



PATENTS AND COMPANIES
REGISTRATION AGENCY

REVISED STRATEGIC PLAN

2021 - 2026

Prepared by:

Patents and Companies Registration Agency
in collaboration with
Management Development Division
Cabinet Office
Lusaka

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List of ACRONYMS

8NDP	-	Eighth National Development Plan
ACC	-	Anti-Corruption Commission
COVID – 19	-	CoronaVirus Disease of 2019
DEC	-	Drug Enforcement Commission
GSB	-	Government Service Bus
IA	-	Institutional Assessment
ICT	-	Information and Communication Technology
IP	-	Intellectual Property
IPRs	-	Intellectual Property Rights
LDCs	-	Least Developed Countries
MCTI	-	Ministry of Commerce, Trade and Industry
MDD	-	Management Development Division (Cabinet Office)
MSMEs	-	Micro, Small and Medium Enterprises
NIPP	-	National Intellectual Property Policy
OD	-	Organisational Development
PACRA	-	Patents and Companies Registration Agency
PESTEL	-	Political, Economic, Social, Technological, Environmental, Legal Factors
PSMD	-	Public Service Management Division
TRIPS	-	Trade-Related Aspects of Intellectual Property Rights
RSC	-	Regulatory Services Centre
SWOT	-	Strengths, Weaknesses, Opportunities and Threats

FOREWORD

I am delighted to present the revised 2021-2026 Strategic Plan for the Patents and Companies Registration Agency. This edition of the Strategic Plan was necessitated by the need to align the objectives of the Plan to the Eighth National Development Plan (8NDP) which sets out the country's strategic direction, development priorities and implementation strategies for the period 2022 to 2026. In line with the first strategic development area in the 8NDP of promoting economic transformation and job creation, the Agency is committed to enhance entrepreneurship, innovation and creativity through effective registration of business entities and protection of Intellectual Property Rights.

In the first edition of the 2021-2026 Strategic Plan, the Agency undertook to build the Agency on the achievements of the 2015-2021 Strategic Plan which focused on enhancing the ICT infrastructure, realigning the organisational structure and streamlining registration procedures. The Agency will continue to implement the objectives set out in the first edition in line with the aspirations of the 8NDP.

The themes and strategic objectives for this Strategic Plan have been devised to meet the envisaged service delivery and to provide a clear direction of where the Agency desires to be. The Strategic Plan has three (3) Strategic Themes as follows:

- i. Business entity and Security interest's registration intended to promote orderly trade and increased entrepreneurship;
- ii. Innovation and creativity promotion intended to promote the generation, protection and commercialisation of Intellectual Property (IP); and
- iii. Excellence in service delivery to maximise customer satisfaction.



I am confident that the revised Strategic Plan will contribute to the aspirations of the 8NDP and effectively guide the Agency in executing its

mandate to provide business and intellectual property services while contributing to economic growth and national development.



ALLAN CHUNGU MWABA
BOARD CHAIRPERSON

ACKNOWLEDGEMENTS

The revised Patents and Companies Registration Agency Strategic Plan 2021-2026 is a product of an earlier Plan which was developed following wide consultations with key stakeholders. The Agency remains grateful to all the stakeholders that were involved in the development of the earlier and revised Strategic Plans. I wish to acknowledge and thank the Ministry of Commerce, Trade and Industry for its call to the Agency to ensure the institutional Strategic Plan is aligned with the Eighth National Development Plan (8NDP).

I would like to express my appreciation and special thanks to the Board, Management and staff for their substantial contributions in the process of aligning this plan to the 8NDP.



BENSON MPALO

REGISTRAR AND CHIEF EXECUTIVE OFFICER



Executive SUMMARY

The Patents and Companies Registration Agency (Agency) is a statutory body under the Ministry of Commerce, Trade and Industry (MCTI), established under the Patents and Companies Registration Agency Act, No. 4 of 2020. The Agency's core mandate is to register businesses and intellectual property rights and to operate a registry for business entities and intellectual property rights.

This Strategic Plan provides the strategic direction for the Agency for the period 2021-2026.

