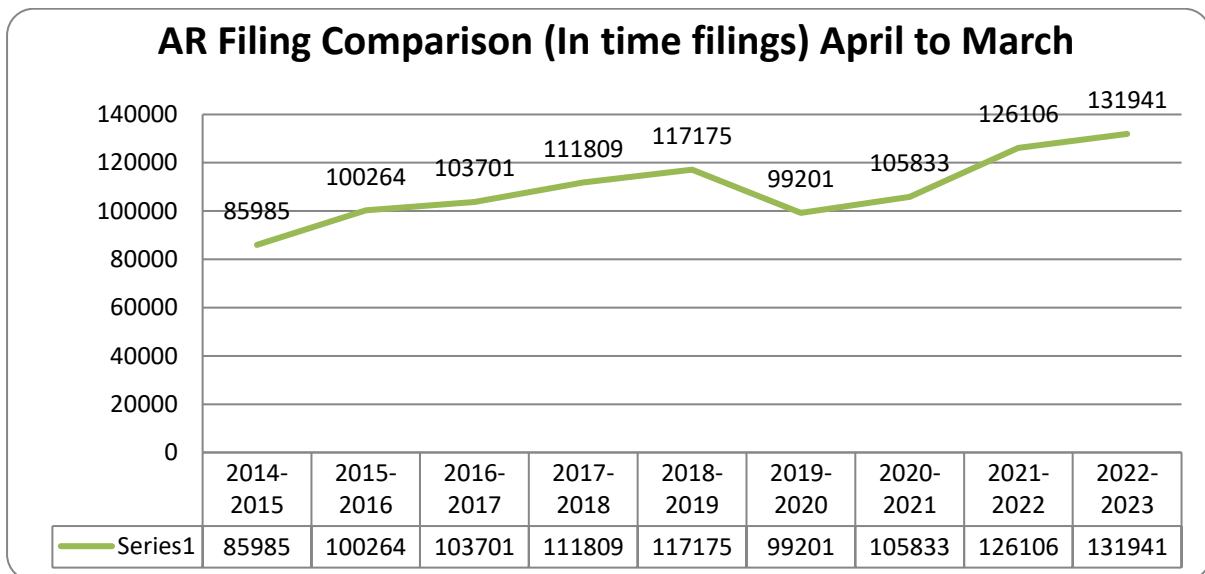
The volume of gross filings continued to increase with 1% (3 225 filings). The in time filing rate also continued to increase with 4% (5 835 filings). The Annual Return filing service is current in

redevelopment and will incorporate the PI (Public Interest) Score calculation and also simultaneous amendments with the filing of Annual Returns. The service is due to be released during July 2022.

**Figure 3: AR Filings Comparison (Gross Filings) April to March (2012 – 2023)**



**Figure 4: AR Filing Comparison (In time filings) April to March (2014 – 2023)**



**(ii) Business Rescue**

**Quarter1**

**Table 2: Status of Business Rescue Proceedings (2011-2023)**

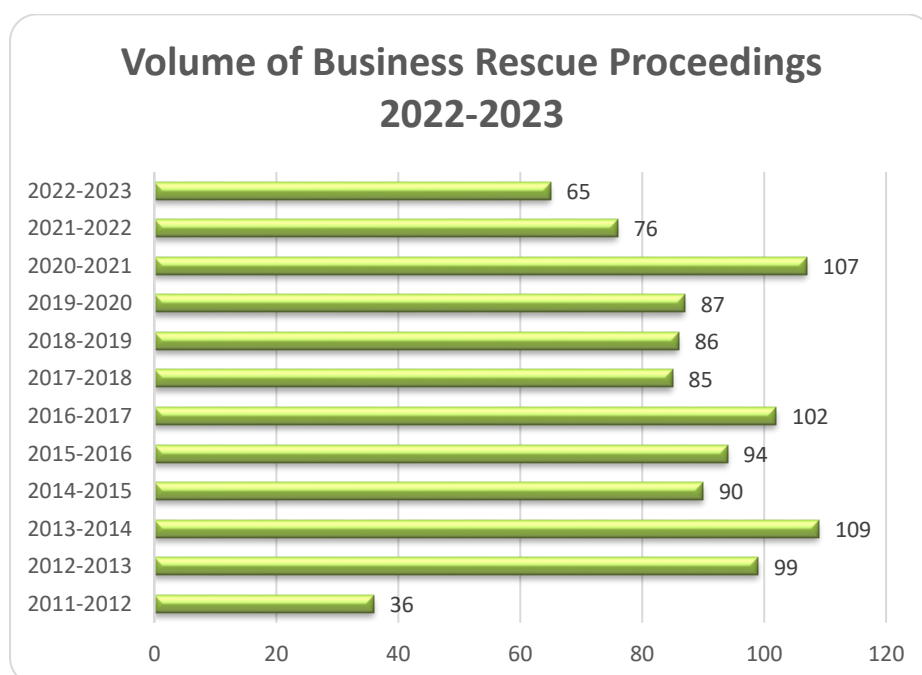
Count of Status of BR Proceedings		Status						
Status of Proceedings	Active	Liquidation	Nullity	Set aside	Substantial	Termination	Grand Total	
+ 2011-2012	50	58	111	2	85	77	383	
+ 2012-2013	111	67	28	5	109	120	440	
+ 2013-2014	115	73	21	6	105	89	409	
+ 2014-2015	116	73	26	4	101	93	413	
+ 2015-2016	145	73	24		88	151	481	
+ 2016-2017	109	54	17	3	78	114	375	
+ 2017-2018	132	39	22	2	63	104	362	
+ 2018-2019	140	37	32	5	55	80	349	
+ 2019-2020	183	31	15	3	73	68	373	
+ 2020-2021	206	30	6	2	80	49	373	
+ 2021-2022	279	11	8		15	34	347	
+ 2022-2023	63					2	65	
<b>Grand Total</b>	<b>1649</b>	<b>546</b>	<b>310</b>	<b>32</b>	<b>852</b>	<b>981</b>	<b>4370</b>	

Sixty-five (65) companies and close corporations commenced business rescue proceedings during quarter 1, as shown in Table 3. The decrease in the number of matters continued compared with the 2021-2022 (77 matters) and 2020-2021 (107) financial years.

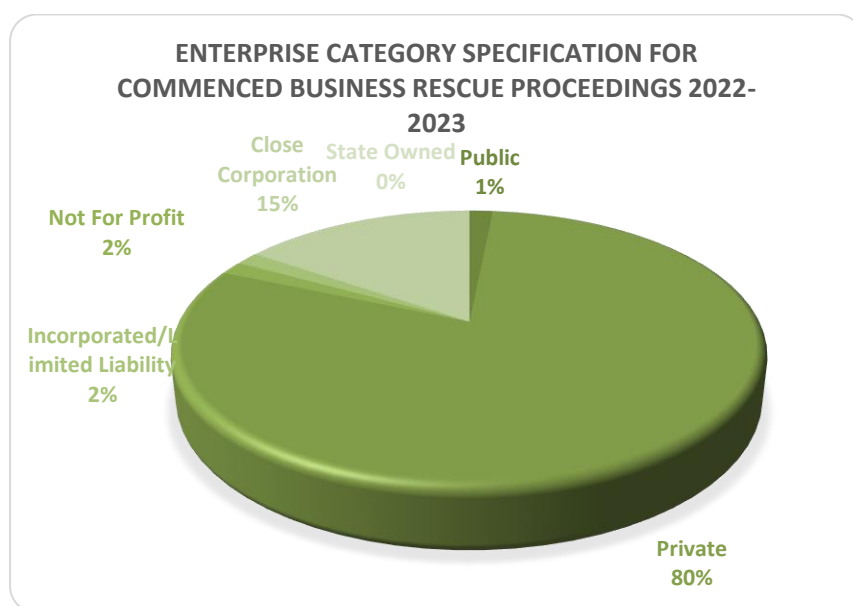
**Table 3: Business Rescue Commenced in each month over the years (2011 – 2023)**

Year/Month	April	May	June	July	August	September	October	November	December	January	February	March	Grand Total
2011-2012	2	7	27	16	33	66	21	35	48	60	39	29	383
2012-2013	32	44	23	21	57	53	46	49	18	18	37	42	440
2013-2014	31	44	34	43	44	29	47	28	9	36	34	30	409
2014-2015	23	34	33	31	54	35	43	34	25	28	24	49	413
2015-2016	40	32	22	67	55	35	57	51	16	20	47	39	481
2016-2017	27	40	35	39	41	29	33	33	21	19	28	30	375
2017-2018	16	27	42	26	33	35	32	46	19	25	31	30	362
2018-2019	18	41	27	39	29	30	22	18	20	26	48	31	349
2019-2020	28	26	33	35	27	31	36	29	11	26	47	44	373
2020-2021	18	59	30	44	16	36	30	33	14	30	30	33	373
2021-2022	20	38	18	18	37	51	32	33	10	22	21	47	347
2022-2023	19	23	23										65
<b>Grand Total</b>	<b>274</b>	<b>415</b>	<b>347</b>	<b>379</b>	<b>426</b>	<b>430</b>	<b>399</b>	<b>389</b>	<b>211</b>	<b>310</b>	<b>386</b>	<b>404</b>	<b>4370</b>

**Figure 5: Volume of Business Rescue Proceedings**



**Figure 6: Enterprise Category Specification for commenced Business Rescue Proceedings 2022-23**



Unfortunately, the efficiency of processing has not yet increased due to the rework for new matters. Service Delivery turnaround time was 80% for quarter 1.

***(iii) Corporate Compliance and Disclosure Regulation***

**Quarter 1**

During 2022/23 Quarter 1, the CIPC continued to monitor compliance and disclosure according to the provisions of the Companies Act, 2008 (Act No. 71 of 2008). During Q1 of 2022/23 the focus of the XBRL Programme was mainly twofold; to stay abreast with the latest developments of accounting

standards (by starting work on the CIPC taxonomy to incorporate the latest release of IFRS), and to extend the CIPCs reach of digital regulation by launching a pilot project for Co-operatives to start using XBRL.

In terms of XBRL filings, for Q1 as on 30 June 2022, the following filing statistics were observed:

- Total number of filings since implementation of XBRL = 53 197
- Total number of unique filings since implementation of XBRL = 25 617
- Total number of filings for Q1 2022/23 = 2 930
- IFRS-Full filings since implementation of XBRL = 26 699
- IFRS-SME filings since implementation of XBRL = 26 475
- GRAP filings since pilot implementation of GRAP = 21
- Co-operative filings since pilot implementation of Co-ops = 2

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

**Table 4: Annual Financial Statements**

Statistics	Description
<b>Quarter 1</b>	
<b>2930</b>	Annual Financial statements received
<b>174</b>	Annual financial statements reviewed
*	Pro-active investigations

\*No Proactive cases were allocated in this quarter due to the public companies that are being pursued from Quarter 4.

#### Quarter 1

The monthly (13.3%) comparisons reveals an increase in filings during the month of June of 13.3% against the May filings.

#### Reported irregularities

#### Quarter 1

The RI stream amended a business process to implement the use of CoR 135.2 Notice of Non-Investigation of Complaint with effect from 01 of July. The RI work stream during Q2 will publish an article on which the common cases will be analysed.

