# Ports Regulator of South Africa

# Annual Performance Plan (APP)

# 2026/27 FY

Date: March 2026

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## Statement by the Minister of Transport

The 2026-2027 financial year marks the midway point of the 2024 – 2029 Medium Term Development Plan (MTDP). During this period we will be able to gauge the Department of Transport and its entities' progress in achieving the three apex priorities of the Seventh Administration, namely: inclusive economic growth and job creation, maintaining and optimising the social wage, and building a capable, ethical, and developmental state.

The Department of Transport and its entities play a crucial role in advancing these priorities by facilitating the efficient movement of goods and people, strengthening our logistics sector, and enhancing transport infrastructure. To revitalise the transport and logistics sector and support economic recovery, the Department has set ambitious targets for 2030, including:

- Increasing annual freight volumes on the Transnet rail network to 250 million tonnes.
- Doubling crane moves per hour at ports from 16 to 30.
- Increasing the number of annual passenger rail trips to 600 million.
- Handling 1.5 million tonnes of airfreight and over 42 million passengers through South African airports.
- Reducing the annual number of road fatalities by half.

The Ports Regulator of South Africa 2026-2027 Annual Performance Plan/ Corporate Plan intends to set the standards for economic regulation of South African maritime ports, and has an important part to play in Seventh Administration's reform agenda, due to its role as an enabler of the Economic Regulation of Transport (ERT) Act.

These aims will be achieved through: developing research to continually assess and improve regulatory instruments such as tariff methodologies, determining the modalities of incorporating the Regulator into the newly-established Transport Economic Regulator, streamlining regulation across the country's transport and logistics systems; and providing affordable, adequate and efficient port infrastructure and services.

The objectives included in these focus areas are aligned with the MTDP goal of creating a capable, ethical and developmental state, and inclusive economic growth and job creation.

The Regulator will achieve these goals through fostering a culture of accountability, ethical decision-making, upholding public trust, filling vacancies and improving audit outcomes.

I hereby present the Ports Regulator of South Africa Annual Performance Plan for the 2026-2027 financial year.



MS B.D. CREECY, MP

Minister of Transport

## ACCOUNTING AUTHORITY STATEMENT



It is my distinct privilege, as Chairperson of the Ports Regulator of South Africa, to confirm the Annual Performance Plan (APP) for the 2026/27 financial year and its guiding Strategic Plan for 2025 – 2030 FY. The APP and the Strategic Plan documents are not merely administrative requirements; they are our public declaration of our commitment to the Ports Regulator mandate as encapsulated in the National Ports Act, a blueprint for our actions, and a compass guiding our mission to ensure a fair, efficient, and world-class port system for South Africa.

South Africa's ports serve as the vital foundation of our trade-dependent economy. The ports' efficiency, reliability, and cost-competitiveness directly impact every South African—influencing the price of goods, the competitiveness of our exports, and our nation's attractiveness for investment. Our mandate, as derived from the National Ports Act 12 of 2005 is clear: to regulate the provision of port services and facilities in a way that promotes economic growth, investment, and efficiency, while ensuring fair competition and safeguarding the interests of port users.

We operate against a backdrop of global economic uncertainty, evolving shipping and logistics technologies, and urgent national imperatives for economic recovery, job creation, and transformation. Directly impacting the work of the Ports Regulator are the two structural reforms: the Corporatisation of the National Ports Authority and the establishment of the Transport Economic Regulator (TER). The performance of our port system has been under intense scrutiny, and rightly so. Congestion in and around our ports, inefficiencies, and challenges in creating port infrastructure capacity through timeous execution of the Port Authority investment programme (CAPEX), have constrained our economic potential.

Our Strategic and Annual Performance Plans are our concrete response to this reality. They outline how we, as the Regulator, intend to exercise our authority to influence meaningful change and improvement. The APP and Strategic Plan for 2026/27 FY reaffirms our vision of being a world-class economic regulator enabling excellence in the port system. It is built on the following strategic pillars:

1. **Organisational Excellence:** through enhancing regulatory effectiveness**,** we will continue to strengthen our core regulatory functions—tariff determination, monitoring, and compliance—to ensure they are robust, evidence-based, and forward-looking, and this includes reviewing our tariff methodology to better drive economic improvements in the port system. We will continue to invest in our people, systems, and governance to ensure the Regulator itself operates with the highest levels of integrity, professionalism, and skill.

2. **Affordable, Adequate, and Efficient Port Infrastructure and Services:** our focus on driving port system performance will intensify on holding the National Ports Authority (NPA) accountable for measurable improvements in operational efficiency, infrastructure development, and maintenance. We will deepen our analysis of system-wide bottlenecks and drive the implementation of effective intervention plans. We will continue to work with the port users and the NPA to ensure that regulatory intervention programs, like the Weighted Efficiency Gains from Operations (WEGO) yield the desired outcomes.
3. **Transformed, Accessible, and Equitable Port System:** We are committed to creating an enabling environment for new entrants and ensuring fair access to port services and facilities. The promotion of competition and transformation is key to fostering innovation, improving service quality, and reducing the cost of doing business in our ports.

4. **Open and Transparent Regulatory Processes:** Through strengthening stakeholder engagements, we recognise that effective regulation cannot be done in isolation. We will intensify our engagements with port users, Maritime Chambers, other regulatory Bodies, government entities that complement the work of the Ports Regulator, academia and industry bodies to ensure our decisions are informed, inclusive, and transparent.

5. **Efficient and Innovative Port System:** The most successful modern ports combine physical automation with comprehensive digital integration, creating intelligent ecosystems that extend beyond port boundaries into entire supply chains. In the 2026/27 FY, the Regulator will be intentional in its pursuit to ensure that the Port Authority has in place an implementable Smart Ports strategy that embraces technological advances with a view to improve port efficiency. Innovative technologies that transform ports are key for the establishment of digital platforms, for terminal operators to increase cargo handling capacity, and enhance the NPA oversight monitoring capabilities

The Regulator Members together with the Secretariat applied their mind rigorously to the APP and Strategic Plans. We believe they are realistic and fully aligned with the national priorities encapsulated in the Government of National Unity (GNU) Priorities and the ongoing structural reforms in the freight and logistics sector.

The 2026/27 FY APP and Strategic Plan will position the Ports Regulator in good stead as the nucleus of the Transport Economic Regulator. We will continue to work with the Department of Transport during the winding up of the entity whilst transitioning the Ports Regulator to TER. We assure all port users and stakeholders that the Ports Regulator will maintain its integrity and mandate during the transitioning period and within TER.

With the executive management team of the Ports Regulator, we are committed to leading an institution that is independent, fair and transparent in its processes, and fearless in the execution of its mandate. We are committed to accountability, both for our performance against these plans and for the impact of our decisions on the South African ports and the economy.



**Mr. Aubrey Ngcobo,**
Chairperson: Ports Regulator of South Africa



## ACCOUNTING OFFICER'S STATEMENT: 2026/27 FINANCIAL YEAR

The 2026/27 Annual Performance Plan (APP) of the Ports Regulator of South Africa is presented within a global and domestic environment characterised by persistent economic, operational and geopolitical pressures. Recent supply chain realignments exposed vulnerabilities in global trade and logistics systems; their primary relevance today lie in the structural lessons they reveal. Currently, uncertainty is driven increasingly by geopolitical tensions, inflationary pressures, energy constraints and climate-related disruptions. These factors continue to influence shipping patterns, freight rates, port performance and overall trade competitiveness, underscoring the need for sustained regulatory oversight, institutional strengthening, and long-term investment certainty.

South Africa's commercial ports remain a critical component of the national logistics system and a vital enabler of economic growth, industrial development and international trade. About 90% of the country's trade with the international world relies virtually exclusively on the port system. The strategic importance of having an efficient, affordable and reliable port infrastructure and services can therefore not be overstated. Its importance notwithstanding, the port system continues to face structural challenges including capacity constraints, delayed capital investment, inconsistent terminal performance, infrastructure backlogs and broader challenges in the rail and energy sectors. In particular, the continued operation of the NPA as an unincorporated entity compounds the issues. These factors have contributed to inefficiencies that undermine the competitiveness of South African ports and impose additional costs on port users and the economy at large.

Within this context, the role of the Ports Regulator as an independent economic regulator remains central to promoting transparency, fairness, efficiency and sustainability in the port system. The Regulator continues to focus on ensuring cost-reflective and predictable tariffs, equity of access to port facilities, effective compliance monitoring and the promotion of transformation in the sector in line with national policy objectives.

The 2026/27 APP builds on the progress achieved during the previous strategic period while responding to emerging challenges and reforms in the transport sector. The organisation remains guided by its mission to be regarded nationally and internationally as a world-class institution that sets the standard for economic regulation in South African and elsewhere. Despite operating within a constrained fiscal environment, the Ports Regulator employs a lean but increasingly capable operating model which is aimed at maximising regulatory impact and equally strengthening internal capacity and governance.

The Ports Regulator's internal environment in 2026/27 is characterised by a leadership transition, following the conclusion of the former Chief Executive Officer's term at the end of 2025 and the appointment of the Acting Chief Executive Officer in January 2026. Notwithstanding this transition, the organisation's strategic programmes remain stable and well positioned to serve the port system. Service delivery continues to be advanced through four programmes. Programme One is focused on running an efficient and effective administration system. During the 2026/27 financial year, priority will be placed on strengthening human resource capacity, financial management, supply chain management, risk management and information and communication technology capabilities. The Administration programme offers essential corporate support to the Regulator's ability to fulfil its mandate, develop and maintain organizational policies and procedures, monitor and report on adherence to regulations.

The Ports Regulator is set to be integrated into the TER and approach that reflects the government's objective to unify and streamline regulation across all transport modes within a single entity. Recognized as the core component of TER, it is vital for the Ports Regulator to adequately prepare for its transition. particularly, its human resources, once transitional arrangements commence for the full integration. The implementation of key corporate strategies, including Human Resources Development, Supply Chain Management and ICT strategies ought to receive a greater deal of attention over this strategic period.

Programme Two drives the core economic regulation mandate of the organisation. This includes tariff determinations, refinement and implementation of the Port Tariff Strategy, and targeted research initiatives to inform regulatory interventions. Through the processes in this programme, the Ports Regulator is well positioned to evaluate port tariffs and to balance the scales on the one spectrum to ensure tariffs are affordable, transparent and predictable, while on the other, ensuring that the National Ports Authority can generate sufficient revenues to maintain and expand port infrastructure and other activities. Regulatory instruments such as the Weighted Efficiency Gains from Operations (WEGO) remain in place to incentivise improved operational performance and hold the Authority accountable for inefficiencies. The cumulative financial impact of WEGO reflects the seriousness with which the Ports Regulator views inefficiencies in the port system and its commitment to continuous performance improvement.

Programme Three focuses on industry development, stakeholder engagement and transformation within the port system. The Ports Regulator remains committed to supporting government in its initiatives in the Oceans Economy and to engage with key stakeholders across the sector. Research on port performance, capacity utilisation and operational efficiency continue to inform regulatory oversight and policy engagement. Monitoring of Broad-Based Black Economic Empowerment implementation by the Authority remains a priority, alongside continued engagement with the Transport Charter Council in support of sector transformation initiatives. Dialogue on operational performance, incentivisation mechanisms and continuous improvement remains central to this programme.

Programme Four operates an effective and efficient tribunal to hear complaints and appeals from port users in terms of the National Ports Act. The availability of an independent dispute resolution mechanism forms the bedrock for the promotion of equity of access and accountability in the port system. The organisation will further strengthen internal legal, compliance and investigative capacity to ensure timely resolution of matters and embed robust compliance frameworks that support good governance.

The 2026/27 financial year coincides with ongoing reforms in the transport regulatory landscape, including progress towards the establishment of the Transport Economic Regulator and developments related to the corporatisation of the National Ports Authority. The Ports Regulator continues to avail itself to provide

technical input and regulatory support to the Department of Transport in advancing these reforms. These developments present opportunities to strengthen regulatory effectiveness and institutional capacity. The Ports Regulator is desirous to increase its capacity to fully embrace the transition period which alludes to the expansion of the responsibilities currently under its mandate. In this regard engagements are underway with the Executive Authority and National Treasury to secure sustainable funding solutions. The Ports Regulator will prioritise engagements with port users and other stakeholders to disseminate information regarding progress made.

In conclusion, the 2026/27 APP reflects the Ports Regulator's continued commitment to strengthening economic regulation of South Africa's ports in support of trade competitiveness, economic growth and transformation. Despite fiscal constraints and operational challenges in the sector, the organisation focuses on delivering on its mandate with professionalism, integrity and diligence.