The methodology used to develop the 2021 – 2026 Strategic Plan involved a two-phased approach comprising of the Institutional Assessment and Organisational Development underpinned by the Balanced Scorecard principles. The Institutional Assessment involved undertaking a Performance Assessment, conducting an internal capability assessment to establish the Agency's distinctive competencies, as well as, analysing the macro-environment. The McKinsey 7s Model, Lewin's Simple Change Management Model, Objective and Problem Trees, SWOT and PESTEL Analyses were used in the assessment.

Based on these analyses, the Agency has set out a strategic operational framework for the period 2021 – 2026 comprising the following:

Vision:

“An innovative customer-centred business and intellectual property registration Agency”.

Mission Statement:

“To provide business and intellectual property registration services for economic growth and National development”.

To realise the vision, the Agency has identified three (3) thematic areas of focus and their related strategic results as follows:

- a) Business Entity and Security Interest's Registration intended to promote orderly trade and increased entrepreneurship.
- b) Intellectual Property Rights (IPRs) Registration and protection to promote innovation and creativity.
- c) Excellence in Service Delivery to maximise customer satisfaction.

In executing the Mission, the Agency has committed to observing the following Core Values, namely: Integrity, Excellence, Accountability, Transparency and Creativity.

The following are some of the strategies that will be used to improve service delivery:

- a) Enhance the legal framework;
- b) Streamline and automate all processes;
- c) Develop and implement a resource mobilisation strategy;
- d) Develop and implement an Infrastructure Development Programme;
- e) Strengthen collaboration with stakeholders;
- f) Strengthen implementation of the Performance Management System;
- g) Develop and implement a Communication Strategy;
- h) Review and implement the Client Service Charter;
- i) Review and implement the Enterprise Risk Management Strategy
- j) Strengthen Capacity Building Programmes;
- k) Develop and implement staff welfare programmes; and
- l) Enhance customer feedback mechanisms;

To facilitate implementation, the Strategic Plan will be operationalised through costed Annual Departmental and Individual work plans. In order to ensure successful implementation and realisation of the desired impact, the implementation of the Plan

will be monitored continuously, to undertake necessary interventions. At the end of the Plan period, a final review will be undertaken to establish the extent of the Strategic Plan implementation and its impact.

1. INTRODUCTION

1.1 Background

The core mandate of the Patents and Companies Registration Agency (the Agency) is to register businesses and intellectual property rights and to operate a registry for business entities and intellectual property rights. Thus, it serves as a depository of corporate and intellectual property information.

1.2 Specific Functions

The core functions of the Agency as contained in the Patents and Companies Registration Agency Act No. 4 of 2020 are as follows:

- i) administer the Trade Marks Act Cap 401, the Copyright and Performance Rights Act Cap 406, the Companies (Certificates Validation) Act Cap 414, the Registration of Business Names Act No. 16 of 2011, the Moveable Property (Security Interests) Act No. 3 of 2016, the Layout-designs of Integrated Circuits Act No. 6 of 2016, the Protection of Traditional Knowledge, Genetic Resources and Expressions of Folklore Act No. 16 of 2016, the Industrial Designs Act No. 22 of 2016, the Patents Act No. 40 of 2016, the Corporate Insolvency Act No. 9 of 2017, and the Companies Act No. 10 of 2017;
- ii) Receive and investigate complaints of alleged or suspected breach of the PACRA Act, 2020 or the Acts referred to above and subject to the directives of the Director of Public Prosecutions, prosecute offences under those Acts;
- iii) Collect, collate and disseminate information on the law relating to the Acts referred to above; and
- iv) Advise Government on all matters pertaining to the Acts referred to above.

1.3 Management and Operational Structure

The Patents and Companies Registration Agency is headed by the Registrar and Chief Executive Officer who is assisted by the Management Team comprising the following:

- (a) two Assistant Registrars, in charge of Commercial and Intellectual Property registries;
- (b) the Heads of Departments responsible for-
 - (i) Business Development;
 - (ii) Finance;
 - (iii) Human Resources and Administration;
 - (iv) Information and Communication Technology (ICT);
 - (v) Internal Audit;
 - (vi) Legal; and
 - (vii) Procurement.