**Table 5: Reportable Irregularities 2022/23**

	Q1
<b>Opening Balance</b>	294
<b>Cases Received</b>	26
<b>Closed Cases</b>	19
<b>Closing Balance</b>	301

## High Profile Companies under Investigation

### Quarter 1

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

<b>High Impact Cases</b>
<b>Quarter 1</b>
<b>Nova PropGrow Group Limited (Compliance Notice Stages)</b>
<b>GUD Holdings (Tribunal decision taken on review at High Court)</b>

### **Independent Review: Regulation 29**

An increased number of closed matters during this quarter more than the allocated matters, after a productivity measurement tool was agreed to and shared for use. Professional bodies in the accounting sector were also engaged on the practice note that was issued to strengthen the Regulation 29(12) reporting requirements.

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

	<b>Q1</b>
<b>Opening Balance</b>	<b>192</b>
<b>Allocated</b>	<b>30</b>
<b>Total Closed</b>	<b>39</b>
<b>Closing Balance</b>	<b>183</b>

### **Cold cases**

**Table 8: Cold Case Matters**

	<b>Q1</b>
<b>Administrative fine</b>	
<b>Opening balance</b>	<b>22</b>
<b>Order granted</b>	<b>4</b>
<b>Settlement order/offer</b>	<b>2</b>
<b>Opposed</b>	<b>4</b>
<b>Removed from the list</b>	<b>4</b>
<b>Currently in court/set down</b>	<b>5</b>
<b>Closing balance</b>	<b>9</b>

### Quarter 1

### **Prospectuses**

The prospectus stream also administers Employee Share Schemes as prescribed in the Companies Act and for Q1, 11 CoR46.1 filings were made, there were also Annual Certificates of Employee Share Schemes, which were filed using CoR46.2, the volume of which was 13 during Q1.

**Table 9: Prospectus**

<b>COMPANY NAME</b>	<b>PROSPECTUS</b>	<b>FINAL PROSPECTUS</b>	<b>CURRENT STATUS</b>
<b>Quarter 1</b>			

COMPANY NAME	PROSPECTUS	FINAL PROSPECTUS	CURRENT STATUS
SILVERLEAF INVESTMENTS LIMITED		FINAL	REGISTERED
HP HOUSE EP20 LIMITED		FINAL	REGISTERED
SAXON SQUARE EP20 LIMITED		FINAL	REGISTERED
RALTECH LIMITED		FINAL	REGISTERED
CAPITAL ON BATH EP 19 LIMITED		FINAL	REGISTERED
CARRINGTON EP18 LIMITED		FINAL	REGISTERED
CROWDPROP (RF) LIMITED		FINAL	REGISTERED
WESTBROOKE RHYTHM GROWTH OPPORTUNITIES FUND PLC		DRAFT	PENDING
CILO CYBIN HOLDINGS LIMITED		DRAFT	PENDING

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

**Table 11: 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>	71	24	32	15

**(v) IP Enforcement**

**Quarter 1**

Crucial activities included relooking at the future of the CIPC's enforcement structures tools and offerings. CIPC is one of the main players that ensure proper alignment of strategic direction throughout IP enforcement agencies.

See Section 8 for a detailed Copyright and IP Enforcement Report.

**2.1.4 Education and Awareness**

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

**Quarter 1**

The unit participated in 6 events and 16 webinars on invite during the quarter. On 27 June 2022, the unit participated in a Deputy Minister Information Sharing Session at the eDumbe Local Municipality in Kwa Zulu Natal. During the event a presentation was made on CIPC products and services and the public was assisted with CIPC services. Included in the total number of webinars were ten webinars hosted by the Presidency for Women in Business in which the unit participated.

Service provider was appointed to support the elearning platform to correct challenges that makes it difficult for customers to use the system.

**(ii) IP Education and Awareness**

**Quarter 1**

During this reporting period, the IP education and awareness unit held at 20 (twenty) IP sessions, the sessions were both virtual and physical. It was during this quarter that the unit forged a strategic partnership with National Youth Development Agency and at least two sessions were held which allowed CIPC to disseminate IP information to the youth from nearby townships such as Attridgeville, Mamelodi, Soshanguve and Hammanskral. The audience consisted of young women who were encouraged to invade the entrepreneurial space using IP as a tool.

Other sessions which were technical in nature were held with the federations and organizations representing film producers to encourage film applications and registrations.

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

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

**Table 12: 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	Not Determinable
	Calls answered (%)	33 633
<b>Query Resolution System</b>	Queries received	40 484
	Queries closed	39 381
	Queries closed within 10 days	95%
<b>Facebook</b>	Queries received	12 000
	Queries resolved (%)	10 000
<b>Twitter</b>	Queries received	3600
	Queries resolved (%)	2800

**Quarter 1**

The Call centre answered 33 633 calls during Quarter 1. This is an increase of 5 053 calls answered for the quarter in comparison to Quarter 1 of 2021/22. One of the reasons for the increase is the appointment of 4 new staff members during Q2 (2 staff members) and Q3 (2 staff members) of the 2021/22 financial year.

Customers logged 40 484 tickets during Quarter 1 of the financial year on the Query Resolution system. This is an increase of 1923 tickets in relation to the first quarter of 2021/22 financial year. Ninety five percent of tickets received, were closed within the 10 days turnaround time.

Social media queries received during the reporting period aggregated to 15 600, and 12800 queries were resolved, i.e., 82% of the received queries. Facebook received more queries than Twitter.

Similarly, Majority of responded queries were from Facebook, as opposed to Twitter. The average turnaround time for Facebook was 5h 2m, and Twitter was 4h 19m.

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## (ii) Service centres

**Table 12: Self Service Centers' (Pretoria, Johannesburg and Cape Town) Traffic – Quarter 1 & 2**

	Quarter 1 Pretoria	Johannesburg	Cape Town	TOTAL
<b>Company Registrations</b>	732	1640	2235	4607
<b>Create Customer Codes</b>	1083	1715	2229	5027
<b>Re-set Password</b>	1159	334	2088	3581
<b>Name Reservations</b>	207	559	2091	2857
<b>Annual Returns</b>	2586	1636	1868	6090
<b>IP</b>	472	170	79	721
<b>Director Amendments</b>	88	51	113	252
<b>Member Amendments</b>	0	33	20	53
<b>Auditor &amp; ACC Officers</b>	0	0	0	0
<b>CO &amp; CC address</b>	102	155	4	261
<b>Cert and Disc</b>	453	1013	153	1619
<b>Ent Enquiry</b>	496	1093	911	2500
<b>Name Change</b>	173	125	214	512
<b>Name Transfer</b>	0	9	10	19
<b>Customer Transactions</b>	587	0	0	587
<b>General/Other</b>	916	1738	2072	4725
<b>Walk-in's</b>	<b>9094</b>	<b>10271</b>	<b>14087</b>	<b>33452</b>

### 2.1.6 Disclosure

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

	Q1
<b>Disclosure Request received</b>	4 405
<b>Received plus carried over</b>	4 603
<b>Disclosure request completed</b>	4 223
<b>Outstanding tickets</b>	380
<b>Disclosure request billed</b>	2 462

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

	Q1
Disclosure Request Received	2 030
Disclosure Request received plus carried over	2 736
Disclosure Requests completed	2 053
Duplicate requests	113
Outstanding	683

**Table 15: Disclosure Query Resolution**

	Closed within TAT	Closed outside TAT	Total tickets closed for the quarter	%Inside TAT	% outside TAT	Average TAT
Q1	3 223	802	4 025	80.1	19.9	8,7 days

### 2.1.7 Modernisation, Automation and 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), as well as social media (Facebook, Twitter, You Tube and Telegram). 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.

**Table 16: CIPC Channels & services offered** show services offered in each channel.

**Table 16: CIPC Channels and services offered**

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

Services/Channels	E-service Website	SSCs and Partner Sites (SSTs)	Banks (FNB, Nedbank, ABSA)	BIZPORTAL
AFS filing	Yes – XBRL portal	No	No	No

**Table 17: Partner Sites** show the CIPC partner sites where self-service terminals (SSTs) are hosted:

**Table 17: 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 18: Channels and Services Available 24/7** shows the CIPC channels and service available 24/7 as at 30 June 2021.

**Table 18: Channels and Services Available 24/7**

Channels available 24/7	Services available 24/7per channel
1. CIPC Website	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
2. CIPC Mobile App	Company registration Company name reservation Annual Returns BB-BEE certificate Booking Disclosure Certificates Shopping Cart
3. BizPortal & Banks	Company Registration Company name reservation Domain Name Registrations BB-BEE certificate Company and close corporation address changes

Channels available 24/7	Services available 24/7per channel
	Company name change Company and Close Corporation Annual Returns
<b>4. SSTs</b>	Company Registration Password re-set Enterprise Enquiry Company name Reservation Company and close corporation address changes BB-BEE registration for exempted micro enterprises Domain names Electronic Disclosure Company Name Change Customer transaction Annual Returns Amend Co Director Details Amend CC Member Details
<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

### **Quarter 1**

During the third quarter term, the organisation introduced Artificial Intelligence through a ChatBot on its website. The bot is being refined in the fourth quarter and phase 1 of three is being piloted. The idea is to have phase 2 of three implemented in the first quarter of 2022/3. The implementation of the second phase of the bot is being halted while the organisation is implementing an updated telephony system, which enables seamless contact and communication through modern tools and soft phone functionality.

All efforts are being directed to an enhance electronic filing platform and within the second quarter of the year the organisation will be making announcements about the enhancement of all electronic channels i.e. the Bizportal and the e-services platform.

In the last term, the organisation hosted a SADC virtual conference with registries from within the SADC region the SADC sub-region, viz. Mozambique, Angola, e-Swatini, Malawi, Zimbabwe as well as delegates from the Indian Ocean Islands of Seychelles and Mauritius and delegates from Nigeria and Gambia. Speakers came from Botswana (CIPA), Namibia (BIPA and the Revenue Agency), Mauritius (Registrar of Companies), Lesotho (OSFC), Kenya (Kenya Anti-Counterfeiting Authority) that shared their respective registries and countries' experience of adapting to new ways of conducting business as a consequence of the Covid-19 Pandemic. Topics of discussion included the use of technology to

improve compliance, progress towards the development of beneficial ownership repository and intellectual property enforcement in the digital environment. The delegates shared best practices and innovation triggered by the eruption of the Covid-19 Pandemic.

**Table 19: Progress Report on Migration to New E-services**

<b>SERVICE</b>	<b>Quarter 1</b>
Customer registration	100%
Customer login	
Password reset	100%
Foreigner verification	100%
Private company registration	100%
Non-profit company registration	100%
Proposed name reservation	100%
Defensive names	100%
Proposed name extension	100%
Proposed name transfer	100%
Company name changes	100%
Company director amendments	100%
Close corporation member amendments	100%
Company & CC annual returns	100%
Company & CC address changes	100%
Company share changes	100%
PI score calculator	100%
FAS	100%
AFS	100%
AFS downloads	100%
Certificates downloads	100%
Financial year end changes	100%
Company auditor changes	100%
Enterprise search	100%
B-BBEE certificates	100%
Compensation fund & UIF registration	100%
Business bank accounts	100%
POPIA [Phase 1]	100%
Card payments	100%
Co-operative annual returns	Q3
Business rescue	Q4
Compliance Checklist	100%
Back-office & Workflow	Ongoing

## 2.2 Organizational Environment

### 2.2.1 Governance, Compliance and Risk

See Section 4.