I would like to acknowledge the guidance and strategic leadership provided by the Members of the Regulator and its various committees. My appreciation also extends to the Department of Transport and all port sector stakeholders for their continued support and engagement. Lastly, I wish to commend the executive management and staff of the Ports Regulator for their dedication, resilience and commitment to excellence. Together, we remain focused on ensuring that South Africa's ports serve the best interests of the economy and the people of South Africa.



Dr Langa Dlamini

Chief Executive & Accounting Officer (Acting)

## OFFICIAL SIGN OFF

It is hereby certified that this Annual Performance Plan:

- Was developed by the management of the Ports Regulator of South Africa under the guidance of the Members of the Regulator
- Considers all the relevant policies, legislation and other mandates for which the Ports Regulator of South Africa is responsible
- Accurately reflects the Outcomes and Outputs which the Ports Regulator of South Africa will endeavour to achieve over the 2026/27 Financial Year.

Ms. Daleen Mabula,
Chief Financial Officer

Ms. Sarah Truen,
EM: Policy, Strategy and Research

Ms. Nokuzola Nkowane,
Executive Manager: Industry Development

Dr. Langa Dlamini,
Accounting Officer (Acting)

Mr. Aubrey Ngcobo,
Accounting Authority/Chairperson: Board

Approved by

Ms. Barbara Creecy,
Executive Authority, Minister of Transport

# PART A: OUR MANDATE

## 1. UPDATES TO RELEVANT LEGISLATIVE AND POLICY MANDATES

### 1.1. LEGISLATIVE MANDATE

#### 1.1.1. Constitutional Mandate

The Ports Regulator of South Africa ("the Ports Regulator") is part of public administration as defined in section 197 of the Constitution of the Republic of South Africa, Act no 108 of 1996. In executing the Regulator's mandate, the entity complies with the Constitution as the supreme law of the country with specific reference to the following sections:

- Section 7: Bill of Rights.
- Section 9: Equality.
- Section 32: Access to information
- Section 33: Just administrative action.
- Section 34: Access to court or independent and impartial tribunal or forum.
- Section 195: Basic values and principles governing public administration.
- Section 217: Procurement system which is fair, equitable, transparent, competitive and cost effective.

#### 1.1.2. National Ports Act, Act 12 of 2005.

The Ports Regulator is a schedule 3A public entity in terms of the Public Finance Management Act No. 01 of 1999 ("the PFMA") as amended. It is established in terms of section 29 of the National Ports Act No. 12 of 2005 ("the Act") as an Independent Economic Regulator of South Africa's commercial ports. The Ports Regulator's main functions are to:

- exercise economic regulation of the ports system in line with government's strategic objectives.
- promote equity of access to ports and to facilities and services provided in ports; and
- monitor the activities of the Authority to ensure that it performs its functions in accordance with the Act.

In undertaking these functions, the Ports Regulator must hear appeals and complaints by port users against the National Ports Authority ("the Authority"/"NPA"); consider the proposed tariffs of the Authority; promote regulated competition; regulate the provision of adequate, affordable and efficient port services and facilities; enter into a Memorandum of Understanding with the Competition Commission to address competition matters in the ports system and with the other regulators on matters of common interest.

#### 1.1.3. The Economic Regulation of Transport Act No. 6 of 2024

The Economic Regulation of Transport Act No. 6 of 2024 ("the ERT Act"), signed into law by the President on 11 June 2024 aims to establish a new economic regulator to undertake price control across the transport sector including ports, rail, road, aviation and public transport introducing provisions separation of rail infrastructure from rail operation and for access to rail infrastructure by third parties.

The ERT Act provides for consequential amendments and the repeal of Chapter 5 of the National Ports Act which establishes the Ports Regulator of South Africa upon proclamation of the ERT Act by the President, essentially subsuming the Ports Regulator into the Transport Economic Regulator (TER). However, due to an erroneous citation of the ERT Act of 2020 instead of 2024 in Section 1 of Schedule 1 the Ports Act remains effective until the correction of the error and a proclamation on the effective date of the consequential amendments by the President.

Whereas Proclamation Notice 224 of 2024 by President on gazetted on 19 November 2024 determines the 1st of April 2025 as the date on which the Economic Regulator is established and the 1st April 2026 as the effective date for the Council, the Ports Regulator of South Africa will exist parallel to the Economic Regulator of Transport pending the correction and a new proclamation.

### 1.1.4. Public Procurement Act No.28 of 2024.

The Public Procurement Act, Act 28 of 2024 was approved by the President on 23 July 2024 and is yet to be in force. The act aims to regulate public procurement, prescribe a framework within which preferential procurement must be implemented and provide for matters connected therewith. The Act establishes a Public Procurement Office and Public Procurement Tribunal within the National Treasury giving South African's more powers in public procurement by allowing for mechanisms to review of decisions and awards made by procuring institutions and entities. New regulations, including those for preferential procurement, must be developed and become effective with the Act and all entities of the state will be required to comply with provisions of the Act and regulations. At that stage, the Regulator's policies will be updated to comply with the Public Procurement Act.

### 1.1.5. Broad- Based Black Economic Empowerment Act No.46 of 2013.

In line with its functions defined in the Act the Ports Regulator must take measures to promote equity of access to ports and to port facilities and services provided in ports. The applicable legislation in this regard are the various provisions in the Act and section 09 and 10 of the Broad Based Black Economic Empowerment Act of 2013 ( "the B-BBEE" Act) which establishes the B-BBEE Commission and aims to promote compliance with the Act by public entities, strengthening the evaluation and monitoring of compliance; creation of incentive schemes to support black owned and managed enterprises and establish a system of offences and penalties for non-compliance with the B-BBEE Act and its requirements. Additionally, the Regulator will be responsible for updating the B-BBEE regulations of 2007 to align with the Maritime Score Card which must be promulgated by the Transport Council appointed in 2023 in compliance with the B-BBEE Act.

## 1.2. POLICY MANDATES

### 1.2.1. National Development Plan: Vision 2030

The Ports Regulator's decisions on port tariffs, has and will continue to take account of and respond to the National Development Plan ("NDP") goals, amongst others, to improve efficiencies and reduce inflationary effects of administered prices in manufacturing. The NDP requires the regulators to control the inflationary effects of administered pricing to support the country's effort to build a diversified economy, stimulate manufacturing, enhance market participation/competition, and provision of appropriate infrastructure and services. In particular, the Ports Regulator must ensure that the Authority bring about price and operational efficiencies whilst remaining financially viable to continue investing in the maintenance, refurbishing and expansion of port capacity in support of the country's import and exports. *The Regulator will be guided by Presidency processes regarding the review and capacitation of Regulators in South Africa to improve outcomes in the SA economy.*

### 1.2.2. White Paper on Commercial Ports Policy, 2002.

The Regulator's functions as articulated in the National Ports Act arise from the vision for commercial ports and the regulatory considerations in the White Paper on Commercial Ports Policy of 2002. The Commercial Ports Policy intended for

*"South Africa's commercial ports system should be globally competitive; safe and secure, operating at internationally accepted levels of operational efficiency, in a manner that supports the goals and objectives of the RDP and GEAR. Additionally, it should serve the economy and meet the needs of port users in a manner that is economically and environmentally sustainable" (DOT, 2002:08).*

With the vision for SA commercial ports defined as

*"A system of ports, seamlessly integrated in the transport network, that is jointly and individually self-sustainable through the delivery of high levels of service and increasing efficiency for a growing customer base, enhancing South Africa's global competitiveness and facilitating the expansion of the South African economy through socially and environmentally sustainable port development." (DOT, 2002:08).*

The following basic principles for national commercial ports have guided the regulatory processes and/or instruments of the Regulator:

- National needs, aspirations and requirements shall be of primary consideration
- Consideration of user and other stakeholder needs and views
- Port system development, management and enhancement will primarily remain a national function
- Regulation should be kept to a minimum, without compromising national aspirations, safety, health, security, efficiency and environmental sustainability
- Participants in the market should be treated equally and fairly
- The principle of user pays or cost recovery, benchmarked against international best practise to ensure that the costs are globally competitive will be applied as far as possible, including an appropriate return, and

- Strategic port planning will include the integration of social and biophysical aspects at the earliest stages to ensure sustainable port development.

The Commercial Ports Policy advances regulation at three levels: economic regulation by an external economic regulatory body (a Ports Regulator of South Africa); through compliance and related functions by the Port Authority; and regulatory oversight on competition matter by the Competition Commission.

### 1.2.3. Government of National Unity Strategic Priorities and Medium-Term Development Plan 2025- 2030

The Government of National Unity (GNU) has identified three priorities that inform programmes and outcomes to be achieved in the seventh administration through the Medium-Term Development Plan 2024 – 2030. The Regulator's mandate and functions respond directly or indirectly to two of the priorities, namely:

**Priority 1: Inclusive economic growth and job creation**

This is the Apex priority to achieve a more rapid, inclusive and sustainable economic growth to create jobs. All of government, its clusters and sectors must prioritise relevant economic interventions at "… the promotion of fixed capital investment and industrialisation, job creation, transformation, livelihood support, land reform, infrastructure development, structural reforms and transformational change, fiscal sustainability, and the sustainable use of our national resources and endowments. Macro-economic management must support national development goals in a sustainable manner."

- Number 3: Prioritise infrastructure development and harness public private partnerships to strengthen transport infrastructure
- Number 7: Continue structural reforms through Operation Vulindlela including introduction of private sector competition in ports and rail operations.
- Number 10: Implement freight logistics road map to enable private sector investment and participation in port and rail increasing competition and efficiency, whilst ensuring infrastructure remains state-owned
- Number 15: Progressively increase investment in research and development to grow and transform SA's science, technology and innovation capabilities, human resources and research infrastructure.

Applicable to the Ports Regulator under Priority 1 during the 2025/26 FY, are two indicators under strategic interventions focused on the implementation of Freight Logistics Roadmap to enable private sector investment and increase competition and efficiency of ports and rail, i.e. (a) the establishment of the Economic Regulator of Transport and, (b) the establishment of the NPA as a subsidiary of Transnet. The Ports Regulator will also monitor progress by the Authority in increasing efficiency of port operations and the defined intervention indicator for priority 1 of the GNU programme.

**Priority 3: A capable, ethical and developmental state.**

As a state entity the Ports Regulator, through its institutional policies and strategies which are geared to drive organisational excellence supported by a strengthened Regulator's capacity, will respond to

interventions that government has identified to build a capable, ethical and developmental state. Where the identified interventions are focussed on the public service and processes at the local sphere of government, within our sphere of influence our policies and procedures will respond to:

- Number 8: Develop and implement a roadmap for digital transformation of public service, including stack of digital public infrastructure digital identity, digital payments and data-integration
- Number 9: Strengthen the public procurement system for efficiencies and effectiveness and to stimulate demand.

The organisation will also focus on gender mainstreaming, the empowerment of youth, and persons with disabilities within the reach of the Regulator's mandate.

### 1.2.4. Freight Logistics Roadmap

The Freight Logistics Roadmap, published by the Department of Transport in 2023, sets out a detailed plan for structural reform in the South African Freight sector. The focus of the Roadmap is reform in rail and ports sectors. Specific policy targets for ports include the following:

- Identify urgent equipment requirements at all ports and develop plan to address critical gaps
- Establish the National Ports Authority as a subsidiary with a board comprising a majority of independent non-executive directors
- Establish the Transport Economic Regulator (TER) following passage of the ERT Bill

## 1.3. UPDATES TO INSTITUTIONAL POLICIES AND STRATEGIES

The Ports Regulator monitors and observes both the internal and external environments through the lens of its Compliance Risk Management Plans which conducted by assessing the following statutes:

- National Ports Act No.12 of 2005 (NPA);
- Public Finance Management Act No.1 of 1999, as amended (PFMA);
- Protection of Personal Information Act No. 4 of 2013 (POPIA);
- Promotion of Access to Information Act 2 of 2000 (PAIA);
- Promotion of Administration of Justice Act No. 3 of 2000 (PAJA);
- Labour Relations Act No. 65 of 1995 (LRA);
- Basic Conditions of Employment Act. 75 of 1995, as amended; and
- Occupational Health and Safety Act No.85 of 1993.

The internal environment is further undergirded by policies to oversee the secretariat personnel and another set of policies for governance and oversight of board duties. These are set out below:

- Human Resources Policies
    - Recruitment and Selection and Termination Policy

- Leave and Working hours;
- Hybrid Policy;
- Training and Development Policy;
- Succession Planning Policy; and
- Employee Performance Management, Short Term Incentive Policy, Rewards Policy to be combined

- Governance/ Board Policies
  - Board Members Remuneration Policy;
  - Code of Conduct and Business Ethics for Regulator Members;
  - Code of Conduct and Business Ethics for Regulator Secretariat; and
  - Delegation of Authority.