1.4 Strategic Operational Linkages

The Agency's operations are facilitated through interaction and collaboration with Government Ministries and Departments, Regulatory Agencies, Statutory Bodies, Private Sector Associations, Cooperating Partners and the Business Community. The main areas of collaboration include:

- i) Information sharing on business and Intellectual Property registration and verification;
- ii) Easy access to accurate, reliable and relevant information;
- iii) Review of policies and laws;
- iv) Registration of business entities and protection of Intellectual Property Rights;
- v) Reduction in the cost of doing business.

1.5 Rationale for the 2021 – 2026 Strategic Plan

The expiry of the 2016 – 2020 Strategic Plan as well as the launch of the Eighth National Development Plan (8NDP) has necessitated the development of a new plan. The rationale for developing this Plan is to provide an operational framework for the Agency for the period 2021 – 2026. The Plan outlines the strategic intent of the Agency which will guide the application of resources and implementation of programmes.

1.6 Methodology

The Agency received technical support from the Management Development Division at Cabinet Office to develop a new Strategic Plan. A Core Team representing all the Departments and Units was constituted to assess the capabilities of the Agency, and to develop the Strategic Plan for the period 2021 to 2026.

A two pronged approach consisting of the Institutional Assessment (IA) on one hand and on the other hand, the Organisational Development (OD) using the Balanced Scorecard principles was applied. The IA

involved assessing the internal capability assessment to establish the Agency's distinctive competencies, as well as, analysing the macro-environment using various tools such as the McKinsey 7s Model, Lewin's Simple Change Management Model, Objective and Problem Trees, Strength, Weaknesses, Opportunities and Threats (SWOT), and Political, Economic, Social, Technological, Environment and Legal (PESTEL) Analysis. In addition, various stakeholders, such as Clients, Staff, Management and the Board were engaged to solicit for information on the current and future outlook of the Agency and to suggest areas of focus to enhance the execution of the Agency's mandate. The views of stakeholders were obtained through questionnaires which allowed them to freely provide their opinions on a number of key issues.

The information collected from the Institutional Assessment facilitated the Organisational Development process of determining the strategic direction for the Agency for the period 2021– 2026 in relation to its Vision, Mission, Core Values, Strategic Themes and Strategic Objectives.

The Plan was validated by various stakeholders and approved by the Board.



2. ENVIRONMENTAL ANALYSIS

2.1 External Environmental Analysis

The analysis of the Agency's external environment focused on Political, Economic, Social, Technological, Environmental and Legal (PESTEL) developments that had or may have an impact on the operations of the Agency. The analysis also included an analysis of stakeholders' and clients' interests.

2.1.1 PESTEL Analysis

The PESTEL Analysis revealed that the Agency was affected by the following developments:-

a) Political/Policy

i) Launch of the Eighth National Development Plan (8NDP) 2022 – 2026

The 8NDP under Strategic Development Area 1: Economic Transformation and Job Creation provides for the following under Development Outcome 1, 2 and 3.

- Development Outcome 1: An Industrialised and Diversified Economy;
 - Strategy 10: Promote applied research and development, provides for innovation through the promotion and protection of intellectual property.
- Development Outcome 2: Enhanced Citizenry Participation in the Economy;
 - Strategy 2: Promote Enterprise development.

This will result in increased demand for business and intellectual property registration services.

The Agency will, therefore, enhance customer service delivery in order to support the growth

of MSMEs through business formalisation and promotion of intellectual property.

ii) National Intellectual Property Policy 2020

The overall objective of the National Intellectual Property Policy is to facilitate the creation of an environment that stimulates and fosters the generation, protection, enforcement, management and increased exploitation of Intellectual Property Rights (IPRs).

Implementation of the Policy will lead to increase in Intellectual Property Rights registration.