### 2.2.2 Investigations and Anti-corruption

See Section 4.

### 2.2.3 Industrial/Labour relations issues

Table 20: Labour Relations Issues

	Quarter 1
Misconduct cases under investigation	1
Misconduct cases at a disciplinary hearing stage	3
Warnings	0
Grievances finalised	0
Labour disputes at CCMA	4
Labour disputes at GPSSSBC	1
Labour disputes at Labour Court stage pending	5

### 2.2.4 Appointments, Resignations, Retirements, Terminations

Table 21: Appointments, Resignations, Retirements and Terminations

	Quarter 1
Appointments	4
Resignations	3
Retirements	1
Terminations	0

### 2.2.5 Discontinued activities / activities to be discontinued

None.

### 2.2.6 New or proposed activities

None.

### 2.2.7 Facilities and Security

#### Quarter 1.

**Compliance to Miss and PFMA (Loss Control Policy)** - policy draft is complete and will be send for further perusal to the Executive Manager: Corporate Service prior to tabling at Labour, Manco, etc.

**Compliance to MISS and PFMA (CCTV system)** - Procurement process underway with RFQ send out on the 04 July 2022 and closed 08 July 2022.

**Compliance to MISS and PFMA (Physical Security) (OPS)** - Security appraisal report was send to the "the dtic" for implementation. Implementation meeting were held with the "the dtic", SAPS, and CIPC and Variation order will be triggered with Rainprop/Broll. **The implementation is dependent on the "the dtic" and Broll.**

**Appointment of security guarding (Johannesburg)** - National Treasury issued an instruction to haul advertising of tender. Thus, a normal procurement (RFQ) process is underway and on evaluation stage.

**Appointment of security Guarding (Pretoria SSC)** - BAC approved the Tor and submission requesting advertising of tender is underway.

**Appointment of security guarding service (Cape Town)** - BAC approved the terms of reference and submission requesting for permission to advertise tender is underway.

**Compliance to OHS Committee** - Committee members were nominated accordingly with training underway and expected to be finalised on the 14 July 2022. The first awareness programme is scheduled for the month of July 2022, and first aid boxes installed accordingly.

**Compliance with facilities and accommodation services:** - Normal procurement (RFQ) process are underway and on the evaluation stage. The first RFQ process was unsuccessful, thus the procurement was re-start. The procurement is anticipated to be finalised in the next week.

**Compliance with facilities and accommodation services:-** Terms of reference are done and procurement process (RFQ) invites schedule to be sent out in the next week.

**Katanga Parking Contract:** Procurement process was initiated and due to contractual issues between Rainprop (Landlord), Broll (Facilities Service provider appointed by Rainprop) and the "the dtic" procurement process was halted until further notice.

## 2.2.7 Media analysis/campaign/strategies

### Quarter 1

The CIPC has been making efforts to build and maintain its reputation as a credible and reputable registrar and regulator of companies. Efforts to build and protect our reputation are related to media management.

The CIPC leverages opportunities of receiving free publicity through engaging media on highlights and milestones that the CIPC achieves. Some of the engagements is to state the CIPC position on matters that impact our reputation. We also regularly monitor media coverage to track CIPC reputation; track the effectiveness of media releases and gauge media sentiments on the coverage of CIPC stories; and to identify matters that are likely to become issues, and take corrective action.

### **Proactive news sharing**

In the period under review, the CIPC leveraged media platforms to position the organisation as a modern regulator. Media releases were issued regarding the following issues/highlights:

#### **April 2022**

##### **1. THE CELEBRATION OF WORLD INTELLECTUAL PROPERTY DAY ON 26<sup>TH</sup> APRIL 2022**

The CIPC, NIPMO, the dtic, DSI, the University of Mpumalanga (UMP), TIA and SEDA hosts the World Intellectual Property Day on the 26<sup>th</sup> of April 2022 celebrations.

#### **May 2022**

##### **2. CIPC HOSTS THE SADC COMPANIES REGISTRIES' AND IP ENFORCEMENT AGENCIES CONFERENCE**

The Companies and Intellectual Property Commission (CIPC), responsible for company registrations and the protection of Intellectual Property hosts a Southern Africa's Development Community (SADC) Companies Registries' and Intellectual Property enforcement agencies' virtual Conference on Tuesday, the 17<sup>th</sup> of May 2022, under the theme: ***the agility of Companies and IP Registries within the context of the Covid-19 pandemic.***

#### **June 2022**

##### **3. CIPC REMINDS BUSINESS PRACTITIONERS OF THEIR DUTY TO FILE AFS THROUGH XBRL**

The CIPC reminds business entities and business practitioners of the requirement to file their Annual Financial Statements (AFS) through eXtensible Business Reporting Language (XBRL).

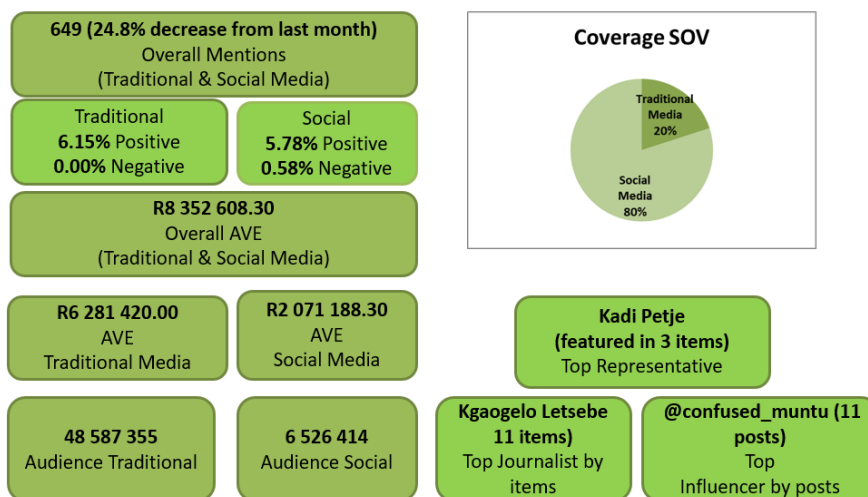
## Media coverage: April to June 2022

Media monitoring also enables the organisation to determine the Advertising Value Equivalent (AVE) for the CIPC. Advertising Value Equivalent (better known as AVE), is the monetary value of what it would cost to place your editorial content as an advert. It was created to give Public Relations (PR) professionals a measurable context in the communications and marketing sphere, originally comparing it against brand advertising. An arbitrary multiplier is often applied, justified on the basis that editorial content has greater credibility and is valued more by consumers than advertising space.

Media monitoring includes “traditional” media such as print, broadcast and online as well as “new” media such as blogs, social media sites, etc. Table. 1 below, illustrates media coverage in April 2022.

Table 22: Media Coverage Overview – April – June 2022

### 1. Media Coverage Overview



Note that Traditional Media encompasses print, broadcast and online sources.

In the period under review, coverage in both traditional and social media was mostly neutral in tone. As expected, company registration matters had the most neutral mentions across social and traditional media platforms. There were also social media mentions linked to the CIPC website being down.

The World Intellectual Property Day celebrations drove discussion in both traditional and social media. Other positive coverage in traditional media involved the CIPC's partnership with the National Small Business Chamber (NSBC).

Negative remarks only came from social media: @DalitsoChandi who complained about problems with filing of AFS.

There is no media monitoring coverage for May as the department was transitioning between service providers. The term for the previous provider ended at end April and the new provider started in June.

## June media coverage

### Traditional Media –

In June 2022, the Companies and Intellectual Property Commission generated 168 traditional media items with a combined advertising value equivalent (AVE) of R13 164 110 and an estimated reach of 10 478 773.

**Print media** generated 84 articles (50%), broadcast generated 2 media clips (1%) and online 82 articles (49%). Of these, 9% (15 items) were positive, 87% (147) were neutral and 4% (6) were negative.

**Social Media** generated 955 items with a combined advertising value equivalent (AVE) of R2 832 197 and an estimated reach of 5 649 809. Of these items 27% (255 clips) were positive, 66% (629) were neutral, 0% (2) were mixed and 7% (69) were negative.

### *Prominent coverage highlights were:*

- How to play in the township economy. “SSMEs, cooperatives, and start-ups must be registered with the Companies and Intellectual Property Commission”
- What important points to look at if a trust holds a CC membership. “Because a trust is not a legal person, the trustees will be the member of the close corporation, not the trust. In the case of multiple trustees, an originally signed special power of attorney by each of the trustees appointing one of them as the representative of the trustees for purposes of holding and dealing with the members’ interests in the CC has to be lodged with CIPC”
- To create a world-class supply chain, the SA logistics industry needs a better, faster Know Your Customer. “Businesses in the logistics sector can action CIPC and credit searches, verify whether individuals appear on the worldwide PEP and sanctions lists – and have all this information integrated into one convenient report”
- When should a company consider business rescue? “The decision to seek business rescue can either come from within the company, such as a decision by the board or directors, or from outside advisors or lenders. When a company makes this decision, they will usually start by going to their attorneys who will guide them through the rest of the process and draft a resolution which will be filed with the Companies and Intellectual Property Commission (CIPC)”.

## 2.2.8 New challenges and risks identified in the quarter

### Quarter 1

#### **Expiry of contracts**

Due to the expiry of the StreamYard contract, we were not able to host webinars on corporate education and voluntary compliance during the quarter.

#### **Eskom Load Shedding**

During the hosting of webinars, loadshedding makes it difficult for attendees to log in.

### **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.

#### **Quarter 1**

There were no reported policy or legislative changes.

## 2.4 Progress towards achievement of institutional Impacts and Outcomes

For the five (5) year strategic period 2021/22 – 2025/26, the CIPC focuses on four (4) Impact Statements and as shown below:

### Quarter 1

#### 2.4.1 Impact Statement #1: A world-class modern regulator (Short Description)

**Impact Statement #1:** Building the required competencies and capabilities to become **a world-class modern regulator** that is fit-for-purpose, agile, adaptive, relevant, and ahead of the curve making a strategic contribution towards SA's improved competitiveness and growth.