Further, it is important to note the Economic Regulation of Transport Act of 2024 (Act) was promulgated into law on the 11 June 2024. The Act establishes a single Transport Economic Regulator (TER) to regulate economic activities of all modes of transport, namely, shipping, rail, road and air transport. These modes have been regulated under different pieces of legislation which the TER now seeks to consolidate. The implementation of the proposed regulatory consolidation necessitates the amendment of the National Ports Act 12 of 2005, the Airports Company Act 44 of 1993, the Air Traffic and Navigation Services Company Act 45 of 1993, the National Land Transport Act 5 of 2009 and the South African National Roads Agency Limited and National Roads Act 7 of 1998.

The coming into effect of the TER predicates the winding up and dissolution of the Ports Regulator the date of which the Minister will determine in terms of section 55 of the National Ports Act 2005. It is important to note that the TER and the Ports Regulator adjudicative mandates cannot coexist. This means the TER can only have a valid standing to hear complaints and appeals against the Authority when the Ports Regulator is no longer the seat of first instance in such matters as explained in the Great Afro case above. Therefore, it is crucial that the legislative provisions of the TER relating to the adjudication of matters be established first before the winding up of the Ports Regulator.

## 2. UPDATES TO RELEVANT COURT RULINGS

The Ports Regulator is vested with powers sufficiently wide to oversee, correct or confirm the decisions of the Authority.

In Great Afro Trading CC t/a Somerset Cold Storage v Ports Regulator of South Africa and Another. The court held that the Ports Regulator, by virtue of the provisions of section 30(1)(c) and section 46(2) of the National Ports Act 2005, is empowered to monitor the activities of the Authority. The exercise of such power necessarily entails the ability to determine whether the Authority has acted lawfully and include the power to conduct a legality review when such a review falls within the powers conferred upon the Ports Regulator to monitor the activities of the Authority.

This ruling by the High Court put the position beyond any question that the Tribunal has jurisdiction to hear appeals and complaints against the Authority of whatever nature. The ruling also confirmed that the Tribunal has the power to review, set aside or substitute the administrative decisions of the Authority. Further, the Tribunal being vested with such power means that parties aggrieved by the actions or omissions of the Authority must exhaust their grievance with the Tribunal first. Referring the matter to court before it has been heard by the Tribunal would be non-suited.

The principle establishes the position that matters against the Authority fall exclusively within the jurisdiction of the Tribunal as the adjudication forum of first instance.

In Koyabe and Others vs Minister of Home Affairs and Others the court held that approaching a court before the administrative body is given the opportunity to exhaust its own existing mechanisms undermines the autonomy of the administrative process. It renders the judicial process premature, effectively usurping the executive role and function.

Therefore, a party who is adversely affected by an act or omission of the Authority may bring a complaint or an appeal in respect of such matter to the Tribunal who will rule on the matter. If such party is not satisfied with the Tribunal's ruling, such party may then lodge an appeal against the decision of the Tribunal with the High Court.

In *AfriForum v National Energy Regulator of South Africa (NERSA) and Others*, the court criticised NERSA's attempt to settle with Eskom, finding that such an approach was inconsistent with constitutional principles and the applicable statutory framework. The court further held that tariff determinations have a direct impact on all South Africans and therefore require transparency and meaningful public consultation.

These ruling underscores the obligation of the Ports Regulator to properly consult on the Authority's tariff application before reaching a decision, as such a decision similarly affects all South Africans.

## PART B: OUR STRATEGIC FOCUS

### 3. VISION

The Ports Regulator reviewed its vision in 2024, which guided the organisation since inception where the Regulator was to be "regarded nationally and internationally as a world class institution which sets the standards for economic regulation in South Africa maritime ports." With the achievements recorded over the years and the role it has played in economic regulation in the transport sector, the vision has been reviewed as follows:

*"A world class port economic regulator."*

### 4. MISSION

The vision will be realised through a revised mission i.e.

*"The Ports Regulator of South Africa is committed to be a world class port economic regulator, and our mission is to undertake economic regulation which supports the development of an efficient port industry by balancing the sustainability of ports, affordability of services and promotion of equity of access".*

### 5. VALUES

Our values and desired behavioural attributes remain:

| | Values | Expected behavioural attributes from Members of the Regulator and Staff |
|---|---|---|
| P | Protection of the values enshrined in theConstitution of human dignity, equality and freedom. | Being people centred and protecting the rights of ourstaff enshrined in the Constitution and upholding thedemocratic values of Fairness, Integrity and Transparency. |
| R | Respect and Relevance | Respect for others at all levels, maintaining high ethicalstandards and trust especially regarding the proper useof the resources entrusted to us by the public.<br>Ensuringthe relevance of our regulatory frameworks in setting prices, addressing appeals and complaints and monitoring the National Ports Authority in its compliance with the objects of the National Ports Act. |
| S | Service Delivery and Stakeholder focus | Striving to exceed stakeholder expectations which engenders credibility of the decisions of the Regulator. |
| A | Accountability | The Secretariat is accountable to the Members of the Board of the Regulator, the Ministry of Transport as its Executive Authority and port stakeholders for the decisions and actions it takes. |

## 6. Situational Analysis

### 6.1. External Environment Analysis: PESTGEL

The external environment analysis of the port/maritime industry using PESTGEL, helps ports stakeholders to understand external influences, identify potential risks, and make informed decisions by assessing factors like trade policies, global economic trends, technological advancements, social changes, environmental regulations, and legal/regulatory frameworks.

Maritime transportation continues to be significantly affected by geopolitical tensions, particularly in 2024. The ongoing conflict in Yemen, coupled with numerous attacks on merchant vessels, has substantially disrupted shipping routes, extending voyages by up to 15 days and resulting in considerable logistical delays. The United States and Europe are increasingly apprehensive about China's extensive investment in global ports; a strategic move aimed at establishing its dominance in international trade. This development signifies a growing reliance on China for many countries, raising concerns over potential threats to their economic sovereignty.

At the political level, Russia has faced numerous economic sanctions due to the war in Ukraine, resulting in a global shift in maritime flows. Companies must operate within an environment where constraints and regulations are continually evolving, adversely affecting their profitability. Additionally, heightened protectionism in certain countries has led to more stringent customs controls, significantly prolonging unloading times.

In achieving its mandate as an economic regulator of a port infrastructure company, i.e. the Authority, the Regulator's work is both influenced and impacted by factors and developments in its external environment in the short term and over the next five years. These are captured below.

| **POLITICAL** | **ECONOMIC** |
|---|---|
| • Department of Transport's new structure comprising of policy, implementation and regulation.<br>• Corporatisation of the regulated entity – NPA<br>• Government of National Unity (GNU) Priorities<br>• Government policies, stability, and structural reforms that support for the port industry. | • Department of Transport's new structure comprising of policy, implementation and regulation.<br>• Corporatisation of the regulated entity – NPA<br>• Government of National Unity (GNU) Priorities<br>• Government policies, stability, and structural reforms that support for the port industry. |
| **SOCIAL** | **TECHNOLOGY** |
| • Awareness of regulatory processes.<br>• Access to port facilities and services<br>• Job creation in the port services | • Advancements in automation and smart port technologies. |

| | |
|---|---|
| • Business and public perception of competitiveness of South African Ports especially port operations. | • Digitalization of port operations, including data management and communication systems.<br>• Digitization of ports is profoundly changing the maritime landscape, as well as the professions of the sector.<br>• SA ports failure to keep with skills that require more technicality.<br>• Investment in new equipment and infrastructure to improve efficiency and capacity.<br>• Automation and digitalisation for PRSA systems and processes.<br>• Potential/cyber security threats on PRSA and the NPA. |
| **GLOBAL** | **ENVIRONMENTAL** |
| • Economic activity in major economies has been resilient.<br>• Unpredictable geopolitical environment, which comes with trade restrictions, disruption of supply chains and inflationary shocks.<br>• Financial market volatility.<br>• Trends in port infrastructure developments<br>• International trade agreements, trade sanctions, and geopolitical tensions. | • The adaptation of South African ports to environmental changes, taking into account:<br>• Environmental regulations and emissions standards (e.g., IMO 2020).<br>• Climate change and its potential impacts, such as rising sea levels and extreme weather events leading to port closures.<br>• Growing pressure for sustainable practices and green port initiatives.<br>• Impact of environmental policies on SA ports development and operation |
| **LEGAL** | |
| • Effective date of Economic Regulation of Transport Act – Legal uncertainty.<br>• NPA Act Amendment Bill<br>• Legal matters against other regulators e.g. NERSA.<br>• Lack of enforcement powers.<br>• Nature of corporatisation and attendant risks/contagion on NPA<br>• Concession agreements and other legal contracts.<br>• Maritime law changes and regulations on international trade. | |

## 6.2. Internal Environment Analysis

The capacity of the Regulator to deliver on its mandate must be facilitated by adequate human capacity to execute required technical and financial analysis, research, audit and monitoring and evaluation of the Authority's performance. The demands and complexities wrought by South Africa's freight industry structure and ports regulated space (i.e. regulated entity in a vertically integrated transport company) with the notional ring-fencing of the Authority from Transnet SOC, compounds the typical challenge of information asymmetry that plague most regulators and calls for the deployment of appropriate specialised skill sets, which must be supported by an equally agile corporate services function able to facilitate acquisition, retention and capacitation of the organisation's core functions. This is in addition to the management of risks facing the organisation, procurement of goods and services required to deliver on the mandate of the entity. The Regulator's mandate is undertaken through four programmes, namely:

- Programme 1: Administration and Governance
- Programme 2: Policy, Strategy and Research
- Programme 3: Legal
- Programme 4: Industry Development

### 6.2.1.Capacity

The original staff complement of twenty-seven at the Ports Regulator was initially sufficient when the organization was founded, as growth was limited by practical and budgetary constraints. In response to evolving needs, the organization has revised its organogram to expand its capacity from the existing twenty-seven positions to a total of sixty. This expansion aims to establish an appropriate structure within corporate services to ensure compliance with the following requirements:

- Accounting requirements must be addressed through a clear separation of functions and responsibilities. Additionally, it is essential to possess sufficient technical expertise in economic regulation to conduct financial, accounting, and economic analyses. Furthermore, there should be a strong capacity for engineering and performance benchmarking to enable effective monitoring and ensure the provision of adequate, affordable, and efficient port services.
- Capacity in legal matters is dedicated specifically to corporate law, ensuring the monitoring of the Port Authority's compliance with the relevant Act. This includes the development of suitable legal instruments to address the issue of insufficient enforcement powers.
- The efficient administration of the tribunal's responsibilities is essential in contexts where grievances and appeals must accurately represent the discontent of the port users.

The Ports Regulator is funded in accordance with section 42 of the Ports Act, which restricts financial sources to appropriations, interest income, and filing fees associated with the Tribunal program. These three revenue streams constrain the Regulator's capacity to seek additional funding, necessitating dependence on unspent surplus funds to address financial shortfalls arising from cost pressures and capital expenditures.

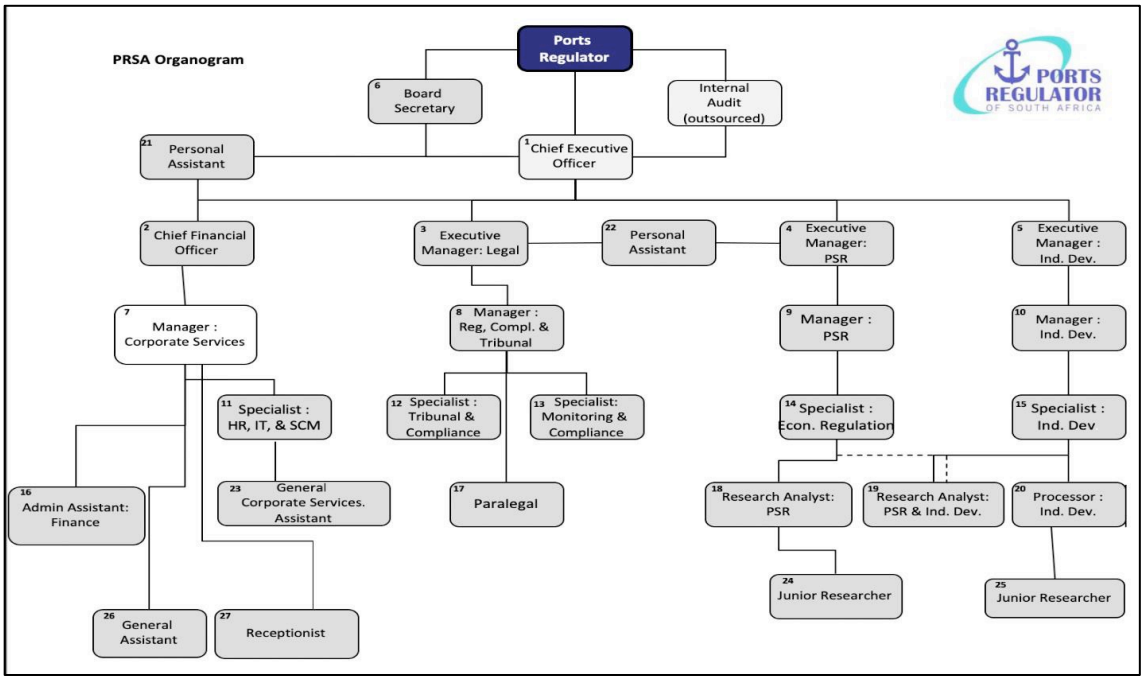
In response to these circumstances, the Regulator proposed amendments to the Ports Act to establish a funding framework aligned with those of other national regulators. This approach incorporates a hybrid model that includes financial support through appropriations and the imposition of fees on regulated entities. Such a model aims to alleviate fiscal pressure while promoting the Regulator's self-sustainability.