The following measures will be undertaken to optimise the opportunities:

- a) The Agency will strengthen its capacity to administer Intellectual Property statutes;
- b) Enhance sensitisation and awareness on Intellectual Property Rights, innovation and creativity;
- c) Strengthen coordination on enforcement of Intellectual Property Rights; and
- d) Prioritise funding towards the implementation of the Policy.

iii) The Introduction of Austerity Measures in Circular Minute No. 7 of 2019

The introduction of Austerity Measures resulted in reduced funding to the Agency consequently negatively affecting programme implementation.

The Agency will undertake the following measures to mitigate the threats:

- a) The Agency will rationalise and prioritise the utilisation of the available resources;

- and
- b) Engage stakeholders for support to mitigate the reduced funding.

b) Economic Developments

Economic developments that directly affected the Agency's operations during the period of implementation of the Strategic Plan (2021-July 2023) included fluctuating Inflation and Exchange Rates. Inflation rates fluctuated from 15.73% in January 2021 increasing to 22.02% in December 2021 and dropping to 9.8% by August 2022. Exchange rates fluctuated from K21.4/\$1 in January 2021 to K16.68/\$1 by December 2021, before averaging to K15.87/\$ by August 2022.

During the period January 2021 to July 2023, the fluctuating inflation and exchange rates negatively affected the Agency as it resulted in an increase in operational costs in relation to the planned budget.

The Agency will undertake the following measures to optimise the opportunities:

- a) rationalise and prioritise the utilisation of the available resources; and
- b) Engage stakeholders for support.

c) Social Developments

One of the social developments negatively impacted on the operations of the Agency was the outbreak and spread of COVID-19 from December 2019 which led to reduced productivity among employees and affected implementation of some programmes.

The following measures will be undertaken to mitigate the impact of the threats arising from the COVID-19 Pandemic:

- a) Ensure that Staff strictly adhere to health guidelines on the prevention of the spread of any pandemic;
- b) Explore flexible work scheduling for staff;
- c) Optimise use of online services and platforms;
- d) Enhance the Staff Health and Wellness activities.

d) Technological Developments

Technological developments impacting on the Agency include the following:

i) Introduction of e-Government Platforms

The introduction of e-Government platforms such as the Government Service Bus (GSB) has improved effectiveness and efficiency in the delivery of services by providing a centralised portal for all Government services.

In order to optimise the opportunities presented, the Agency will leverage on the GSB platform to include more services offered by the Agency.

ii) Extension of Services Under Government Microsoft Enterprise License to Spending Agencies in 2018

The Government Microsoft Enterprise Agreement has provided an opportunity to access some software licenses at no cost to the Agency.

In order to optimise the opportunity, the Agency will strengthen collaboration with Smart Zambia Institute on access to Microsoft software licences.

iii) Establishment of the National Data Centre in 2017

The National Data Centre is a Government Institution that provides data storage and server hosting services. The following measures will be undertaken to optimise the opportunities:

- a) Invest in additional ICT infrastructure;
- b) Strengthen capacity of staff in the utilisation of ICT solutions; and
- c) Engage the National Data Centre on utilising its infrastructure.

On the other hand, the use of e-platforms and other technologies poses a threat of cyber-attacks and increased system down time as a result of poor internet connectivity. This may lead to disruptions in service delivery and loss of data.

The following measures will be undertaken to mitigate the threats:

- a) Strengthen the security of systems; and
- b) Strengthen the Business Continuity and Disaster Recovery Plan.

e) Legal Developments

During the periods 2015-2020 and January 2021 to July 2023, changes in the legal environment within which the Agency operates included the following:

i) **Enactment of the Companies Act, No. 10 of 2017, Companies (Amendment) Act No. 12 of 2020 and Related Statutory Instruments**

The Companies Act, 2017 provides for the incorporation, management and administration of different types of companies.

The following are regulations under the Companies Act:

- a) The Companies (Fees) Regulations, 2022 - Statutory Instrument No. 108 of 2022; and
- b) The Companies (General) Regulations, 2019 - Statutory Instrument No. 14 of 2019;
- c) The Companies (Prescribed Forms) Regulations, 2019 - Statutory Instrument No.21 of 2019.

In order to optimise the opportunities, the Agency will leverage on the provisions in the Act to effectively execute its mandate.