**Table 23: Impact Statement #1 – Performance Table**

Outcome	Outcome Indicator	Baseline	Five year target ( 2025/26)	Progress as at 2022/23 Quarter 1
<b>Organisational competencies and capabilities</b>	Organisation Design (OD)	Service Provider appointed, and a Steering Committee established	OD completed	Gap analysis concluded. Solution design underway were the Commissioner is having one on one meeting with the Executives.
	Organisational Structure Implementation	Old Organisational Structure in place	Implementation of the new organisational structure completed	New Organisational structure is still being finalized.
	Number of staff with appropriate competencies	Skills audit to determine skills gap	All staff with appropriate competencies	Skills audit is completed waiting for consultation and approval.
	Policies reviewed to align to the CIPC Vision 2030 Strategy	11 policies were approved in 2020 including Voluntary Early Retirement Policy approved and implemented, Telecommuting policy approved, and training to prepare for implementation is underway	All relevant policies reviewed to align to the CIPC Vision 2030 Strategy	A policy register is kept and monitored. 42 out of 55 policies are up to date.
	Number of ICT systems modernized (migration to modern platforms)	Migration to K2 and IPAS underway	All ICT systems modernized (migrated to modern platforms – K2 & IPAS)	29
	Percentage of processes automated	29% automated (excluding internally focused processes)	100% processes automated	7 processes fully automated PI score calculator Location of records AFS Downloads Foreigner Assurance

Outcome	Outcome Indicator	Baseline	Five year target ( 2025/26)	Progress as at 2022/23 Quarter 1
				Private Company Registration Non profit company registration Company Director Amendments CC Member Amendments
<b>Organisational effectiveness</b>	Out of 10 customer and stakeholder score	7.4	8	8 (2020/21 Survey)
	Financial Sustainability	To be determined	Good financial standing	No report

#### 2.4.2 Impact Statement #2: Ease of doing business in SA (Short Description)

**Impact Statement #2:** 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.

**Table 24: Impact Statement #2 – Performance Table**

Outcome	Outcome Indicator	Baseline	Five year target ( 2025/26)	Progress 2022/23 Quarter 1
<b>Reduced administrative compliance burden for companies and IP owners</b>	Turnaround times for key services	See Table on Services available 24/7	Less than 1 day	See Table 1
	Number of services available 24/7	See Table 18	All services available 24/7	See Table 1
	Number of transacting channels operational 24/7	3 (CIPC Website, Mobile App, BizPortal)	Website, Mobile App, BizPortal, and any other existing channels at the time operational 24/7	6 transactional channels are operational Eservices New Eservices BizPortal Mobile App SST Website

### 2.4.3 Impact Statement #3: Investor confidence in SA businesses and innovations (Short Description)

**Impact Statement #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, contributing to business growth and sustainability.

**Table 25: Impact Statement #3 – Performance Table**

Outcome	Outcome Indicator	Baseline	Five year target ( 2025/26)	Progress – 2022/23 Quarter 1
<b>Reputable business and IP regulation environment</b>	Stage of development of the business ownership register	To be determined	Register functional	Internal Multi-Disciplinary Steering Committee Set up and approved; Business Case translated and registered as a Project; Training and capacitation of Steering Committee; Best practice requirements document sourced as feedback from Open Ownership; Internal and External Engagement with international experts
	Stage of development and implementation of investigations and enforcement strategy	To be determined	Development of the investigations and enforcement strategy completed, implemented.	CGSE will not focus only on the case received from public, but will be extended the focus on investigation on the Corporate Governance , Pro-active Surveillance and Enforcement. Three sub-units investigation strategy is being developed. Corporate Governance strategy; Pro-active Surveillance strategy and Enforcement strategy currently being benchmarked from best practice.
	List of compliance surveillance and enforcement capabilities developed	To be determined	Partnerships Business Intelligence Data analytics Integrated case management (automated) Training and Exposure	Initial meeting was held internally within CIPC to source the Case Management System. Plans are underway to improve intelligent reporting on the surveillance capability of the Compliance Checklist Tool.

Outcome	Outcome Indicator	Baseline	Five year target ( 2025/26)	Progress – 2022/23 Quarter 1
<b>Strengthening the validity of granted IPR (patents designs and copyright), and in doing so reduce litigation costs for the client</b>	The stage of Substantive Search Examination implementation	Patent examiners training underway	Substantive Search Examination implementation	Examiners commenced with the Experiential Learning Program (ELP). Each examiner produced an average of 6 reports. Some of the non-binding reports were issued to the participating law firms.
<b>Businesses (and potential business owners) and innovators supported (including reducing IP filing costs)</b>	List of Programmes to support businesses (and potential business owners) and IP creators and owners supported	Programmes in place: 1. Webinar information sessions in collaboration with SEDA and others 2. IP for SMMEs 3. Inventor Assistance Programme (Reduce filing costs)	Programmes to support business and innovators in place.	Marumo: -The unit participated in 16 webinars on invite from stakeholders such as the Presidency, SEDA, NYDA and ProudlySA. -Facilitated appointment of service provider to support the elearning programme.  Mavis/Thandanani (IAP): The IAP program continues to assist SMME and individual applicants to file for the protection of their inventions. Two screening committee meetings were held in Q1 and one application was referred for pairing with pro bono patent attorney.
	Number of businesses supported	To be determined	To be determined	Marumo: Depends on resource availability and influx of invites.
	Number of persons supported	To be determined	To be determined	Marumo: Depends on resource availability and influx of invites.
<b>Increased awareness of business and IP protection laws, regulations, and processes</b>	Number of education and awareness programmes	Programmes in place: 1. Education and awareness of relevant ACTS, regulations, and amendments	Education and awareness programmes in place	Marumo: -Collaborate with Presidency focusing on Women Owned Businesses. -Working with municipalities to access people in rural areas.

Outcome	Outcome Indicator	Baseline	Five year target ( 2025/26)	Progress – 2022/23 Quarter 1
		2. IP for Kids, for Schools, and for Institutes of Higher Learning		-Participated in the dtic Deputy Minister Outreach Programme event.
	Number of persons reached	To be determined	To be determined	Marumo: Depends on resource availability and influx of invites.

#### 2.4.4 Impact Statement #4: Supported third party decision making

**Impact Statement #4: Support third party decision making** by leveraging knowledge assets and networks, extracted maximum value for the CIPC and its customers.

**Table 26: Impact Statement #4 – Performance Table**

Outcome	Outcome Indicator	Baseline	Five year target ( 2025/26)	Progress 2022/23 Quarter 1
<b>CIPC Data and system Integrity</b> - Data accuracy - Data security	Data inaccuracies (errors, inconsistencies, unusable data, duplicated data)	90% of historic data of the Past 10 years Data (2011 to 2021) cleansed (Baseline as at 30 June 2022)	90% of historic data of the Past 50 years Data (1971 to 2025) cleansed	90% of historic data of the Past 10 years Data (2011 to 2021) cleansed
	Data security (Implementation of the Information Security Management Framework)	Approved Information Security Management Framework (Baseline as at 30 June 2022)	Implement Initiatives as per the approved ISM Framework's roadmap	Approved Information Security Management Framework
<b>Data sharing strategy</b> - IPR Enforcement Data/Information Integration (All stakeholders) - Collaborate on data exchange to maximize benefits from data collected such triangulation	Data gathering tools - Mobile App - Data repository & data exchange (Collaboration)	Mobile App launched	Mobile APP Data repository & data exchange (Collaboration)	Mobile App Launched

### **3. Performance against the APP**

#### **3.1 Progress made against unachieved targets in the previous quarter – N/A**

##### **3.1.1 Programme 1: Service Delivery and Access**

##### **3.1.2 Programme 2: Innovation & Creativity Promotion**

##### **3.1.3 Programme 3: Business Regulation and Reputation**

### 3.2 Progress made against current quarterly milestones

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

Output	Performance Indicator/Measure	Annual Target 2022/23	Quarter 1 Milestone	Quarter 1 Actual Performance	Reasons for variance	Planned Action
Implement Organisation Design Outcome (Review of Performance Management Policy)	Performance Management Policy Document	Performance Management Policy reviewed	Engagement with Stakeholders	Not achieved. Between 28 -30 June 2022, MANCO was requested to make inputs into the reviewed policy.		
Clean audit report	AG Audit Outcome	Clean Audit	-	N/A	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	8	-	N/A	N/A	N/A
Customer satisfaction at the call centre	% - average call centre customer satisfaction	7.7	7.5	8.1	Communicate each staff member's customer satisfaction score and emphasise the importance of customer satisfaction	N/A
E-communication satisfaction	% customer satisfaction on e-communication	70%	65%	73%	Continued improvement of communication channels between staff members, and regular feedback on performance.	N/A
SSCs customer satisfaction	% customer satisfaction on SSCs	75%	75%	90%	SSC staff constantly engaging with customers and ensuring queries are resolved	N/A

Output	Performance Indicator/Measure	Annual Target 2022/23	Quarter 1 Milestone	Quarter 1 Actual Performance	Reasons for variance	Planned Action
Additional municipalities serviced through existing partnerships with provincial economic development departments, with SSC and SST expanded presence at municipalities	Number of additional unicipalities that have SSCs or SSTs	5	-	N/A	N/A	N/A
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%	95%	Continued liaison with units not meeting the expected turnaround times	N/A
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	96%	95%	83%	The unit was understaffed due to the abasence of two team members.	
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	65%	60%	78%	Twitter messages were lower	N/A
Availability of Secure ICT systems and effective infrastructure	% of business objectives of automation and integration of business processes through technology (Automated company registration & automated BI reports)	80%	80%	Not achieved	Automation of Companies- Development concluded by Q1.	Release planned for 25 July 2022. Release pending DHA Connectivity issues

Output	Performance Indicator/Measure	Annual Target 2022/23	Quarter 1 Milestone	Quarter 1 Actual Performance	Reasons for variance	Planned Action
Implement ICT Strategy	% implementation of ICT strategy (Out of 6 Service Catalogue items)	80%	16% (1)	Not achieved		
Reduced turnaround time to resolve queries received through the QRS – 10 working days	Average turnaround time to resolve queries received through the QRS	7	8	3	Emphasise the importance of customer service and exceeding the turnaround times	N/A
Reduced turnaround time to resolve queries received through Facebook (working days)	Average turnaround time to resolve queries received through Facebook (hours)	12	24	5h 2m	Rationing was introduced during the reporting period to evenly spread staff responses throughout the day.	N/A
Reduced turnaround time to resolve queries received through Twitter	Average turnaround time to resolve queries received through Twitter (hours)	12	24	4h 19m	Rationing was introduced during the reporting period to evenly spread staff responses throughout the day.	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 identified for automation on Mobile/Chat-Bot platform	4	1	0	Mobile/Chatbot currently on hold due to lack of resources	Advertise tender for resources (Q2) Revise quarterly milestones
Shared Services Portal through Bizportal	API Gateway and Management Platform implemented	API in place	Steercom operational	0	On hold pending feedback from BAC on pricing	Commence development once approval is received from BAC on the API Tool acquisition.  Revise Quarterly milestones

### 3.2.2 Programme 2: Innovation & Creativity Promotion

Output +A2:G6	Performance Indicator/Measure	Annual 2022/23 Target	1st Quarter Milestone	1st Quarter Actual Achievement	Reasons for Variance	Planned Action
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	24	6	6	N/A	N/A
	Number of SSE Training initiatives undertaken	4	1	3	N/A	N/A
Inventor Assistance Programme Implemented	Number of IAP Review Committee meetings to screen applications	4	1	2	Two meetings were held instead of 1 - the 1st was held in April to fast track the finalisation of outstanding applications in the last financial year.	N/A
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	4	1	3	There were three capacity building workshops to focus on licensing, collection and distribution of royalty with IMPRA, SAMPRA, DALRO and CAPASSO. It was necessary to do all in one Quarter	N/A

Output +A2:G6	Performance Indicator/Measure	Annual 2022/23 Target	1st Quarter Milestone	1st Quarter Actual Achievement	Reasons for Variance	Planned Action
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	36	10	21	The stakeholders responded positively during this quarter	N/A
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	5	4		
Increase capacity in Law Enforcement Agencies	Number of Law Enforcement training sessions	4	1	2		N/A