The amendments to the Ports Act concerning the funding model are presently suspended due to the transitioning of the Ports Regulator to the Transport Economic Regulator (TER). Despite this, the Regulator plans to persist in discussions with the shareholder minister to advance the funding model amendments. This is to guarantee that the Regulator is adequately financed and equipped in the medium term as they await the implementation of the TER.

#### 6.2.1.1. The Organizational Structure

The Port Regulator operates with an organogram comprising of only twenty-seven funded positions, which does not allow the organisation to cater for all functions entailed in its mandate, nor its compliance to requirement of effective separation of duties.

The President promulgation of the 01st of April 2025 as the effective date for the TER and Treasury's listing of the TER as a Schedule 3A sets in motion the much-awaited establishment of the Ports Regulator into the TER, upon the TER Act is amended and promulgated. The TER reflects government's objective to unify and streamline regulation across the transport and logistics system where the Ports Regulator will be a core component of TER with its staff, systems and process.




The organogram as it exists, is inadequate to cater to the Regulator's functions arising from the National Ports Act which are only focused on regulating the provision of port infrastructure, facilities and related services under the control of the National Ports Authority, in a manner that provides adequate technical

and managerial capabilities and is also compliant with organisational principles of separation of and within functions in the administration/support/corporate services.

Where proposals were previously made to expand the number of positions from twenty-seven to sixty, alongside a revision of baseline financial allocation to support the organogram, lack of approval – which approval by the Minister is a prerequisite in the National Ports Act, Act. Upon approval, this will enable the Regulator to recruit additional personnel for its core functions and bolster the Administration department's capacity.

Notably, the Administration seeks enhancement in Risk Management capabilities, a role currently executed by the Chief Financial Officer (CFO). Once the necessary approvals have been obtained, the Regulator plans to appoint personnel specifically for strategy planning, monitoring, and reporting functions, tasks that are presently managed by the Chief Financial Officer.

### 6.2.2. Expenditure Trend Analysis

Similar to the organogram, the Regulator's funding the Regulator's funding stands as a significant challenge, impeding its capacity to broaden its mandate or initiate new projects due to the severely limited baseline allocation. Section 42 of the Ports Act restricts the Regulator ambitions to be self-sustainable by externalising the cost of regulation to its beneficiaries, as done by other regulators. Reliance on the fiscus in the continually constrained funding environment has led to the Regulator's dependence on retained surplus funds to bridge the funding gap. However, this reliance is not viable for the long-term viability of the Regulator and can only be obviated through an upward revision of the baseline allocation or the Ports Regulator's integration into an adequately and appropriately funded Transport Economic Regulator.

## 6.3. Strength, Weakness, Opportunities and Threats

The Ports Regulator's 2026/27 FY Annual Performance Plan is influenced by various internal and external factors as detailed in our SWOT analysis. By implementing strategic interventions and initiatives, we aim to leverage our strengths and opportunities while collaborating with pertinent partners and stakeholders to address and mitigate the identified weaknesses and threats.

**INTERNAL FACTORS**

| **STRENGTHS +** | **WEAKNESSES -** |
|---|---|
| • Established regulatory frameworks and processes which are responsive to regulatory imperatives<br>• Available competencies, skills & industry knowledge in contributing and supporting the PRSA mandate<br>• Effective and efficient engagement with stakeholders on regulatory outputs/processes | • Funding model resulting in cost pressures and funding deficit<br>• Limited organogram and headcount relative to functions of the organisation, associated with key man risk and underdeveloped knowledge management systems<br>• Integrity of and reliance on NPA information – the Ports Regulator lacks data validation capabilities |

| | |
|---|---|
| • Adequate and efficient financial and risk reporting | • Continuing poor SA ports operational performance |

**EXTERNAL FACTORS**

| OPPORTUNITIES + | THREATS - |
|---|---|
| • Automation & digitisation of processes<br>• Collaborations and partnerships with established institutions, including the TER Board<br>• Creating Ports Regulator driven port user engagement platforms<br>• Publication of research reports<br>• Ports Regulator transitioning to TER: Oversight across entire transport sector<br>• Refine and amend regulatory frameworks.<br>• Begin to develop expertise in other transport modes, to the benefits of freight owners | • Fiscus over stretched and envelop for additional funding allocation limited to savings from DOT.<br>• Enforcement instruments for implementation of regulatory compliance findings against the Authority are lacking.<br>• Limited staff & need for specific skills relative to the Ports Regulator's mandate (e.g. project/ engineering skills)<br>• Limited coordination with TER Board, reducing ability to effectively participate in transition to TER and begin to develop intermodal skills sets |

## 7. PERFORMANCE PER PROGRAMME

The Regulator delivers on its mandate through four functional programmes namely:

- Programme 1: Administration (Finance, Corporate Services and Governance)
- Programme 2: Policy, Strategy & Research (Economic Regulation)
- Programme 3: Legal (Tribunals, Compliance and Corporate Legal)
- Programme 4: Industry Development

The APP and the identified projects for each programme arise from the Regulator's five organisational outcomes for the 2025 – 2030 Medium Term Development Plan period. These are:

- Affordable, adequate and efficient port infrastructure services
- A transformed accessible and equitable port system supporting SMME development
- Open and transparent regulatory processes through effective stakeholder management
- Organisational excellence supported by strengthened Regulator's capacity.
- An efficient and innovative port system embracing technological advances.

| Programme 1 | Outcome 1 | Outcome Indicator | Baseline | Five Year target |
|---|---|---|---|---|
| **Administration** | Organisational excellence supported by strengthened Regulator's capacity. | Improved human resource capacity | 27 employees | 60 employees |
| | | AGSA audit opinions | Unqualified | Clean audits |
| | | Approved budget. | R44 million | R64 million based on 2024/25FY baseline<br>R100 million baseline on expanded organogram |
| **Programme 2** | **Outcome 2** | **Outcome Indicator** | **Baseline** | **Five Year target** |
| **Policy, Strategy and Research** | Affordable, adequate and efficient port infrastructure and services | Appropriate tariffs for port users | Cost based application of Tariff Methodology | Performance Adjusted Cost Based Tariff Methodology |
| | | Cost reflective tariffs for NPA | Tariff strategy revenue split:<br>47% cargo owners<br>31% leases revenue<br>22% marine charges | Tariff strategy revenue split:<br>27% cargo owners<br>32% lease revenue<br>41% marine charges |
| | | Percentage discounts/incentives | 30% discounts: SA flagged vessels & port activity license fees | 50% for SA flagged vessels<br>Retain and vary as required for license fees, |

| | | | | |
|---|---|---|---|---|
| | | | 60% discounts for vessels taking bunkers (not cargo working) | 30% for designated emerging industry players as per new sector codes |
| | | | | |
| **Programme 3** | **Outcome 3** | **Outcome Indicator** | **Baseline** | **Five Year target** |
| **Legal** | Transformed accessible and equitable port system which support SMME development. | Monitor compliance of NPA with the Codes of Good Practice of the B-BBEE Act. | NPA compliance with 75%, Level 4 requirements of the National Ports Regulations, 2007. | Increased participation levels by specific groups and SMMEs in accordance with the Codes of Good Practice of the B-BBBEE Act. |
| **Programme 4** | **Outcome 2** | **Outcome Indicator** | **Baseline** | **Five Year target** |
| **Industry Development** | Affordable, adequate and efficient port infrastructure and services | Percentage increase in CAPEX spent as proportion of applied for | R16,5bn approved over past 5 years with 46% execution | R26bn proposed with 89% - 100% execution |
| | **Outcome 4** | **Outcome Indicator** | **Baseline** | **Five Year target** |
| | Open and transparent regulatory processes through effective stakeholder management | Engaged and informed port users/stakeholders on regulatory frameworks | No baseline | Establish baseline 85% engagement |
| | | Improvements on customer satisfaction index score | 3. Rating | Establish baseline Average of 4.5 rating |
| | **Outcome 5** | **Outcome Indicator** | **Baseline** | **Five Year target** |
| | An efficient and innovative port system embracing advances in technology | Oversight on implementation of innovative port systems and sustainable technologies monitored. | Launch of IPMS | Fully functioning smart port system and connection to other technology platforms % improvement in deployment of technology as per adopted Smart Port programme |

## 7.1. Programme 1: Administration (Finance, Corporate Services and Governance)

**Purpose:** The Administration programme offers essential corporate support to the Regulator's primary initiatives, facilitating the organization's ability to fulfil its mandate while adhering to governmental regulations, as well as organizational policies and procedures. This programme is tasked with managing the following functions:

i. Human Resources Management.
ii. Budget, Performance Planning & Reporting.
iii. Finance and Supply Chain Management which provides financial and supply chain management services and ensure that the Ports Regulator complies with Public Finance Management Act (PFMA) and its various regulations.
iv. Information & Communication Technology (ICT).
v. Assets Control & Liabilities.
vi. Risk Management and Internal Control.

Programme 1 is responsible for the organisation's Strategic Outcome 1: Organisational excellence supported by strengthened Regulator's Capacity over the 2025 – 2030 Strategic Plan period.

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

| | | | Annual Targets | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Outcome** | **Output** | **Output Indicator** | **Audited / Actual Performance** | | **Estimate Performance** | | **MTEF Period** | | |
| | | | **2022/23** | **2023/24** | **2024/25** | **2025/26** | **2026/27** | **2027/28** | **2028/29** |
| | Fill and retain a full staff complement of 29 as per approved organogram | Less than 5 % vacancy rate on funded positions | Organogram | Organogram 88.89% filled | Organogram 88.89% filled | Organogram 100% filled | Organogram 100% filled | Organogram 100% filled | Organogram 100% filled |
| | Implement HR Strategy Initiatives | Percent (%) of HR Strategy Initiatives implemented | - | - Development of HR Strategy | Approved HR Strategy | 33% of HR Strategy initiatives implemented | 33% of HR Strategy initiatives implemented | 33% of HR Strategy initiatives implemented | 33% of HR Strategy initiatives implemented |
| | Implement ICT Strategy Initiatives | Percent (%) of Information, Communication and Technology Strategy Initiatives implemented | Development of ICT Strategy | Approved ICT Strategy | 34% of ICT Strategy Initiatives for implemented | 38% of ICT Strategy Initiatives implemented | 17% of ICT Strategy Initiatives implemented | 9% of ICT Strategy Initiatives implemented | 9% of ICT Strategy Initiatives implemented |
| | Implement SCM Strategy Initiatives | Percent (%) of SCM Strategy Initiatives implemented | Development of SCM strategy | Approved SCM Strategy | 28% of SCM Strategy Initiatives implemented | 32% of SCM Strategy Initiatives implemented | 20% of SCM Strategy Initiatives implemented | | 20% of SCM Strategy Initiatives implemented |
| | Achieved AGSA unqualified opinions versus desired clean audits. | AGSA audit opinion | Clean audit | Unqualified with findings | Clean audit | Clean Audit | Unqualified audit opinion | Unqualified audit opinion | Unqualified audit opinion |

### 7.1.2.Indicators, Annual and Quarterly Targets

| Output Indicators | Annual Target | Q1 | Q2 | Q3 | Q4 |
|---|---|---|---|---|---|
| Less than 5 % vacancy rate on funded positions | Organogram 95% filled | Quarterly vacancy management report with action plan for vacancies. | Quarterly vacancy management report with action plan for vacancies. | Quarterly vacancy management report with action plan for vacancies. | Quarterly vacancy management report with action plan for vacancies. |
| Percent of Human Resources Strategy Initiatives Implemented | Implementation of the 33% of HR strategy initiatives | 1 Quarterly report on % of the HR strategy initiatives implemented | 1 Quarterly report on % of the HR strategy initiatives implemented | 1 Quarterly report on % of the HR strategy initiatives implemented | 1 Quarterly report on % of the HR strategy initiatives implemented |
| Percent of Information and Communication Technology Strategy Initiatives Implemented | Implementations of the 38% of ICT strategy initiatives | 1 Quarterly report on % of the ICT strategy initiatives implemented | 1 Quarterly report on % of the ICT strategy initiatives implemented | 1 Quarterly report on % of the ICT strategy initiatives implemented | 1 Quarterly report on % of the ICT strategy initiatives implemented |
| Percent of Supply Chain Management Strategy Initiatives Implemented | Implementations of the 32% of SCM strategy initiatives | 1 Quarterly report on % of the SCM strategy initiatives implemented | 1 Quarterly report on % of the SCM strategy initiatives implemented | 1 Quarterly report on % of the SCM strategy initiatives implemented | 1 Quarterly report on % of the SCM strategy initiatives implemented |
| Achieved AGSA unqualified opinions versus desired clean audits. | Implementation of corrective action on Audit Findings | Quarterly action plan report to maintain clean audit outcomes | Quarterly action plan report to maintain clean audit outcomes | Quarterly action plan report to maintain clean audit outcomes | Quarterly action plan report to maintain clean audit outcomes |

### 7.1.3. Explanation of Planned Performance over the Medium-Term Period

The Regulator has, over the 2019 – 2025 Medium Term Expenditure Framework (MTEF) period focused on accelerating internal processes and capacity to perform its mandate. Over the medium-term of the 2025/26 FY, the Regulator's baseline budget is R47,4 million. In terms of the 2024/25 FY budget allocation, it was estimated to grow at an average rate of 4.5% to R58 million in the 2029/2030 FY. Compensation of Employees constitute 72% and Goods and Services account for 28% of the budget.