On the other hand, the Act has the following gaps:

- a) Lack of powers by the Registrar to deregister companies operating below minimum capital or guaranteed amount;
- b) Lack of procedures for restoration of deregistered companies;
- c) Lack of provisions on how to deal with share warrants issued under the repealed Companies Act Cap.388;
- d) Lack of enhanced provisions on maintenance of share capital.

In order to mitigate the above threats, the Agency will continue engaging the Ministry of Commerce, Trade and Industry on the proposed amendments to the Companies Act, 2017.

ii) **Enactment of the Corporate Insolvency Act, No. 9 of 2017 and Related Statutory Instruments**

The Corporate Insolvency Act, 2017 provides for the appointment and responsibilities of receivers, business rescue administrators and liquidators, rights of affected persons, schemes of arrangements or compromise with creditors, winding up of companies, insolvency practitioners and the duties and responsibilities of insolvency practitioners and cross-border insolvency.

The following are regulations under the Corporate Insolvency Act:

- a) The Corporate Insolvency (Insolvency Practitioner Accreditation) (Amendment) Regulations, 2022 - Statutory Instrument No.22 of 2022;
- b) The Corporate Insolvency (Insolvency Practitioner Accreditation) Regulations, 2019 - Statutory Instrument No. 40 of 2019 and
- c) The Corporate Insolvency (Forms and Fees) Regulations, 2019 - Statutory Instrument No.41 of 2019.

In order to optimise the opportunities, the Agency will leverage on the provisions in the Act to effectively execute its mandate.

On the other hand, the Act has the following gaps:

- a) Lack of provisions for directors to make a recommendation to commence business rescue proceedings;
- b) Lack of provisions to enable auditing of accounts for a company in liquidation;

In order to mitigate the above threats, the Agency will continue engaging the Ministry of Commerce, Trade and Industry on the proposed amendments to the Companies Act, 2017.

iii) **Enactment of the Patents Act, No. 40 of 2016**

The Act provides guidance for the protection and administration of patents and the patentability of inventions as well as the process for granting patents for inventions.

The following measures will be undertaken to optimise the opportunities:

- a) The Agency will leverage on the provisions in the Act to effectively execute its mandate,
- b) Continue engaging the Ministry to expedite issuance of regulations, and
- c) The Agency will rationalise and optimise funds for sensitisation and awareness programmes.

On the other hand, the Act has the following gaps:

- a) The Act does not expressly provide for the exclusion of pharmaceutical patents from protection as envisioned under the TRIPS Agreement for LDCs;

In order to mitigate the threats, the Agency will engage MCTI on the amendment of the Act and issuance of statutory instruments.

iv) **Enactment of the Layout Designs of Integrated Circuits Act, No. 6 of 2016**

The Act provides for the registration and protection of layout-designs of integrated circuits.

The following measures will be undertaken to optimise the opportunities:

- a) The Agency will leverage on the provisions in the Act to effectively execute its mandate;
- b) Continue engaging the Ministry to expedite issuance of regulations; and
- c) The Agency will rationalise and optimise funds for sensitisation and awareness programmes.

On the other hand, the Agency has the following gaps in relation to implementation of the Act:

- a) The lack of implementing regulations; and
- b) The lack of training in technical skills to effectively administer the Act.

In order to mitigate the threats, the Agency will engage MCTI on the issuance of statutory instruments and the Agency will mobilise resources for the training.

v) **Enactment of the Industrial Designs Act, No. 22 of 2016**

The Act provides for the registration and protection of Industrial Designs.

The following measures will be undertaken to optimise the opportunities:

- a) The Agency will leverage on the provisions in the Act to effectively execute its mandate;
- b) The Agency will rationalise and optimise funds for sensitisation and awareness programmes; and
- c) Engage the Ministry on the issuance of Regulations to effectively implement the Act.

vi) **Enactment of the Movable Property (Security Interest) Act, No. 3 of 2016 and Related Statutory Instruments**

The Movable Property (Security Interest) Act provides guidance for the creation and perfection of security interests in movable property. The following are regulations under this Act:

- a) The Movable Property (Security Interest) (Fees) Regulations, 2016 - Statutory Instrument No. 73 of 2016;
- b) Integrate the Agency's Movable Property Registry System with the RTSA motor vehicle registration system; and
- c) The Movable Property (Security Interest) (General) Regulations, 2016 - Statutory Instrument No. 77 of 2016.