### 3.2.3 Programme 3: Business Regulation and Reputation

Output	Performance Indicator	2022/23 Annual Target	1 <sup>st</sup> Quarter Milestones	1st Quarter Actual Achievement	Reasons for Variance	Planned Action
Research paper on the status of business rescue in South Africa, reflecting inter alia the triggers for financial distress, business rescue and the achievement of providing an efficient recovery mechanism for companies and close corporations	Research paper on the status of business rescue in South Africa	Final Research Paper by 31 December 2022	-	N/A	N/A	N/A
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	N/A	N/A
Reduction in the average number of days to register a co-operative from the date of receipt of a complete application.	The average number of days to register a co-operative from the date of receipt of a complete application.	1	1	1	N/A	N/A
CIPC Learning Academy Business Case	Business Case	Draft Business Case presented to the CIPC Learning Academy Steering Committee	-	N/A	N/A	N/A

Output	Performance Indicator	2022/23 Annual Target	1 <sup>st</sup> Quarter Milestones	1st Quarter Actual Achievement	Reasons for Variance	Planned Action
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	30	10	22	A high number of requests for participations in webinars and events were received.	N/A
Automated Beneficial Ownership Register (Strengthened financial system and ownership transparency for SA registered entities)	Stage of development of the Beneficial Ownership Register	Beneficial Ownership Registration System	Research Report and Business Requirements Document	The Q1 milestone (Research Report and Requirements Document) was not achieved per se, however the activities below were achieved laying foundation for the two deliverables. Activities achieved: Internal Multi-Disciplinary Steering Committee Set up and approved; Business Case translated and registered as a Project; Training and capacitation of Steering Committee; Best practice requirements document sourced as feedback from Open Ownership; Internal and External Engagement with international experts	The reported activities had to be finalised prior to delivering the Research Report and Requirements document	Increase focus to remediate timelines as per action plan. EPMO confirmed that the engagement to consolidate the initial project actions to be undertaken in Q2, viz. Requirement Definition Sessions

Output	Performance Indicator	2022/23 Annual Target	1 <sup>st</sup> Quarter Milestones	1st Quarter Actual Achievement	Reasons for Variance	Planned Action
Pro-Active Investigations and monitoring of possible offences to increase efficiency	Number of Pro-Active Investigations in response to contraventions of Companies Act No 71 of 2008 on Companies identified on State Capture Commission Report;	2	0	N/A	N/A	N/A
Number of targeted proactive investigations	Number of targeted proactive investigations	3	-	N/A	N/A	N/A

## 4. Governance, Risk and Compliance Quarterly Report (01 April – 30 June 2022)

### 1. PURPOSE

The purpose of this report is to provide a summary of work carried out by the GRC division in quarter 4 (01 April - 30 June 2022).

### 2. HIGHLIGHTS

#### 2.1 Summary of achievements for the quarter.

- Reviewed Delegation of Authority Framework
- Reviewed Compliance framework and Universe
- Appointment of a new hotline management company
- Development of the 3<sup>rd</sup> Party Risk Framework and Program

### 3. MATTERS FOR CONSIDERATION

The Committee to consider recommendations to amend the strategic risk register in line with paragraphs 5.3 and 5.4 of this report. The recommendation relates to the removal from as well as rephrasing and addition of risks to the register.

### 4. GOVERNANCE

#### 4.1 Implementation of Governance Framework

4.1.1 The Divisional Managers Committee's Charter has been revised in line with the changes approved by EXCO. The process of aligning the revised charter with the governance framework is underway.

#### 4.2 Status of Policies as at 30 June 2022

*Figure 1*

Division	No of policies	Up to date	Due for review	New Policies	In progress
HR	15	12	1	0	2
BISG	11	10	0	1	0
Finance	8	8	0	0	0
Facilities and security	5	2	3	0	0
Client engagement	1	1	0	0	0

Division	No of policies	Up to date	Due for review	New Policies	In progress
GRC	7	7	0	0	0
Strategy	5	2	1	2	0
<b>TOTAL</b>	<b>52</b>	<b>42</b>	<b>5</b>	<b>3</b>	<b>2</b>

### 4.3 Declaration of Interest

4.3.1 Implementation of the Declaration of Interest Policy is underway. The policy which became effective 01 April 2022 requires all employees including contract employees and interns to submit declaration forms as apposed to only the senior management echelon. The closing date for submissions was 31 May 2022.

4.3.2 As part of corporate governance and to manage risk arising from associations, the process to declare possible/actual interest(s) serves a a mechanism to detect potential conflicts which may exist there empowreng authorities to manage associated risks. As the process has recently commenced, no verification of information submitted has been conducted.

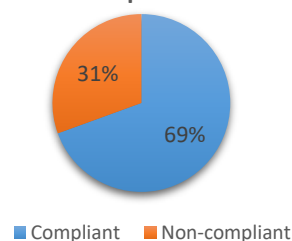
4.3.3 The status of compliance at at 30 June 2022 is shown below:

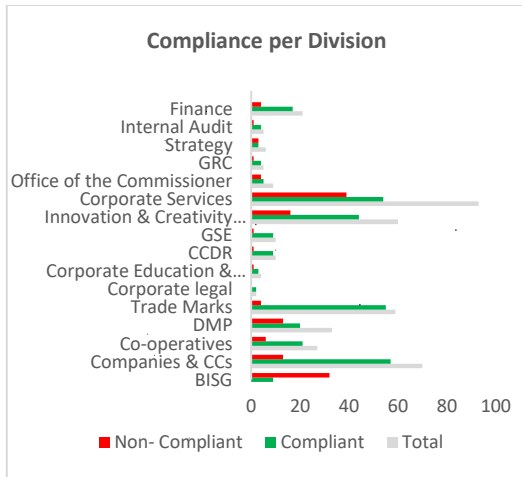
Figure 2

- The compliance for the period was at 69 %. The statistic does not include contractors and interns as these were still being compiled at the time of reporting.
- Although non-compliance compliance is still high, it may have been exacerbated by the May/June period where most employees usually take annual and study leave.
- The information submitted has not yet been verified. The approval process for most of the submissions is yet to be concluded.

Status of compliance as at 30 June 2022	All employees	Snr Management statistics
Compliant	316	25
Non-compliant	139	12
Total	455	37

% Compliance





Category of declaration	# of staff
Directorship and Partnership non-remunerated	70
Directorship and Partnership remunerated	06

Based on the submitted declarations, 24% of employees declared directorship in other entities with only 2% receiving remuneration.

## 5 RISK MANAGEMENT MATTERS

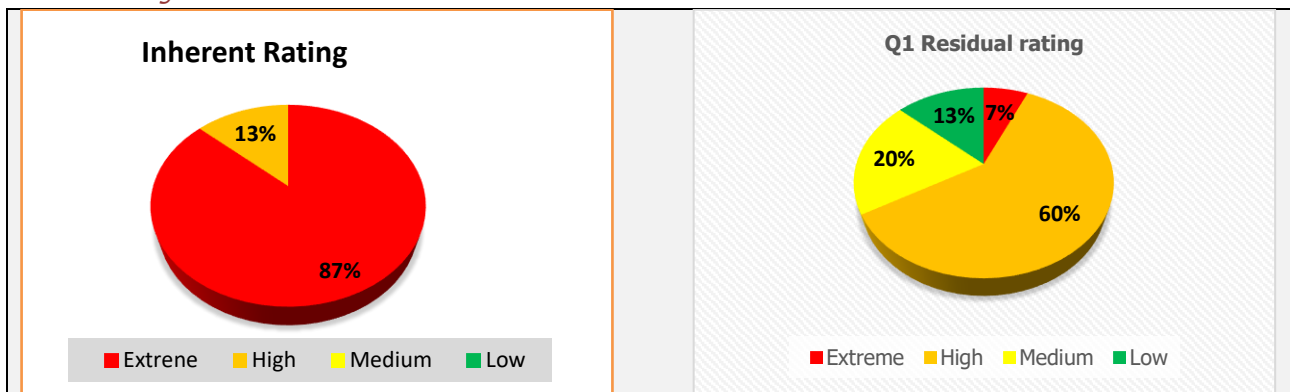
### 5.1 Overview

This section provides progress on the management of strategic and operational risks during the reporting period. Progress on the implementation of strategic mitigating actions planned for Q1 is summarised under 5.2 and 5.3 below.

### 5.2 Strategic Risk Dashboard

The strategic risk dashboard below provides a summary of the strategic risk ratings as at 30 June 2022.

Figure 3



# of risk indicators	Q1 indicator outcome			
	😊 = well managed	😬 = partially managed	😞 = Mitigations may be ineffective	🚫 = Not measured during the period.
26	20	4	1	1
100%	77%	15%	4%	4%

The current residual rating indicates an improvement from the previous quarter. However, a clear picture of the effectiveness and impact of controls implemented during the period on identified risks, alignment of the strategic risk register with the risk appetite and tolerance threshold should be considered. In comparison with the impact categories identified for strategic risks, the indicator profile summary of results for the reporting period suggests that while there are indicators which require attention, the CIPC is on the track in pursuit of its objectives whilst managing associated risks.

*Copies of the strategic risk register and risk tolerance dashboard are annexed herewith.*

### 5.3 Risk Movement Dashboard

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

*Figure 4*

Risk Name	Residual rating		Q1 progress
	01/04/22		30/06/22
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	Extreme		↔
6. Inadequate data integrity	High		↔
7. Ineffective governance and oversight over finance and supply chain management	Medium		↔
8. Financial sustainability	Medium		↔
9. Lack of optimal and professional organisational culture	High		↔
10. Ineffective people management	Medium		↔
11. Inadequate Accessibility of Intellectual Property (IP) services Programme	High		↔
12. Ineffective implementation of the substantive search and examination programme****	High		↔
13. Ineffective and inefficient enforcement	High		↔
14. Labour relations and stability thereof****	Medium		↑
15. Occupational Health and Safety****	Low		↔

**Note:** \*\*\*\* requires decision on relevance and/or rating.

Quarterly residual risk movements are shown in the above table to measure progress quarter over quarter. Seeing as this is the first quarter of the financial year, the assessment is based on the ratings at the beginning and end of the period. The quarter recorded an upward movement on one risk leaving the rest unchanged.

In relation to the three identified risks (\*\*\*\*) taking into consideration factors such as external factors, existing controls, the likelihood and the impact of the risks on the objectives, the Executive Committee deliberated and recommended that:

- Risk 12: the risk rating remains and be assessed in the next reporting period.
- Risk 14: The rating be lowered and the risk be rephrased to take into consideration the OD process which is underway.
- Risk 15: The risk in relation to covid-19 be removed from the strategic risk register to be managed operationally. However, there OHS risk maybe rephrased to take to consider other OHS related incidents.

#### 5.4 Emerging Risks

This section aims to provide a view of emerging risks identified during the report period. The objective is to look past existing risks to tomorrow’s emerging trends and devise strategies around these risks as well as seize available opportunities.

Emerging risks are newly developing risks that cannot yet be fully assessed but that could, in the future, affect the execution of CIPC’s strategy.

For the quarter under review, Exco discussed and recommended that the following risk be considered for inclusion in the strategic risk.