The allocation for 2025/26 increased from R46.4 million to R67.2 million which translates to 22% increase due to the approved retention of surplus for an amount of R20.7 million. Over the medium term the budget allocation increased by 9% from 48.5 million to 56.8 million from 2026/27 financial year to 2028/29, which total to an amount of 13.0 over 3 years period. The increase on Compensation of employees will cater cost of living adjustments and capacity constraints and increase on goods and services will cover escalation costs for various contract within the Regulator.

The 4.5% average growth rate did not account for above inflation annual budget adjustments on existing contracts, nor for the integration of the Regulator into the TER, which was scheduled to be established on April 1, 2025. The Proclamation of the effective date deliberately omits the Ports Regulator from being integrated into the TER upon its inception in 2025, due to required amendments to the ERT Act pertaining to provisions for consequential amendments to the Ports Regulator's founding legislation, the National Ports Act No. 12 of 2005 that will facilitate its transition into TER. On effective date of the amendment and the repeal of the National Ports Act, the Ports Regulator will be absorbed into the TER, and it is anticipated that the baseline allocation will subsequently become a component of the TER's hybrid funding model, as outlined in the TER Act.

During the 2023/2024 and 2024/2025 financial years, Corporate Services completed the development of three key strategies: the Supply Chain Management Strategy, the Information and Communication Technology Strategy, and the Human Resources Strategy.

The outlined strategies emphasize the necessity for the Regulator to allocate resources and execute initiatives aimed at enhancing its operations. This includes the digitization and automation of business procedures to shift from manual processes. Additionally, the strategies seek to streamline business operations and expedite turnaround times in recruitment, various HR functions, procurement, and financial procedures. The full implementation of these strategies will enhance the Human Resource Management, Financial, and Risk Management results of the organization, effectively preparing for the TER. The current financial resources of the Ports Regulator are inadequate to support all its initiatives, necessitating additional baseline funding in the fiscal year 2026/27. This extra funding will provide the necessary capacity, through contracted support, to reduce the strain on existing resources.

As determined in the National Treasury's budget framework and guidance to entities, the Ports Regulator's Compensation of Employees (COE) is can only increase at an average rate of 4.4% over the medium term. This should reflect inflation-linked salary adjustment for employees in accordance with existing pay scales. This decision aligns with the Regulator's strategic approach to ensure that all positions in the current organizational structure are filled, inclusive of two additional roles beyond the current establishment. Over the years, the organization's baseline allocations have experienced stagnation, leading to Compensation of

Employees constituting 72% of the budget. This is compounded by the need to implement salary benchmarking every five years with the objective of preserving competitive pay scales, thereby ensuring the retention of valuable employees who contribute significantly to the entity's success. In the event the Ports Regulator continues to exist, the next benchmarking exercise will be conducted in 2027/28. Two critical processes are expected to put pressure on the organisational budget relating to COE; (a) full implementation of the S&T policy aligned to the Treasury guidelines in relation to domestic travel and (b) in 2025/26 PRSA staff have unionised which will impact the annual salary adjustments and benefits as these were previously determined through HR policy.

Over the medium term, the Goods and Services budget is projected to grow at an average rate of 6.3%. This growth accounts for inflation adjustments on existing contracts, with certain costs exhibiting marginal increases while others remaining stable over the same period. In addressing the financing for these medium-term costs, we envisage to seek and obtain approval of retained surplus or increase in the baseline allocation as the current trajectory falls short of meeting all operational and capital expenditure needs of the entity.

The Ports Regulator is committed to implementing austerity measures as directed by the National Treasury and engaging in transversal contracts to effectively manage and reduce expenses. To further limit costs related to Subsistence and Travel, virtual platforms are utilized for oversight meetings. Additionally, the organization will prioritize Training and Development, aiming to enhance technical and managerial growth among employees within their specific roles.

During the 2025/26 annual performance period, the achievement of Outcome 1, which focuses on organizational excellence, is supported by enhancing the Regulator's capabilities. This includes strategic partnerships in research and development that the Ports Regulator will execute with selected entities to bolster our capabilities and research outputs. These initiatives are outlined and executed within Programme 2 Policy, Strategy and Research and Programme 4: Industry Development.

## 7.2. Programme 2: Policy, Strategy and Research

**Purpose:** The Policy, Strategy and Research (PSR) programme undertakes technical work to support Members of the Regulator in developing, implementing, reviewing and evaluating the effectiveness of regulatory frameworks to address pricing and efficiency requirements i.e. preventing the Authority as monopoly port authority from setting and/or increasing prices beyond the level of reasonable profits (i.e., super normal profits, windfall gains, producer surplus, and welfare loss to port users). These frameworks are aimed at achieving the balance between sustainability of the Authority in the long term and affordability of port infrastructure, facilities and services to port users.

Over the 2025 – 2030 delivery period, Programme 2 is responsible for implementation of projects that will result in the achievement of Outcomes 2 and 3 of the Ports Regulator i.e. affordable, adequate and efficient port infrastructure and services; and for tariff decisions that supports or drive the type of behaviour by the NPA which result in an efficient and innovative port system embracing advances in technology. Together with programme 4, the PSR Programme will ensure continued consultation, participation and involvement of stakeholders, interested and affected parties in the development of appropriate regulatory instruments and the monitoring the effectiveness of the frameworks in achieving intended outcomes i.e. appropriate tariffs for port users, cost reflective tariffs for the NPA, a CAPEX programme that addresses current and

future capacity demands on the country's commercial ports, and appropriate incentives and discounts to achieve strategic objectives in the port system.

Programme 2 routine projects and functions include the following:

- Conducts an annual Global Pricing Comparator Study (GPCS), which measures the competitiveness of ports globally and to benchmarks the effectiveness of the Ports Regulator's pricing decisions,
- Conducts the Ports Sector Review (PSR) every five years, which comprises a regulatory review of the South African port system,
- Research to continuously assess, sharpen and improve regulatory instruments such as the tariff methodology and tariff strategy, to improve the Port Regulator's decisions on tariff determination and pricing of port services.

The Regulator also has limited additional resources available to undertake ad hoc research in other areas. To date, the practice of the Regulator has been to undertake research on specific industries to understand the existing infrastructure needs of the different industries served by SA ports and the effect of regulation on these sectors. In the short to medium term, however, the focus of programme 2 will be on the current program of structural reform, and its implications for the regulatory framework.

The Regulator takes cognizance of best practice on principles of economic regulation. These are further enhanced by commitment to consultative processes for transparency, fairness and involvement of port users whose business are dependent on ports for importing and exporting of cargoes across the globe.

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

| | | | Annual Targets | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Outcome** | **Output** | **Output Indicator** | **Audited / Actual Performance** | | | **Estimate Performance** | | **MTEF Period** | |
| | | | **2022/23** | **2023/24** | **2024/25** | **2025/26** | **2026/27** | **2027/28** | **2028/29** |
| Affordable, adequate and efficient port infrastructure and services | Affordable, adequate and efficient port infrastructure and services | Appropriate tariffs for port user | Tariff Assessment and the publication of the ROD and Tariff Book | Tariff Assessment and the publication of the ROD and Tariff Book | Tariff Assessment and the publication of the ROD and Tariff Book | Tariff Assessment and the publication of the ROD and Tariff Book | Tariff Assessment and the publication of the ROD and Tariff Book | Tariff Assessment and the publication of the ROD and Tariff Book | Tariff Assessment and the publication of the ROD and Tariff Book |
| | | | Multiyear Tariff Methodology published | - | | Review of the Multi-year Tariff Methodology finalised by year end | Implementation of Tariff Methodology | Implementation of Tariff Methodology | Review of the Multi-year Tariff Methodology finalised by year end |
| | | Cost reflective tariffs for NPA | Publication of the Amended Tariff Strategy Research report on the Lease Revenue Strategy. | **Publication of the Marine Revenue Strategy** | Report on the review of the 10-year Tariff Strategy completed | | Review of Tariff Strategy finalised by year end | Implementation of Tariff Strategy | Implementation of Tariff Strategy |
| | | | Annual Global Pricing Comparator study published | Annual Global Pricing Comparator study published | Annual Global Pricing Comparator study published | Annual Global Pricing Comparator study published | Annual Global Pricing Comparator study published | Annual Global Pricing Comparator study published | Annual Global Pricing Comparator study published |
| | | Percentage discounts/ incentives | Discounts/ incentives as per tariff RoD | Discounts/ incentives as per tariff RoD | Discounts/ incentives as per tariff RoD | Discounts/ incentives as per tariff RoD | Discounts/ incentives as per tariff RoD | Discounts/ incentives as per tariff RoD | Discounts/ incentives as per tariff RoD |
| | | **Research Report on Predefined Industries in the Port System** | Research report on impact of discounts offered to bunkering operations and services | **Research report on the efficacy of capital investments in the South African port sector** | Research Report on Alternative Energy Sources and Decarbonising the South African Port System | Review of the Port Tariff Incentive Programme | Research Report to support structural reform processes | | |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | Research Report on Intermodal Transport Systems | | Assessing affordable, adequate and efficient port infrastructure and services in Liquid bulk | | |

### 7.2.2.Indicators, Annual and Quarterly Targets

| Output Indicators | Annual Target | Q1 | Q2 | Q3 | Q4 |
|---|---|---|---|---|---|
| Appropriate tariffs for port users | Annual report on assessment and alignment of port user submissions relating to appropriateness of tariffs for port users (Port users, PCC and/or NPCC submission on the National Ports Authority's Tariff Application) | Assessment of port user submissions on the National Ports Authority's CAPEX and Port Performance to PCC port performance road shows | Analytical Report on port user submissions on the NPAs tariff application | Record of Decision on the NPAs Tariff Application based on tariff methodology and responsive to port users submissions | Publication of the NPA's Tariff Book Based on the approved Tariff Methodology |
| | Complete tariff assessment in accordance with the multi-year tariff methodology and publish Record of Decision | Engage with NPA on Tariff Application | Receive Tariff Application from NPA and commence assessment and noting by RegCom | Complete tariff assessment, ROD approval by the Regulator Members | Finalize and publish Tariff Book |
| | Assessing affordable, adequate and efficient port infrastructure and services in Liquid bulk | Finalise internal terms of reference and allocate staff | Literature Review on the liquid bulk sector | Finalise draft report | Final report submitted to Board for approval. |
| | Global Port Pricing Study Report – benchmarking SA port prices against comparators in the study | Review of the underlying assumptions of the GPCS study | Tariff Book collection for all four cargo types and collation of tariff data | Draft report submitted to CEO | Final report submitted to Board for approval and publication. |
| Cost reflective tariffs for NPA | Review of tariff strategy | Review modelling of tariff strategy and finalise terms of reference for external consultant | Appoint service provider; internal project manager appointed and begins analysis | Workshopping of draft strategy and stakeholder consultations | Finalise and publish Tariff Strategy |
| | Research to support structural reform process | Finalise internal terms of reference and allocate staff | Literature Review structural reform processes | Finalise draft report | Publication |

| | | | | | |
|---|---|---|---|---|---|
| Percentage increase in CAPEX spent as proportion of applied for – at least 90% expenditure of approved CAPEX | Analysis of CAPEX Expenditure as input into the Tariff Record of Decision | Monitor and report on CAPEX register for expenditure on approved projects | Monitor and report on CAPEX register for expenditure on approved projects | Tariff decision with focus on CAPEX | Monitor and report on CAPEX register for expenditure on approved projects |

### 7.2.3. Explanation of Planned Performance over the Medium-Term Period

The Regulator's Multi-Year Tariff Methodology for the Authority's tariffs is designed to balance the objectives of affordability for port users, with the provision of an adequate and efficient port infrastructure by the Authority. The revenues allowed by the methodology are set so as to cover the efficient costs of the Authority, while incentivising efficiency. The Tariff Strategy then uses a cost-based user pays principle to apportion the incidence of tariffs to different port user groupings. The regulatory frameworks have led to a stable regulatory environment for South African ports, bringing about predictability and consistent price signals for the National Ports Authority and port users.

PSR conducts research on the latest developments in the maritime sector and stays on the cutting edge of regulatory policy and strategic management of the regulatory interventions relating to long-term infrastructure pricing and efficient port operations. PSR work collaboratively with Industry Development to assess capital expenditure programs and to develop, monitor and execute performance efficiency schemes (penalty and gains).

The PSR programme must expand on economic modelling competencies to appropriately assess prevailing conditions and determine appropriate regulatory interventions and outcomes to achieve intended regulatory outcomes i.e. economic regulation in the conditions applicable in the markets in South Africa. Methodological improvements in the development of cost of capital estimates are being trialled.

The corporatisation of the NPA was not finalised by the proposed deadline of 30 April 2025 but continues to be expected imminently. PSR has been engaging with the ministerial task team on incorporation, to ensure that the tariff implications of the design of incorporation are fully taken into account. A new tariff methodology has been developed for implementation during the 2025/26FY, and the draft document proposes that an allowance be made for out-of-cycle adaptations to the methodology, should they be required by incorporation.

The establishment of the TER will require the development of several regulatory frameworks and instruments for the transport sector, as well as a revision of the ports sector regulations. PSR will participate in these processes in order to ensure continuity of the current regulatory regime, and to effectively play its role as the nucleus of the regulatory capacity of the TER, as envisaged by the DoT.

**Contribution of outputs to the achievement of outcomes**

The projects undertaken by the department always seek to measure the effectiveness of the pricing framework, the effectiveness of the Tariff Strategy and the Tariff Methodology, in the port system. For example, the GPCS provides a benchmark on the competitiveness of the SA port system prior to the development of the Tariff Strategy in 2015, as contrasted to the current year. The Port Sector Review will provide an opportunity for the Regulator to understand trends in existing capacity of the domestic port system and infrastructure requirements of the system. The outcomes also provide signals for investment decisions for the Authority and port users impacting the capital expenditure programme of the Authority and the applied Revenue Requirements of the Regulated entity. This research feeds into the assessment of the Tariff Application of the Authority and allows the Regulator to make an informed decision on the applicable tariffs for the system which takes into account the interests of port users and the sustainability of the port system.

## 7.3. PROGRAMME 3: LEGAL (TRIBUNAL AND COMPLIANCE)

**Purpose:** The Legal Department continues to carry out the following functions: tribunal management, compliance and monitoring of the Authority, regulatory compliance and general legal services. In the 2026/27FY, the Programme will focus on projects that will contribute to the Ports Regulator achieving Outcome 5: Transformed, accessible and equitable port system which supports SMME development.

### 7.3.1. Outcomes, Outputs, Output Indicators and Targets.

| | | | Annual Targets | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Outcome** | **Output** | **Output Indicator** | **Audited / Actual Performance** | | | **Estimate Performance** | | **MTEF Period** | |
| | | | **2022/23** | **2023/24** | **2024/25** | **2025/26** | **2026/27** | **2027/28** | **2028/29** |
| Operating an effective and efficient tribunal to hear complaints and appeals in terms of section 46 and 47 of the Act. | Optimised operational efficiency of the hearing panel | Number of Tribunal Reports on support given to the hearing panels in case management, adjudication, mediation and decision-making on tribunal matters. | Achieved. | Achieved. | Achieved. | 4 Quarterly Tribunal Reports. | 4 Quarterly Tribunal Reports. | 4 Quarterly Tribunal Reports. | 4 Quarterly Tribunal Reports. |
| Monitoring the activities of the Authority and its compliance in terms of section 30 (1) (c) of the Act and other Regulatory Instruments to ensure access to and competition within the port system. | Improved levels of compliance with the Act by the Authority | Number of compliance reviews conducted. | Achieved. | Achieved. | Achieved. | 4 Quarterly Compliance Review Reports. | 4 Quarterly Compliance Review Reports. | 4 Quarterly Compliance Review Reports. | 4 Quarterly Compliance Review Reports |
| | | Number of own initiative audits/ investigations conducted. | N/A | Achieved | Achieved | 4 Quarterly Compliance Audit Reports. | 4 Quarterly Compliance Audit Reports | 4 Quarterly Compliance Audit Reports | 4 Quarterly Compliance Audit Reports |
| Ensuring Regulatory Compliance within the organisation. | Improved levels of compliance with various regulatory | Number of compliance management reports. | Achieved. | Achieved. | Achieved. | 4 Compliance Management Reports. | 4 Compliance Management Reports. | 4 Compliance Management Reports. | 4 Compliance Management Reports |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | frameworks by the PRSA. | | | | | | | | |

### 7.3.2.Indicators, Annual and Quarterly Targets 2026/27 FY

| Output Indicators | Annual Target | Q1 | Q2 | Q3 | Q4 |
|---|---|---|---|---|---|
| Number of compliance reviews conducted. | 4 Compliance Review Reports | 1 Compliance Review Report | 1 Compliance Review Report | 1 Compliance Review Report | 1 Compliance Review Report |
| Number of Tribunal Reports on status of Tribunal matters. | 4 Quarterly Tribunal Reports | 1 Quarterly report Tribunal Matters | 1 Quarterly report Tribunal Matters | 1 Quarterly report Tribunal Matters | 1 Quarterly report Tribunal Matters |
| Number of compliance monitoring and own initiative audits/investigations conducted. | 4 Quarterly Compliance Audit Reports | 1 Quarterly Compliance Audit Report | 1 Quarterly Compliance Audit Report | 1 Quarterly Compliance Audit Report | 1 Quarterly Compliance Audit Report |
| Number of compliance management reports | 4 Compliance Management Reports | 1 Compliance Management Report | 1 Compliance Management Report | 1 Compliance Management Report | 1 Compliance Management Report |

### 7.3.3. Explanation of Planned Performance over the Medium-Term Period

**Tribunal Management**

In terms of Tribunal Management, the Legal Department provides administrative and secretariate support to the Tribunal Panel, which is mandated by section 30(2)(a) of the Act to hear complaints and appeals contemplated in section 46 and 47 respectively. Tribunal management is conducted in line with the 2009 Directives issued in terms of Section (30)(3) of the Act. As part of carrying out its Tribunal Management function, the Legal Department monitors progress of tribunal matters and reports on same on a quarterly basis.

**Compliance and Monitoring**

Section (30(1)(c) of the Act mandates the Regulator to conduct compliance and monitoring of the activities performed by the Authority and ensure that it performs its functions in accordance with the Act. The function of the Legal Department is to ensure that the Authority complies with the Act and the National Ports Regulations of 2007 issued in terms of sections 80(1)(a), (c), (d), (f) and (g) of the Act and other relevant legal instruments. The main purpose of this function is to determine the extent to which the Authority has met the requirements embodied in the applicable sections of the Act. Activities will be undertaken as follows:

- Analysis and audit of the functions and aims of the Authority in terms of sections 11 and 12;
- Analysis and monitoring of quarterly agreements *entered into by the Authority in terms of sections 56,57, 65 and 66 agreements, licenses, and lease agreements*;
- *Analysis of B-BBEE certificates and other agreements the Authority has entered into with companies;*
- Monitoring of section 79 Directives issued, if any;
- General Compliance in terms of Section 72(4) agreements;
- *And any other projects* outside of the APP fulfilling the Ports Regulator's mandate.

**The Ports Regulator's Regulatory Internal Compliance**

Section 51(1)(h) of the Public Management Act ("PFMA") states that an accounting authority for a public entity must comply and ensure compliance by the public entity with the provisions of this Act any other applicable legislation to the public entity. Compliance with all applicable legislation, regulations, standards and codes of practice is imperative to the Ports Regulator. The organisation will continue to ensure that its compliance tools comply with regulatory requirements and/or frameworks. A compliance management framework, compliance checklist and compliance risk management plans ("CRMP") for legislation applicable to the organisation will continue to be developed, updated, monitored and implemented and reported as and when necessary.

### 7.3.4. Contribution of outputs to the achievement of outcomes

The Tribunal issued five (5) Records of Decisions (RoDs) in the 2024/25 FY. The RoDs dealt with amongst other issues; access to port facilities, the Authority's duty to play oversight over Terminal Operator's and charges levied by the Authority.

## 7.4. PROGRAMME 4: INDUSTRY DEVELOPMENT

**Purpose:** The Industry Development (ID) program plays a pivotal role in advancing, promoting, and executing a range of departmental initiatives and projects that uphold the mandate of the Ports Regulator including an oversight role on port performance. The Industry Development Program plays a crucial role in fulfilling the Regulator's mandate by ensuring it influences equitable access to ports and their associated facilities and services through monitoring of the Port Authority's transformation programme. Program 4 also scrutinizes the Authority's actions to ensure compliance with legislative requirements; and facilitates the provision of sufficient, cost-effective, and efficient port infrastructure, facilities, and services.

Industry Development is responsible for executing the following functions:

- Conduct research and analysis of the Ports Authority's performance regarding capital expenditures and operational efficiencies.
- Monitor and report on trends with the Authority's compliance with Broad-Based Black Economic Empowerment (B-BBEE) regulations as stipulated in the Ports Act.
- Maintain and implement a stakeholder engagement strategy to interface with port industry player and for the Ports Regulator to play an observer in the mandated structures of the Port Consultative Committees (PCC) and the National Port Consultative Committee (NPCC), ensuring active involvement of port users, stakeholders, and other interested parties in developing, implementing, and monitoring regulatory frameworks.

Below is an overview of Industry Development focus in the execution of the Regulator's functions:

| Regulator Legislated Function | Industry Development Programme contribution to execution of the function |
|---|---|
| Section 30 (1)<br>*(a)* exercise economic regulation of the ports system in line with government's strategic objectives:<br>Adequate & efficient port services and facilities | - Analysis and monitoring of Capital Expenditure (CAPEX),<br>- Research and benchmarking port operational efficiencies,<br>- Undertaking and/or facilitating of stakeholder engagements on regulatory frameworks and related processes |
| b) promote equity of access to ports and to facilities and services provided in ports; | - Conduct research and contribute to the evolution of the port economy by monitoring and reporting on trends in the execution of the Authority's BBBEE and SMME growth and by assessing port development plans of the Authority |
| (c) monitor the activities of the Authority to ensure that it performs its functions in accordance with this Act. (as informed by s11 of the Act) | - Monitor, report and facilitate regulatory interventions for issues in the development or implementation of port infrastructure and services as they impact the port industry.<br>- Systematic monitoring of performance in the port system. |

Industry Developments focus is on the outcomes, outputs, performance indicators and targets defined below:

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

| | | | Annual Targets | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Outcome** | **Output** | **Output Indicator** | **Audited / Actual Performance** | | **Estimate Performance** | | **MTEF Period** | | |
| | | | **2022/23** | **2023/24** | **2024/25** | **2025/26** | **2026/27** | **2027/28** | **2028/29** |
| **Outcome 2: Affordable, adequate and efficient port infrastructure services** | 3 Quarterly & 1 Annual CAPEX Assessment Reports. | Report on percentage increase in CAPEX spend by the Authority | Annual CAPEX Assessment Report | Annual CAPEX Assessment Report | CAPEX Assessment Report | Annual CAPEX Assessment Report completed by 31/03/26 Report shared with NPA & intervention plans agreed upon by 30 May 26 | Annual CAPEX Assessment Report completed by 31/03/27 Report shared with NPA & intervention plans agreed upon by 30 May 27 CAPEX Performance Roadshow. | Annual CAPEX Assessment Report completed by 31/03/28 Report shared with NPA & intervention plans agreed upon by 30 May 28 | Annual CAPEX Assessment Report completed by 31/03/29 Report shared with NPA & intervention plans agreed upon by 30 May 29 |
| | Percentage increase in CAPEX spent as proportion of applied for | Report on percentage increase in CAPEX spend by the Authority | No target | No target | No target | Report on the NPA's spending of at least 90% of approved CAPEX | Report on the NPA's spending of at least 90% of approved CAPEX | Report on the NPA's spending of at least 90% of approved CAPEX | Report on the NPA's spending of at least 90% of approved CAPEX |
| **Outcome 3: A transformed accessible and equitable port system supporting SMME development.** | Equity of access to ports' facilities and services provided in ports. | Quarterly and annual report on the NPA transformation Agenda for equity of access in SA Port. | Equity of Access in SA Ports Report. | Equity of Access in SA Ports Report. | 2024/25 Equity of Access in SA Ports Report by 31 March 25. Roundtable on Women Transformation in the Port Sector with B-BBBEE Commission and Commission for Gender Equality | Equity of Access in SA Ports Report by 31 March 26 | 2026/27 Equity of Access in SA Ports Report by 31 March 27. | 2027/28 Equity of Access in SA Ports Report by 31 March 28 | 2027/28 Equity of Access in SA Ports Report by 31 March 29 |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Outcome 4 Open and Transparent Regulatory processes through effective stakeholder management** | Formalised collaborative opportunities in the research and industry development areas. | Engaged and informed port users/stakeholders on regulatory frameworks. | No target | No target | 1 | 2 Effective stakeholder partnerships on regulatory frameworks | 2 Effective stakeholder partnerships on regulatory frameworks | 2 Effective stakeholder partnerships on regulatory frameworks | |
| | | Customer Satisfaction Index (scale level 1-5) | 3 | 3 | 3.5 | Level 4 Customer Satisfaction Index | Level 4 Customer Satisfaction Index | Level 4 Customer Satisfaction Index | 4.5 Customer Satisfaction Index |
| **Outcome 5: An efficient and innovative port system embracing advances in technology** | Annual Report on NPAs implementation of innovative port systems and sustainable technologies. | Report on Oversight on implementation of innovative port systems and sustainable technologies monitored | No target | No target | Re-Launch of IPMS by NPA (baseline) | Annual report on port performance towards an efficient and innovative port system (smart port initiatives). | Annual report on port performance towards an efficient and innovative port system (smart port initiatives). | Annual report on port performance towards an efficient and innovative port system (smart port initiatives). | Annual report on port performance towards an efficient and innovative port system (smart port initiatives). |

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

| Output Indicators | Annual Target | Q1 | Q2 | Q3 | Q4 |
|---|---|---|---|---|---|
| Engaged and informed port users/stakeholders on regulatory frameworks. | 2 Effective partnerships by 31/03/27 | No target | 1 Effective partnership | 1 Effective partnership | No target |
| | Appointment of Service Provider to undertake a comprehensive Customer satisfaction index framework by 31/03/27 | Develop Terms of Reference | SCM Process and appointment | Draft Framework Finalised & approved | Baseline established; Approved Customer Satisfaction Index Framework. |
| | Level 4 | No target | No target | Survey from Tariff Application Roadshows - Completed CSI forms | Report on completed CSI forms in line with the target - Level 4 |
| Report on Port Authority CAPEX including percentage increase in CAPEX spend by the Authority | 2026/27 FY Annual CAPEX Assessment Report by 31/03/27. | Quarterly progress CAPEX Assessment Report. | Quarterly progress CAPEX Assessment Report. | Quarterly progress CAPEX Assessment Report. | Quarterly/Annual progress CAPEX Assessment Report. |
| Quarterly and annual report on the NPA | 2026/27 FY Equity of Access in SA Ports Report by 31/03/27. | Quarterly Progress Equity of Access Report. | Quarterly Progress Equity of Access Report. | Quarterly Progress Equity of Access Report. | |

| | | | | | |
|---|---|---|---|---|---|
| transformation Agenda for equity of access in SA Port. | | | | | Annual Report on 2026/27 FY Equity of Access in SA Ports. |
| Oversight on implementation of innovative port systems and sustainable technologies monitored | Annual report on port performance towards an efficient and innovative port system (smart port initiatives) by 31/03/27 | Identify projects on NPA Tariff Applications (5–7-year period) on Smart Ports | Assessment report of NPA submitted strategy | Quarter 3 progress report | Quarter 4 draft annual progress report. |

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

The Industry Development programme continues to undertake research, monitor and assess the projects of the Authority to contribute to the development of adequate, affordable, and efficient port infrastructure and related services with a particular emphasis on:

- the Authority's oversight on the operational efficiencies and productivity of port activities,
- capital expenditure aimed at enhancing capacity across all ports to foster the evolution of a modernized South African port industry, thereby enabling meaningful contributions to South Africa's economic growth and development,
- factors relating to access to port facilities and services in accordance with the objectives outlined in the Ports Act aims and
- Engagement with stakeholders facilitated through a range of platforms and initiatives

In the medium term, Industry Development will enhance its stakeholder engagements beyond playing an observer role in the meetings of the legislated structures of the PCC and NPCC to lead regulatory sessions on pertinent issues including the seminars on port performance, CAPEX and ports transformation.

## 8. EXPENDITURE TRENDS BY PROGRAMMES

**Table 2: Ports Regulator of South Africa (PRSA) expenditure trends and estimates by programme**

| | Audited outcome | | | Revised estimate | Average growth rate (%) | Average: Expen-diture/ Total (%) | Medium-term expenditure estimate | | | Average growth rate (%) | Average: Expen-diture/ Total (%) |
|---|---|---|---|---|---|---|---|---|---|---|---|
| R million | 2022/23 | 2023/24 | 2024/25 | 2025/26 | 2022/23 - 2025/26 | | 2026/27 | 2027/28 | 2028/29 | 2025/26 - 2028/29 2026/27 - 2028/29 | |
| Administration | 20,278 | 19,031 | 18,956 | 30,373 | 14.4% | 42.3% | 22,250 | 24,757 | 24,829 | -6.5% | 42.8% |
| Economic regulation | 5,972 | 6,842 | 5,970 | 11,017 | 22.6% | 14.1% | 10,442 | 9,019 | 9,407 | -5.1% | 16.8% |
| Legal services | 10,848 | 10,519 | 5,107 | 15,451 | 12.5% | 19.4% | 9,102 | 9,403 | 9,795 | -14.1% | 18.1% |
| Industry development | 8,560 | 7,099 | 6,121 | 8,099 | -1.8% | 14.5% | 8,378 | 9,077 | 9,414 | 5.1% | 14.8% |
| Governance | 4,175 | 6,869 | 4,953 | 3,241 | -8.1% | 9.7% | 4,137 | 5,031 | 5,078 | 16.1% | 7.5% |
| **Total** | **49,833** | **50,360** | **41,107** | **68,181** | **11.0%** | **100.0%** | **54,309** | **57,287** | **58,523** | **-5.0%** | **100.0%** |

### 8.2 Expenditure analysis

The Regulator has an internal control measure in place to ensure that the entity returns to clean audit status which will demonstrate the intention to fully comply with legislation in particular procurement legislation which led to the regression in the audit outcomes. The delivery on the mandate will be prioritised and ensure that all processes are in place to achieve 100% performance on the Annual Performance Plan.

The Regulator will strengthen its initiatives of engaging with the shareholder minister to address the funding constraints of the Regulator to allow the entity to better prepare itself for the TER. The Regulator in 2025/26 will be financed by a budget of R47,4 million and. The current financial year budget increased by R20.7 million as a result of the approved retention of surplus to cater for commitment and capacity constraints. Over the medium term the budget increase by R12.9 million over the medium term from R47.4 million in the current financial to R58.5 million in 2028/29 at an average of 5% between 2025/26 and 2026/2027. The additional allocation is to cover escalation costs on contract, capacity and cost of living adjustment. Once the Regulator is absorbed into the TER, the baseline allocation will then form part of the hybrid funding model of the TER as contained in the TER Act.

Compensation of Employees (COE) for 2025/26 will be 72.05% of the total budget. The COE allocation increase as follows: R1.679 million in 2026/27, R1.881 2027/28 and R1 968 for 2028/29 financial year to cover cost of living adjustments and to fill positions on contract The 72% spending s is due to the strategic position taken by the Regulator to ensure that all positions in the current organogram are filled including two positions additional to the establishment. The increase from 2024/25 is mainly for inflation adjustment for employees based on the current salary scales. It must be noted that the Regulator in the past two financial years spends about 72% of its operating budget on Compensation of Employees because of the outputs that are expected from the Regulator.

The organisation approved the Human resource strategy during quarter 3, the implementation will commence in quarter 4 of the current financial year. The Human Resources (HR) Strategy for the Ports Regulator of South Africa is designed after an in-depth evaluation of its current practices against benchmarks as well as its organisational strategic intent. This strategy is constructed with an aim to elevate the Regulator's HR performance in the areas of Talent Acquisition and Talent Retention, Skills Development,

Performance Management, Employee Well-being and Engagement, Leadership and Succession Planning, Organisational Structure and Design, Technology and Digital Transformation and Change Management.

The strategy provides an indicative plan for the execution or operationalisation of activities across the Human Resource value chain at the Ports Regulator of South Africa. It is aligned with the strategic intent of the Ports Regulator of South Africa and is supported by the Regulator's HR policies.

The Goods & Services account for 28% of the total budget for 2025/26 which also included Depreciation. This will account for inflation adjustment based on the current contracts as well as some costs that increase marginally and some remaining constant until the end of the contract in 2025/26. Some of the costs do arise during the financial year which are not accounted for in the budget and these costs will be financed by the unspent surplus funds as the baseline allocation is not sufficient to cover all the operating and capital expenditure requirements for the entity. The budget increased by R8.3 million over the medium term. The allocation is for escalation costs on contractual obligation and projects within Economic Regulation.

The Regulator will continue to apply austerity measures from National Treasury as well as to participate on the transversal contracts to ensure that costs are minimised as much as possible. Virtual platforms will also be used for oversight meetings to limit expenditure on Subsistence and Travel. Training and Development will be prioritised to allow employees to grow technically on their area of responsibility to derive learning curve advantage on their outputs.

The Regulator in the 2026/2027 FY will continue to implement the approved strategies around SCM, ICT and HR. These strategies argue for the Regulator to review its operating model and automate some of the business processes as most if not all processes are manual. This will assist the Regulator to better prepare itself for the TER and to improve the turnaround time for its business processes especially in Human Resources processes as well as Procurement and Finance processes.

## 9. KEY RISKS

| Outcome | Key Risk | Risk Mitigation |
|---|---|---|
| Organisational excellence supported by strengthened Regulator's capacity. | Inadequate Financial Resources | - Implementation of the Treasury Circulars for Cost Containment<br>- Request for retention of surplus (Post Audit Process)<br>- Quarterly BRRR Reporting to Portfolio Committee on financial health of PRSA - highlighting financial constraints with recommendations.<br>- Ongoing engagement with the Department to revise baseline funding (per the MTEF Budget Process)<br>- Discussion of PRSA funding during bi-annual meetings (Bilateral engagements) with the department.<br>- Stringent Legislative requirements<br>- Monitor the ERT Bill<br>- Refocus of Mandate deliverables to suite Funding Granted |
| | Inadequate Human Resource Capacity | - Internal staff development program (PMS)<br>- Cross-skilling<br>- Application for retention of reserves in terms of section 53(3) of the PFMA<br>- Use of reserves for retention and appointment of additional short-term staff.<br>- Implementation of employee wellness program in order to enhance employee wellbeing (ICAS).<br>- Engagement with DoT AGM etc, Bi-Annually to monitor progress on the submission of revised organogram<br>- Quarterly BRRR Reporting to Portfolio Committee on financial health of PRSA - highlighting organogram constraints.<br>- Closing of Vacancy Rate |
| | Inefficient business processes and systems | - Appointment of external service provider<br>- Arrangement with DoT for IT resource<br>- Appointment of an internal IT resource with<br>- Update Integrated Business Process Framework<br>- Appointment of new service provider |
| | Inadequate state of readiness of PRSA for Structural Reform | - CE engagements with the TER Transition Committee being set-up in the DM's Office<br>- Quarterly meetings with the TER Project Office<br>- Internal consultation with PRSA officials on TER including Change Management & Labour Relations matters<br>- External consultation with port users on TER process and milestones |
| Affordable, adequate and efficient port infrastructure services | Poor Efficiencies of port operations | - Efficiency against set standards). Inclusion of a WEGO down time adjustor in the methodology.<br>- PRSA involvement in Ports Consultative committee's (PCCs) and NPCC providing opportunity for interaction with all port stakeholders.<br>- A performance component has been added to the regulatory methodology (WEGO) which incentivises performance and disincentivises poor port performance (i.e. Enforcement of Components of the WEGO Model).<br>- Engagements with port users on improvements on WEGO and other efficiency processes.<br>- Bilateral engagements with NPA EXCO.<br>- Performance of quarterly Compliance Audits to assess achievement of efficiency objectives.<br>- Continued monitoring of port performance through research (benchmarking against global standards). |

| | | |
|---|---|---|
| | | - Updating and refining of WEGO Methodology as a reward/penalty system (existing)<br>- Implementation of WEGO technical sub-committee dedicated to specific issues (e.g. amendment/review of KPI definitions).<br>- Continuous evaluation/analysis of MOPS, TOPS and WEGO data and engagement with NPA and industry to validate the data. |
| Open and transparent regulatory processes through effective stakeholder management | Loss of Internal and External Reputation | - Clear, transparent, open communication of procedures and decisions of the regulator to port stakeholders.<br>- Conduct public consultations feedback forums with stakeholders (e.g. Industry representatives, maritime organisations, etc) to ensure regulatory decisions are informed by diverse opinions and perspectives.<br>- Periodic review/assess the relevance & effectiveness of compliance requirements.<br>Visibility and participation of the Regulator in various platforms to bring awareness of the work of the Regulator |
| Transformed accessible and equitable port system which supports SMME Development | High barriers of entry | - Engagements with DOT on consequences of misaligned sector codes.<br>- Partner with relevant government agencies/entities to strengthen existing enforcement levers on sector codes.<br>- Quarterly Board-Level engagements on NPA's transformation efforts/strategy and sector codes alignment.<br>- Quarterly compliance reviews<br>- Quarterly engagement meetings between Ports Authority and the Regulator (WORKSTREAMS)<br>- Section 30(5) Report to DoT Minister (highlighting challenges experienced for Minister intervention)<br>- Monitoring of implementation orders of RoDs by the NPA (Tariff and Tribunal) |