- Business interruptions- (Power outages, water shortages, third party issues, cyber issues, crime and vandalism, supply chain disruptions)

This risk may emanate from both the external and internal environments. One way to engage on the emerging risk is to consider national and global trends and focus on whether the critical assumptions underlying the CIPC strategy are becoming, or have become, invalid.

## 6. PROGRESS ON IMPLEMENTATION OF RISK AND FRAUD PLAN

6.1 This section highlights progress made on each of the planned activities for the quarter.

Figure 5

Activities	Planned	Q1 Status	Comments
<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 and tolerance statement review			
1.5 Conduct operational strategic and operational root cause analysis			

Activities	Planned	Q1 Status	Comments
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	✓		In progress
1.11 Review of BCM Risk register	✓		Conducted together with BCP
<b>2. Fraud Prevention</b>			
2.1 Fraud prevention plan review & approval			
2.2 Fraud Risk Register review	✓		
2.3 Implementation of the ethics plan in line with the ethics framework	✓		Preparations to hold a CIPC wide ethics campaign are underway.
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	✓		

**Key:**

Complete	In progress	Not done	Not planned for the period
----------	-------------	----------	----------------------------

A total of 14 activities were planned for the period. As at the end the quarter, 11 had been completed with the remainder still in progress. This represents 76% achievement for the quarter. Progress on the activities which are still in progress will be included in the next reporting cycle.

## 7. FRAUD PREVENTION

This section provides information and progress on fraud related complaints and cases. It further outlines channels through which complaints were received and gives a summary of the nature of allegations received during the reporting period.

## 7.1 Complaints received

*Figure 6* **01 Apr – 30 June 2022**

Balance 01/04/22	Adjustment 01/04/22	Adjusted balance	Calls logged Q1	Feedback Requests	Resolved	Balance 30/06/22
136	(41)	95	78	(7)	(31)	<b>135</b>

7.1.1 The opening balance was adjusted at the beginning of the financial year taking into account the following:

- Long outstanding complaints - (more than 6 months) with no progress and/or without contact from the complainant.
- Lack of information – requested information has not been received from the complainant for more than 2 months.
- Unavailability- Complainant(s) no longer reachable.

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

7.1.2 There is a slight improvement in the resolution of complaints. The resolution would have much higher had it not been for some unforeseen developments in some of the cases which added to the complexity of the specific cases, resulting in the diversion of resources from other cases.

7.1.3 The total complaints received for the quarter is 64% higher than the quarterly average recorded in the previous financial year. The reasons for the increase is yet to be determined.

7.1.4 Considering the adjustment of the opening balance as well as complaints received and resolved in the period, the backlog remain significantly high. In an effort to ensure that this number is reduced, the division is considering allocating some of the simple complaints to other team members within the division.

## 7.2 Status of Open Cases: 30 June 2022

*Figure 8*

Total	Under investigation	Pending investigation
135	(40)	95

The above table shows the status of complaints which remained unresolved at the end of the review period. Of the 135 outstanding complaints, 40 were under investigations leaving 95 pending investigation at the time of reporting. The total number pending investigation represents the backlog which needs urgent attention if the feedback requests have to be minimised further.

### 7.3 Summary – Reporting Channels

Figure 9

#	Channel	Received Cases
1	Hotline	71
2	Emails	7
<b>Total</b>		<b>78</b>

The hotline remains the preferred channel for 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.

A hotline management company (Service Provider) was appointed effective 01 June 2022, after expiry of the previous contract. To limit potential glitches and confusion with the switch, an agreement was reached with the previous service provider to cede the hotline number to the current provider. In addition to the option of calling in to report a complaint, a self-service system has been introduced where complainants are allowed to personally log calls on the system and provide additional information about the complainant as and when necessary.

As with any new system, some glitches were initially experienced with the new self-service system as complainants and GRC employees had to adjust to the new approach. It is anticipated that with time, the self-service approach will be beneficial not just to the CIPC but to the complainants as well, as it gives power to the complainant to report the complaint in their own words.

### 7.4 Summary - Nature of Cases

Figure 10

#	Types of cases	Q1	
		No. of Cases	%
1	Fraudulent removal or addition of directors	08	10%
2	Misuse of Clients Accounts	03	4%
3	Fraudulent use of customer details to register a company	38	49%
4	Implicating CIPC employees	01	1%
5	Other: general category	21	27%
6	Other: Feedback request/ additional information	07	9%
<b>Total</b>		<b>78</b>	<b>100%</b>

- 7.4.1 The table provides the various categories under which the complaints are categorised. In the past, complaints relating to fraudulent direct changes or “company hijacking” have been the main reasons for the complaints. For the reporting period, a significant decrease in the category was noted. Controls implemented overtime to curtail the loop holes in the CIPC systems seem to be working well, except for the usage by employees of the “special function” mechanism to process fraudulent transactions. The risk associate with the usage of this mechanism has been identified and is being addressed by the Information Technology division and relevant business units.
- 7.4.2 On the contrary, an increase in complaints relating to fraudulent use of customers’ details to register new companies has been recorded during the quarter. This new trend is associated with the registration of companies by unknown individuals using an individual’s details unbeknown to the individual/customer. Most complainants become aware of “their new company” when debts have been incurred by the company under their name. The trend accounts for 49% of all cases reported in the quarter.
- 7.4.3 An investigation into the theft of 25 laptops was initiated in the month of June. The investigation is at an advance stage and a final report is due on 20 July 2022.

## **8. COMPLIANCE MANAGEMENT**

### **8.1 Legislative Compliance**

See Section 5. Compliance Report

### **8.2 Compliance with and Risk Management Policies**

No incidents of non-compliance with risk management and related policies were reported for the period. It should be noted however, that challenges relating to the operational risk review process remains a concern.

### **8.3 Covid-19 Compliance**

The CIPC continued to implement measures to ensure compliance with Covid-19 protocols. Considering the pronouncements by government that Covid-19 seems to be under control and the statistics recorded the corporate services division as well the effectiveness of compliance measures implemented, the risk has been significantly reduced.

## 9. CHALLENGES AND RECOMMENDATIONS

The following remain challenges facing for the GRC Division.

*Figure 11*

No.	Challenge	Recommendation
1.	Capacity challenges	<ul style="list-style-type: none"><li>• Utilisation of external resources</li><li>• Secondment of resources to the GRC division</li></ul>
2.	Competency and skills gap within the GRC division	<ul style="list-style-type: none"><li>• In-house training and rotation of staff</li><li>• Utilisation of external resources</li></ul>
3.	Inability to anticipate volume of whistle-blowing reports	<ul style="list-style-type: none"><li>• Implementation of revised strategy</li><li>• Secondment of resources from other divisions</li></ul>

## 10. FOCUS FOR THE NEXT QUARTER

- Finalise the development corporate Business Continuity Plan
- Ongoing Implementation of risk maturity assessment recommendations
- Conduct ethics awareness campaign
- Analysis of declaration of interest information
- Compliance assessment for remainder of the compliance universe

## 5. Compliance Report

### 1. INTRODUCTION

The CIPC has created policies and procedures that establish a system of control and supervision sufficient to provide reasonable assurance that the organisation and each individual acting on its behalf, complies with applicable legislation, and to manage the risks associated with its business in accordance with prudent business practices.

The Compliance Function in the organisation is administered by the GRC Division. The role of the Compliance Function which is to supervise the activities of the CIPC that are directed toward ensuring compliance with legislation, policies and procedures and to promote compliance within the Organisation. The GRC division through the Compliance function is required to establish and maintain compliance policies and procedures, monitor and assess compliance, report noncompliance to relevant governance structures and annually report on compliance matters to the Entity's Accounting Authority and the RiskICT and Audit Committees.

### 2. SCOPE

This report covers compliance activities and assessment results for the period 01 April – 30 June 2022. In view of this being the first quarter of the financial year 2022/23, the report provides context to the existing CIPC compliance processes underpinning compliance management within CIPC.

The review focuses primarily on the 26 Acts assessed in the previous financial year which form part of the compliance universe.

### 3. METHODOLOGY AND APPROACH

The CIPC has an existing compliance framework and universe which has been reviewed to include other relevant legislation. Using the checklists developed for each of the identified pieces of legislation. More attention was given to areas where previous non-compliance had been reported. This is aimed at determine progress made in addressing issues identified.

A risk-based approach was followed in determining the scope. A management self-assessment approach was followed to arrive the outcomes. Under this approach, processes owners are required to complete sections identified as high-risk, based on the consequences of non-compliance. No independent verification of responses by process owners was conducted.

## 4. SUMMARY

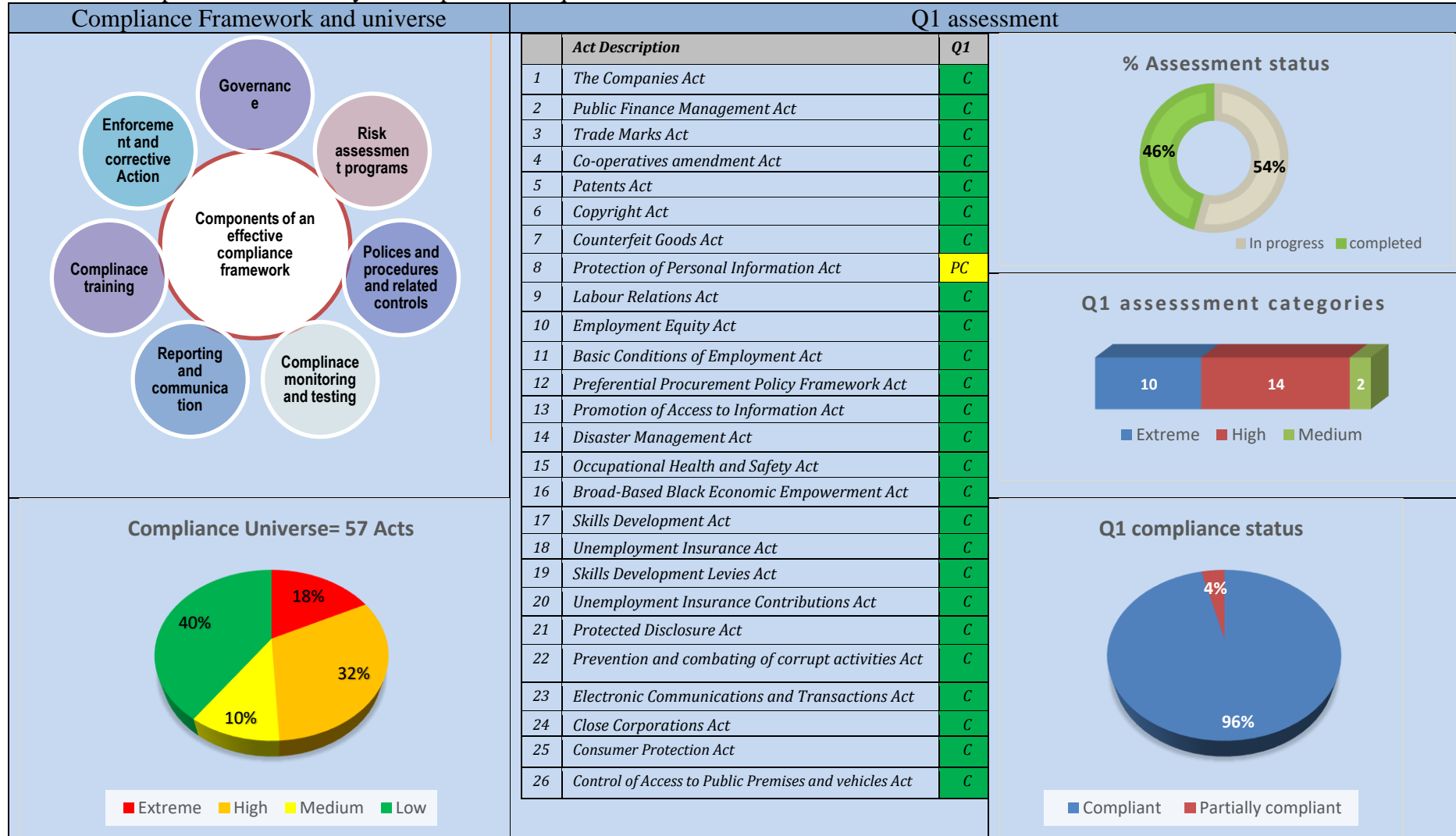
### 4.1 Quarter 1 Compliance Status

A high-level analysis of information obtained from process owners based on the questionnaires indicate that of the 26 Acts assessed, the CIPC is:

- Fully compliant with 25 (96%),
- Partially compliant with 1(4%) - Protection of Personal Information Act, 4 of 2013. Some areas of the CIPC were partially-compliant with specifies requirements of the Act. Details of non-compliant areas are provided under section 5 of this report.

## 4.2 Compliance Dashboard-Q1

The dashboard provides a summary of compliance for quarter 1:



## 5. DETAILS OF NON-COMPLIANCE

### PROTECTION OF PERSONAL INFORMATION ACT, NO 4 OF 2013

Overview	
<p>The purpose of this Act is to —</p> <p>(1) give effect to the constitutional right to privacy, by safeguarding personal information when processed by a responsible party, subject to justifiable limitations that are aimed at:</p> <p>(a) balancing the right to privacy against other rights, particularly the right of access to information; and</p> <p>(b) protecting important interests, including the free flow of information within the Republic and across international borders;</p> <p>(2) Regulate the manner in which personal information may be processed, by establishing conditions, in harmony with international standards, that prescribe the minimum threshold requirements for the lawful processing of personal information;</p> <p>(3) provide persons with rights and remedies to protect their personal information from processing that is not in accordance with this Act; and</p> <p>(4) establish voluntary and compulsory measures, including the establishment of an Information Regulator, to ensure respect for and to promote, enforce and fulfil the rights protected by this Act.</p>	
Requirement	Non-compliance
<p><b>Section 14. (1)</b>            Subject to subsections (2) and (3), records of personal information must not be retained any longer than is necessary for achieving the purpose for which the information was collected or subsequently processed, unless—</p> <p>(a) retention of the record is required or authorised by law; (b) the responsible party reasonably requires the record for lawful purposes related to its functions or activities;</p> <p>(c) retention of the record is required by a contract between the parties thereto; or the data subject or a competent person where the data subject is a child has consented to the retention of the record.</p> <p><b>Section 14(4)</b>            A responsible party must destroy or delete a record of personal information or de-identify it as soon as reasonably practicable after the responsible party is no longer authorised to retain the record in terms of subsection (1) or (2).</p>	<p>No confirmation obtained regarding the process of retaining of some manual records i.e. job seekers information and tenders, etc. This is only in certain areas of the organisation i.e support services</p> <p><b>Remedial action</b>            A risk assessment was conducted and areas improvement areas identified. Relevant areas in process of implementing solutions.</p>

## 5. Audit Report

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

#### AUDIT FINDINGS TRACKING SUMMARY REPORT FOR THE QUARTER ENDED 30 JUNE 2022

##### 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 findings and observations from internal audits conducted in the 2017/2018, 2018/19, 2019/2020, 2020/2021 and 2021/2022 financial years. Details of progress are contained in the respective registers attached to this report.

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

Audits assignment Involved = **29**  
 Total findings at the beginning of Q1 of 2022/2023 = **89**  
 Total findings resolved/addressed/ Risk accepted = **30**  
 Total findings in progress/Partially addressed = **16**  
 Total findings not addressed = **42**

##### 2.1 Auditor General Findings 2021/22

The AGSA is currently busy with their 2021/2022 audit. Their findings will be tracked after the audit.

##### 2.2 Internal Audit Findings

##### 2.2.1 2017/2018

	<b>Audit Assignment</b>	<b>Total outstanding Findings Q1 of 2022/2023</b>	<b>Addressed and risk accepted - Total</b>	<b>Partially Addressed</b>	<b>Not Addressed - Total</b>
1	Free State Self Service Terminal	1	0	1	0
2	Registry audit	3	0	0	3
3	Annual returns compliance	1	0	1	0
	<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>2</b>	<b>3</b>
			<b>0%</b>	<b>40%</b>	<b>60%</b>

### 2.2.2 2018/2019

	<b>Audit Assignment</b>	<b>Total outstanding Findings Q1 of 2022/2023</b>	<b>Addressed and risk accepted - Total</b>	<b>Partially Addressed</b>	<b>Not Addressed - Total</b>
1	Application control review on the Ptolemy system	1	0	1	0
2	Education and awareness audit	1	0	0	1
3	Surveillance and enforcement audit	1	0	1	0
4	Security management review	2	2	0	0
5	Service Delivery Standards review	11	0	0	11
	<b>TOTAL</b>	<b>16</b>	<b>2</b>	<b>2</b>	<b>12</b>
			<b>13%</b>	<b>13%</b>	<b>75%</b>

### 2.2.3 2019/2020

	<b>Audit Assignment</b>	<b>Total outstanding Findings Q1 of 2022/2023</b>	<b>Addressed and risk accepted - Total</b>	<b>Partially Addressed</b>	<b>Not Addressed - Total</b>
1	Business Plan 2019/2020	1	0	1	0
2	Disclosure	1	0	0	1
3	Trade Marks	1	0	0	1
4	Penetration test	11	0	1	10
	<b>TOTAL</b>	<b>14</b>	<b>0</b>	<b>2</b>	<b>12</b>
			<b>0%</b>	<b>14%</b>	<b>86%</b>

### 2.2.4 2020/2021

	<b>Audit Assignment</b>	<b>Total outstanding Findings at beginning of Q1 of 2022/2023</b>	<b>Addressed and risk accepted - Total</b>	<b>Partially Addressed</b>	<b>Not Addressed - Total</b>
1	Communications	3	1	2	0
2	Training	3	0	2	1

	<b>Audit Assignment</b>	<b>Total outstanding Findings at beginning of Q1 of 2022/2023</b>	<b>Addressed and risk accepted - Total</b>	<b>Partially Addressed</b>	<b>Not Addressed - Total</b>
3	Financial Statement Reporting	3	0	3	0
4	Q2 Performance Information	1	0	1	0
5	Website & QRS	1	1	0	0
6	Revenue	1	0	0	1
	<b>TOTAL</b>	<b>12</b>	<b>2</b>	<b>8</b>	<b>2</b>
			<b>17%</b>	<b>67%</b>	<b>17%</b>

### 2.2.5 2021/2022

	<b>Audit Assignment</b>	<b>Total outstanding Findings at beginning of Q1 of 2022/2023</b>	<b>Addressed and risk accepted - Total</b>	<b>Partially Addressed</b>	<b>Not Addressed - Total</b>
1	OHS Audit	5	3	0	2
2	Recruitment	2	0	0	2
3	IT Infrastructure	2	0	1	1
4	Re-instatement of companies	5	5	0	0
5	Social media	4	1	0	3
6	Budget follow up	2	1	1	0
7	Leave encashment	6	6	0	0
8	SCM	4	4	0	0
9	Expenditure audit	2	0	0	2
10	Telecommuting	4	1	0	3
11	Risk Management	6	5	1	0
	<b>TOTAL</b>	<b>42</b>	<b>26</b>	<b>2</b>	<b>13</b>
			<b>62%</b>	<b>5%</b>	<b>31%</b>

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

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

## **6. Financial Report**

The report is sent separately.

## **7. PFMA and TR compliance checklist**

No report.

## 8. Copyright and Enforcement Report

### **Strategic Direction: To combat trade mark counterfeiting and copyright piracy**

Crucial activities included relooking at the future of the CIPC's enforcement structures tools and offerings. CIPC is one of the main players that ensure proper alignment of strategic direction throughout IP enforcement agencies.

Training sessions are provided at the request of partners as well as proactive. Proactive sessions are usually hosted to highlight identified trends and priority areas, such as the creative sector and pharma crime. These sessions mainly target the judiciary, law enforcement, and custom officials. CIPC has been involved in training for countries in Africa, including SADC, SACU and other West African countries during this quarter.

Operational activities increased during the weeks after the training and operations took place in Gauteng. One of the highlights of the quarter was the search and seizure operations that were done to celebrate World Anti-Counterfeiting Day, 10 June.



**Market Conduct Enforcement Operations**

A significant portion of counterfeit goods circulating in South Africa are imported from China and other foreign countries. Although South African Customs and Border Police are effective at detecting and detaining containers and small consignments of counterfeit goods at the various ports of entries, some do filter through undetected. An important element in initiating and maintaining an effective enforcement programme is to provide training to all Law Enforcement partners to create awareness within the enforcement community. It is imperative that brand holders participate in as many training events as possible to increase the prospects of detention.

### 3.1.1 Capacity Building and Training

**From the 9<sup>th</sup> to the 13<sup>th</sup> of May**, CIPC in collaboration with the USPTO and the U.S. Department of Justice hosted a training workshop on investigating and prosecuting IP crime. The program was extended from our usual three days to a five day full week training workshop. This allowed time to include additional international speakers in the program. Experts from the USA joined local participants and networking opportunities were plentiful. Delegates included the strategic decisions makers and operational officials from the South African Police Service, the South African Revenue Service, and the National Prosecuting Authority, as well as industry associations. Three inspectors of SAPHRA also participated. The focus of the training was counterfeit pharma and counterfeit automotive spare parts. 17 Local participants were trained and received certificates. 14 International counterparts that represented the USA, Botswana, Lesotho and Eswatini also partook.



**Delegates at the 2022 Regional IPR Investigative Methods Workshop**



**Groups discussed a Desktop Case Study**



*Panel discussion on strategic approach to fight IPR crime in South Africa*



**The resource persons and organizing team**



**Delegate receiving certificate**



**The attendees**

**In June 13 to 17,** CIPC participated in an Africa Regional Workgroup Meeting, in Dakar Senegal. The physical meeting that was hosted in French and English had attendees coming from 16 African countries including Botswana and Namibia. The focus was again on public health issues and the sale of counterfeit medicine in Africa. We presented South Africa's strategic approach and collaboration efforts. There was also a lot of interest in the work we are doing on sustainability and upcycling of counterfeit goods. As new opportunities are opened up by globalisation and the power of the internet, it is increasingly important for businesses of all sizes to understand the full range of tools at their disposal to protect themselves against IP crime. A lot of the topics dealt with internet enforcement. Counterfeiting is, unfortunately, on the increase and the international criminal gangs who profit from this trade respect neither borders nor legality.