# 10. PART D: TECHNICAL INDICATORS

## 10.1 OUTCOME 1: ORGANISATIONAL EXCELLENCE SUPPORTED BY STRENGTHENED REGULATOR CAPACITY

| Indicator Title | Achieved AGSA unqualified opinions versus desired clean audits |
|---|---|
| Definition | - Achieve clean audit status from the AGSA |
| Source of data | - Fully compliant annual financial statements<br>- Risk and compliance reports<br>- Quarterly, bi-annual and annual performance information submitted to the DOT |
| Method of Calculation / Assessment | - Simple count |
| Assumptions | - Immaterial misstatement within the materiality framework |
| Disaggregation of Beneficiaries (where applicable) | - Not applicable |
| Spatial Transformation (where applicable) | - Not applicable |
| Reporting Cycle | - Quarterly<br>- Bi-annually<br>- Annually |
| Desired performance | - Quarterly<br>- Bi-annually<br>- Annually |
| Indicator Responsibility | - Chief Financial Officer |

| Indicator Title | Achieved performance on set organisational targets |
|---|---|
| Definition | - Achieve 85%+ of targets set on the strategic plan |
| Source of data | - Each department to submit reports to verify reported performance |
| Method of Calculation / Assessment | - Reports to be prepared to highlight processes and events performed annually towards achieving annual targets |
| Assumptions | - The reported performance is accepted subject to verification by the auditors |
| Disaggregation of Beneficiaries (where applicable) | - Not applicable |
| Spatial Transformation (where applicable) | - Not applicable |
| Reporting Cycle | - Quarterly<br>- Annually |
| Desired performance | - Organisational delivery on strategic plan through set APP targets |
| Indicator Responsibility | - Chief Executive Officer |

| Indicator Title | Improved human resources and capacity |
|---|---|
| Definition | - Regulator to implement strategies to achieve excellence and improve workforce performance |
| Source of data | - Memorandum on revised organogram with positions per programme<br>- Training and Development Report<br>- Equity Plan |
| Method of Calculation / Assessment | - Increase in number of positions filled or capacity sourced additional to the establishment or through service contracts |
| Assumptions | - Executive Authority's approval of revised fit for purpose organogram<br>- Increase in baseline budget allocation<br>- Baseline allocation adjustment above current annual % |
| Disaggregation of Beneficiaries (where applicable) | - 27 employees<br>- 02 contract employees |
| Spatial Transformation (where applicable) | - 27 employees |
| Reporting Cycle | - As per MTEF budget cycle and annually |
| Desired performance | - Organisational excellence achieved through resource requirements being sourced and used effectively and efficiently |
| Indicator Responsibility | - Corporate Services/Chief Financial Officer |

## 10.2 Outcome 2: Affordable, adequate and efficient port infrastructure and services

| Indicator Title | Appropriate tariffs for port user |
|---|---|
| Definition | - Development and enhancement of tariff methodologies to regulate the Authority to realise affordable, adequate and efficient port infrastructure and services |
| Source of data | - Benchmarking, stakeholder consultation and research |
| Method of Calculation / Assessment | - Simple count: 1 Approved Tariff Methodology |
| Assumptions | - Published Tariff Methodology |
| Disaggregation of Beneficiaries (where applicable) | - Performance Incentive schemes completed |
| Spatial Transformation (where applicable) | - Port users |
| Reporting Cycle | - Annual with revisions of the Tariff Methodology every 3 years |
| Desired performance | - Approved Tariff Performance Based Regulation Methodology |
| Indicator Responsibility | - Executive Manager: Economic Regulation |

| Indicator Title | Cost reflective tariffs for NPA |
|---|---|
| Definition | - Revised Tariff Strategy for the Port System (incorporating marine charges and lease strategy) |
| Source of data | - NPA's Accounting records and Stakeholder input accounting data records |
| Method of Calculation / Assessment | - Simple count: 1 Port Tariff Strategy with cost reflective tariffs |
| Assumptions | - Base rates per tariff strategy based on LCUG<br>- Port user feedback |
| Disaggregation of Beneficiaries (where applicable) | - As per tariff strategy:<br>- Cargo owner<br>- Shipping lines<br>- Terminal operators |
| Reporting Cycle | - Annual with revisions of the Tariff Strategy every 5 years |
| Desired performance | - Published Tariff Strategy |
| Indicator Responsibility | - Executive Manager: Economic Regulation |

| Indicator Title | Percentage discounts/incentives |
|---|---|
| Definition | - Participation in government objectives of development of economic activity and trade including promotion of access for emerging and small market players. |
| Source of data | - Tariff Record of Decision<br>- NPA LCUG Model<br>- Research and Regulator's own studies<br>- Port Tariff Incentive Programme Application(s) |
| Method of Calculation / Assessment | - Simple count: 1 approval of discounts in Records of Decisions on Tariff Determination |
| Means of Verification | - Tariff Determinations RoD<br>- LCUG/Revenue report |
| Assumptions | - Revenue neutral discounts/incentives which are in line with strategic objectives |
| Disaggregation of Beneficiaries (where applicable) | - Port users:<br>- Shipping lines<br>- Port Activity License applicants<br>- Bunkering service providers |
| Reporting Cycle | - Annual |
| Desired performance | - Incentives/discounts to support strategic objectives/as determined in the Tariff Record of Decision |
| Indicator Responsibility | - Executive Manager: Economic Regulation |

| Indicator Title | Percentage increase in NPA CAPEX spent as proportion of applied for |
|---|---|
| Definition | - The Regulators function is oversight on the activities of the regulated entity including on infrastructure investments and capital expenditure to realise port capacity. |
| Source of data | - Tariff Application<br>- Long Term Port Development Framework/Plans<br>- NPA Investment Plans<br>- Capex Register |
| Method of Calculation / Assessment | - Simple count: 1 Report on CAPEX in Tariff Application<br>- Quarterly Capex Register |
| Means of Verification | - Approved CAPEX project in ROD<br>- Expenditure on CAPEX as per AFS in tariff application |
| Assumptions | - Data availability |
| Disaggregation of Beneficiaries (where applicable) | - Not applicable |
| Reporting Cycle | - Quarterly and Annual |
| Desired performance | - Increased expenditure and reduction in difference between CAPEX applied for and spent annually |
| Indicator Responsibility | - Executive Manager: Economic Regulation |

## 10.3 Outcome 2: Affordable, adequate and efficient port infrastructure and services

| Indicator Title | Monitor percentage increase in NPA CAPEX spend by the Authority |
|---|---|
| Definition | - The Regulators must monitor the CAPEX programme of the Authority to ensure that adequate capacity is provided and maintained through the implementation of an appropriate infrastructure programme in line with section 11 of the Act. |
| Source of data | - Tariff Application<br>- Long Term Port Development Framework/Plans<br>- NPA Investment Plans<br>- Capex Register<br>- N/PCC reporting on quarterly CAPEX expenditure |
| Method of Calculation / Assessment | - Simple count: 1 Report on CAPEX in Tariff Application<br>- Quarterly Capex Register |
| Means of Verification | - Approved CAPEX project in ROD<br>- Expenditure on CAPEX as per submitted CAPEX Register |
| Assumptions | - Data availability |
| Disaggregation of Beneficiaries (where applicable) | - Not applicable |
| Reporting Cycle | - Quarterly and Annual |
| Desired performance | - Increased expenditure and reduction in difference between CAPEX applied for and spent annually |
| Indicator Responsibility | - Executive Manager: Industry Development |

## 10.4 Outcome 3: An efficient and innovative port system embracing advances in technology

| Indicator Title | Implementation of innovative port systems and sustainable technologies monitored |
|---|---|
| Definition | - Incentivise the Authority to develop smart port technology for improved service delivery in ports including tracking of ships and activities in the ports will be achieved through technology |
| Source of data | - NPAs Smart Port Strategy<br>- IPMS system data<br>- NPA reports on implementation of Smart Port strategy |
| Method of Calculation / Assessment | - Simple count: 1 NPA progress feedback and reports |
| Means of Verification | - Port user feedback and NPA reporting |
| Assumptions | - Data availability |
| Disaggregation of Beneficiaries (where applicable) | - Port users: |
| Reporting Cycle | - Annual |
| Desired performance | - NPA progress feedback and reports on progress in implementing smart ports strategy |
| Indicator Responsibility | - Executive Manager: Industry Development |

## 10.5 Outcome 4: Open and transparent regulatory processes through effective stakeholder management

| Indicator Title | Engaged and informed port users/ stakeholders on regulator frameworks |
|---|---|
| Definition | - People who are impacted by the Ports Regulator processes and decisions to be made aware of its mandate. |
| Source of data | - NPA Tariff Application Roadshows: Customer Service Index (CSI) Feedback Forms.<br>- Obtain feedback from port users who lodged complaints and appeals with the Regulator.<br>- Introduce a survey at the Port Performance Roadshows to assess the impact of the Ports Regulator in the port system |
| Method of Calculation / Assessment | - Submitted CSI feedback forms<br>- Given level ratings on each criterion.<br>- Qualitative assessment based on written feedback |
| Means of Verification | - NPA Tariff Application Roadshows and Port Performance Roadshows will be held.<br>- There will be port users who lodge complaints and appeals with the Regulator. |
| Assumptions | - Port Users |
| Disaggregation of Beneficiaries (where applicable) | - Not Applicable |
| Reporting Cycle | - Annually |
| Desired performance | - Informed port users and stakeholders on PRSA regulatory frameworks |
| Indicator Responsibility | - Executive Manager: Industry Development |

| Indicator Title | Improvements to Customer Satisfaction Index score (CSI) (scale level 1-5) |
|---|---|
| Definition | - CSI is a headline metric that measures the extent to which port users/stakeholders are satisfied with the PRSA's execution of its mandate. It is survey conducted once a year. |
| Source of data | - NPA Tariff Application Roadshows: Customer Service Index (CSI) Feedback Forms. |
| Method of Calculation / Assessment | - Submitted CSI feedback forms<br>- Given level ratings on each criterion. |
| Assumptions | - NPA Tariff Application Roadshows<br>- Funding to conduct Independent Customer Satisfaction Index Survey. |
| Disaggregation of Beneficiaries (where applicable) | - Port Users<br>- Consumers |
| Spatial Transformation (where applicable) | - Not Applicable |
| Reporting Cycle | - Annually |
| Desired performance | - Identify and prioritise opportunities to iteratively improve customer satisfaction to maintain and build port users and stakeholders' confidence on the Ports Regulator.<br>- Proactively detect and address issues raised by stakeholder act quickly. |
| Indicator Responsibility | - Executive Manager: Industry Development |

## 10.6 Outcome 5: Transformed accessible and equitable port system which support SMME development.

| Indicator Title | Monitor compliance of NPA with new Maritime Sector score card targets |
|---|---|
| Definition | - Driving transformation in port services |
| Source of data | - B-BBEE certificates for terminal operations, commercial leases, various port activity licenses in all 8 commercial ports |
| Method of Calculation / Assessment | - Simple count across the B-BBEE elements |
| Assumptions | - Promulgation of new maritime sector codes and update of regulations<br>- NPA submission of Valid B-BBEE certificates for all port activities |
| Disaggregation of Beneficiaries (where applicable) | - Black people<br>- Woman<br>- Youth |
| Spatial Transformation (where applicable) | - Not Applicable |
| Reporting Cycle | - Quarterly and Annually |
| Desired performance | - Increased participation levels in ownership, management and enterprise development by black, woman and youth owned enterprises across all port activities in all 8 commercial ports |
| Indicator Responsibility | - Executive Manager: Legal |