Counterfeiters are always ready to prey on the vulnerable and take advantage of any lack of coordination. South Africa plays an important role in the IPR enforcement space to ensure coordination on the African Continent. Such close cooperation and collaboration especially in the training and capacity building space speak to the objectives of AfCFTA.



Panel Discussion re: East African  
Regional Border Cooperation and  
Intelligence Sharing  
Led Raphael Baranyandema, Burundi  
with Burundi, Kenya, Uganda

### 3.1.2 Education and Awareness

The harm caused by IP crime hits company profits, tax revenues and endangers the public as has been shown so graphically by the rise in fake medicines and personal protective equipment in the wake of the Covid-19 pandemic. This means that enforcement authorities working together effectively, preferably with IP crime returning to become a priority in the fight against international crime, must attack the problem.

The crucial role of the CIPC to create awareness on the harms of counterfeiting manifested in four education and awareness events hosted in Q1. These included celebrating the following events:

- World IP Day on 26 April as part of a collaboration project with the DUT, being part of the
- SADC Virtual IP Office conference on 17 May, facilitating an

- IP Day targeting the youth to build on their innovative ideas on 25 May, and hosting
- The first of six sessions to bring IP to entrepreneurial students in partnership with UNISA, on 21 June.

The reach of these sessions exceeded our expectations and physical attendees were recorded as more than 600. The theme of World Intellectual Property Day this year was "IP and Youth: Innovating for a Better Future." In the spirit of contributing to intellectual property (IP) literacy, we presented and shared information on fundamental aspects of different types of intellectual property rights and protections: patents, trade marks, copyright, industrial design and trade secrets. We also thoroughly covered respect for IP during these sessions.

**INNOVATE FOR A BETTER FUTURE**

**Intellectual Property Rights (IPR) and You**  
Safeguarding IPR is crucial to developing and maintaining a successful business. Knowing how to protect an idea is the start of the invention process.

- Transform innovation potential and creativity into market value and competitiveness.
- Learn how IPR can help develop and refine a product, provide protection for ideas, technology design and creativity behind a concept, develop branding and marketing materials.

**WEDNESDAY, MAY 25TH**  
9:00 – 14:00 SAST

**HOSTED BY INNOVATE DURBAN**  
Innovation Co-Lab  
Cato Manor,  
Umhumbane  
Entrepreneurial Centre  
240 Harry Gwala Road,  
Woodside, Durban

**DRAFT PROGRAMME**  
**WORLD INTELLECTUAL PROPERTY DAY**  
26 APRIL 2022 09H00 – 14H00 BOTANIC GARDENS

TIME	TOPIC	RESPONSIBLE
09:00 - 09:45	Arrival & Registration	ALL
09:45 - 10:00	Welcome Remarks	Business Support, Tourism, Markets and Agri Business Unit
10:00 - 10:15	Message of Support	Ms. Sindiwe Singh, Director Intellectual Property & Commercialisation, MPO/Edutrade
10:15 - 10:30	CEO SAS	CEO and Media Plans
10:30 - 10:45	Introduction of Topics & Panel	Mr Z. Mphahlele
10:45 - 10:50	Panelists: "How IP & Trade Intellectual for a Better Future"	
09:30-09:50	Role of IPR & Commercialisation for your Business & How to get the better value of Intellectual Property and Innovation in South Africa	Amanda Lubhagane, Senior Manager Copyright and IP enforcement
09:50-10:10	Intellectual Property and Innovation in South Africa	Ms. Edith Pillay, Advisor & Advisor
10:10-10:30	Impact of IP	Ms. Tsheringangula Mungai, Deputy Director, IP, Marketing, MPO/Edutrade
10:30-10:45	Intellectual Property - Practical application	Ms. Onyiah Mubwira, Advisor
10:45-10:50	SME's - Success Stories from young innovators	
10:50-11:00	Working towards a world where innovation is equally valued and rewarded in South Africa	Mr. Stephen Zulu, Director, Solutions - Intellectual Property
11:00-11:15	Importance of copyright in filmmaking	CEO - success Stories IP Strategic Cluster
11:15-11:30	Copyright & Innovation in South Africa	ALL
11:30-11:45	<b>WORKSHOP</b>	
11:45-12:00	Session Title: Commercialisation Panel	Ms. Linda Lindani
12:00-12:15	Introduction of Case Studies	Ms. Onyiah Mubwira, Advisor
12:15-12:30	Workshop: Entrepreneurial Centre	Ms. Onyiah Mubwira, Advisor
12:30-12:45	Panel and session	Participants
12:45-13:00	Copyright Presentations	Participants
13:00-13:15	Panel: Networking	Networking Panel
13:15-13:30	Closing Remarks	Prof. Bhekisisa Mkhize, Deputy Vice-Chancellor, DUT, DUT

**EXHIBITOR VIEWING, NETWORKING & LUNCH**

FOLLOW US ON SOCIAL MEDIA FOR MORE DETAILS

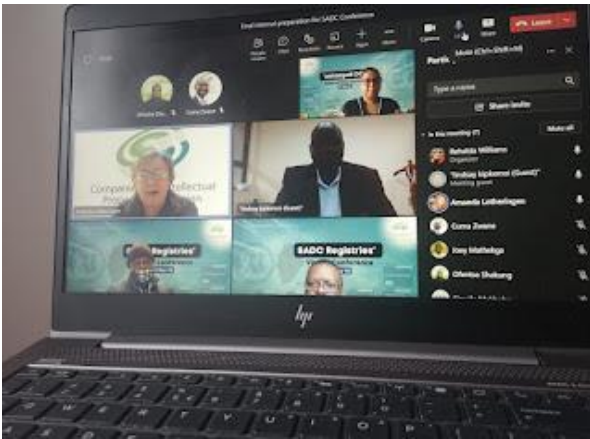
**IP for the Youth celebrated on 25 May**



**26 April World IP Day DUT and UKZN Partners**



**26 April Students from DUT and UKZN**



SADC 17 May

**SADC CORPORATE AND IP REGISTRARS CONFERENCE – AGILITY OF REGISTRIES DURING AND AFTER COVID19**

- **THE NEW WAY OF WORKING**
  - USING THE INTERNET TO SUPPORT EFFECTIVE INTELLECTUAL PROPERTY ENFORCEMENT
  - FREEING UP CAPACITY, BOOSTING COLLABORATION AND EXTENDING THE REACH OF EDUCATION AND AWARENESS ACTIVITIES

SADC IP and Corporate Registrars Conference



75 May IP day for the Youth



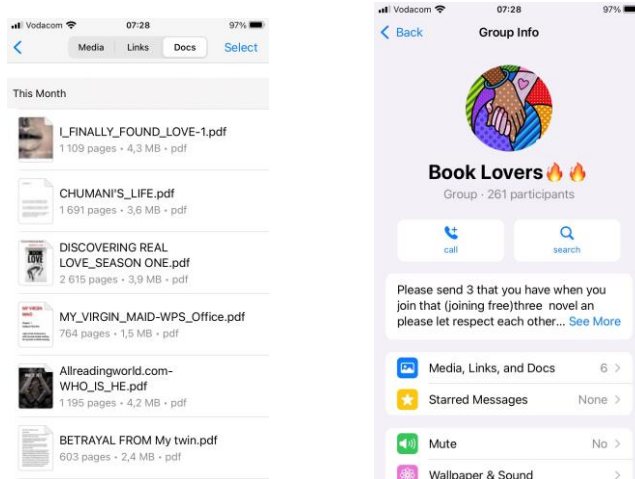
Panel discussion on IP enforcement

The virtual SADC conference was very well received and exceptionally well attended. It was the first of its kind and we hope to build on the success. We had three sessions on IP enforcement, including one from South Africa, the other two were from Kenya and Namibia. 104 delegates registered for the conference and represented most of the SADC countries. The gender representation was 60 % Male and 40% female. We are continuing to target women in IP and business working towards closing the gender gap.

### 3.2 Initiatives to protect Creative Industry IPR

Working closely with rights owners and their agents, CIPC prioritizes initiatives that promote respect for copyright in particular. In this area we carry out many knowledge-building events and exchanges of best practices for judges and prosecutors. CIPC conducted numerous training and capacity building programs working with local and foreign resource persons, such as law enforcement officials from around the world to improve criminal and civil IPR protection in South Africa and our neighboring countries.

Educating the youth about the importance of protecting IP through online sessions. Students heard directly from both the creators of intellectual property and the law enforcement officials who protect copyrighted works. Two matters are ongoing, a chat group on What's App that is sharing copies of books and an investigation into persons that made promises to writers and disappeared with their written works.



**The Group that is sharing full copies of popular fiction**

### 3.3 Sustainability and upcycling of Counterfeit Goods

The CIPC has found that disposing of counterfeit goods in an environmentally friendly manner is not only possible but can also generate jobs and possible additional income for Law Enforcement. The Pilot has been extended will run to the end of 2022/2023. A competition targeting university students is envisaged for Q3. Entrepreneurs and interior designs students will be competing on ideas to give counterfeit goods a new life, the project is known as “Maisha Mapya” . A new Life.



**Confiscated counterfeit Goods**



**New bags from counterfeit branded Jeans**



**Quilt sold at R6000**

### 3.3 The Accurate Justifiable Statistics Cell phone Application (AJS)

The App was signed off in Q1 and it is now live. All testing is done and although the App was launched, it was still working in testing mode. Counterparts are now starting to input live data and use the application more and more. Once enough live data is captured, we will be in a position to identify trends and target enforcement operations. AJS is boosting work efficiency, making tasks simpler, and is allowing for smoother organizational operations.

The wins for CIPC as the custodian of the Counterfeit Goods Act, 1997 are:

- Proper enforcement practices are in place through continuous training and capacity building initiatives
- All officials have good knowledge and proper understanding of the value of IPR, and that
- Proper records are available to make informed decisions.

CIPC also administers the Counterfeit Goods Depots, and we are now working to expand the functionalities of the App to make the work of Depot managers also easier.

The enforcement of IPR is an International obligation that supports trade, investment and new job opportunities. Having reliable information on work done to protect IPR will greatly assist when bi-lateral agreements are concluded. It is also fundamental to all investment discussions.

## 9. Joint-KPI Report

<b>J-KPI</b>	<i>Focus Area</i>	<i>5 year Commitment</i>	<i>Q1 Progress</i>
<b>Delivery/Capable State</b>	<i>Entity Staffing</i>	Organisation Design and New Structure	OD in its final stages
		Build appropriate staff competencies and capabilities	Skills audit in its final stages
		Substantive and Search Examination Capacity	Examiners training
	<i>Governance Capacity</i>	Policies regularly reviewed	Most policies up to date
		Clean Audits	Clean Audit in 2020/21
	<i>Quick-Response</i>	Reduce average turnaround times to less than a day	Companies and Co-operatives registration – 1 day, Queries – 3 days
		Modernise systems and automate processes	Migrated to Ne e-services Platform Companies' registration automation to be released in Q2.
<b>Transformation</b>	<i>DDM</i>	Extend CIPC Services to the 52 Districts/Metros	Develop virtual channels to extend access throughout South Africa and abroad
		Education and awareness programme	Education and awareness events
	<i>Integrated Delivery</i>	Collaboration with identified strategic partners	Continued with collaboration
		BizPortal	Services added on the platform