The following measures will be undertaken to optimise the opportunities:

- c) The Agency will leverage on the provisions in the Act to effectively

- execute its mandate; and
- d) Enhance sensitisation and awareness programmes on the Act.

On the other hand, there is duplication of registries for movable property due to non-repeal of the Trades Charges Act, Cap 415 and registry related provisions in the Agricultural Credits Act, No. 35 of 2010.

The Agency will, therefore, engage the Ministry and other relevant stakeholders on the need to review of the Trades Charges Act and Agricultural Credits Act, 2010.

vii) Enactment of the Protection of Traditional Knowledge, Genetic Resources and Expressions of Folklore Act, No. 16 of 2016.

The Act provides for the registration and protection of traditional knowledge, genetic resources and expressions of folklore. The

following are the regulations under this Act:

Protection of Traditional Knowledge, Genetic Resources and Expressions of Folklore Regulations, 2021 – Statutory Instrument No. 61 of 2021.

The following measures will be undertaken to optimise the opportunities:

- a) The Agency will leverage on the provisions in the Act to effectively execute its mandate,
- b) The Agency will prioritise funds for sensitisation and awareness programmes; and

2.1.2 Stakeholder and Client Analysis

a) Clients and their needs

An analysis of the clients' needs is presented in the table below:

S/N	Cluster	Needs
1.	Businesses	<ul style="list-style-type: none"> • Business and IP registration services; • Post registration services; • Online services; • Company searches; and • Registration of Security Interests
2.	General Public	<ul style="list-style-type: none"> • Publication of decisions made by the IP Tribunal; • Registration and protection of traditional knowledge, genetic resources and expressions of folklores; • Easy access to accurate and relevant information relating to business and intellectual property rights; • Sensitisation of businesses in all the districts countrywide; and • Registration of Security Interests.
3.	Law Firms	<ul style="list-style-type: none"> • Simplified, efficient and cost effective Business and IP registration services; • Easy access to accurate and relevant information relating to business and IP Rights • Protection of IP rights; • Registration of Security Interests; and • Substantive examination of Patents.
4.	Accounting Firms	<ul style="list-style-type: none"> • Registration and protection of IP rights; • Publication of decisions made by the IP Tribunal; • Online Services; • Company searches; • Registration of Security Interests; and • Registration of service marks.
5.	Financial Institutions	<ul style="list-style-type: none"> • Business verification services; • Registration and protection of IP rights; • Registration of Security Interests; and • Registration of Service Marks.

b) Stakeholders and their interests

Regarding stakeholders, the analysis revealed their major interests/concerns as presented in the table below:

S/N	Cluster	Area of Interest
1.	Government Ministries	<ul style="list-style-type: none"> • Effective and efficient policy and programme implementation; • Timely preparation and submission of Annual Reports; • Adherence to applicable policy and legislative framework; • Participation in the development and review of policies and laws; • Accurate and relevant information; • Prudent management of financial resources; • Accountability for revenue collected; • Adherence to contract guidelines; • Promotion and protection of innovation and creativity • Protection of traditional knowledge, genetic resources and expressions of folklore; • Protection of Copyrights; • Disclosure of beneficial ownership information; and • Transfer of shares
2.	Business Associations	<ul style="list-style-type: none"> • Promotion of efficient and cost effective systems in business and intellectual property registration; • Easy access to accurate and relevant information; • Promotion and protection of innovation and creativity; • Easy access to accurate and relevant information; and • Participation in the review of laws;
3.	Statutory Bodies	<ul style="list-style-type: none"> • Promotion and protection of innovation and creativity; • Protection of IP rights; • Collaboration in the review of policy and laws; • Efficient and effective registration processes; • Access to accurate and relevant information; • Promotion of competition and consumer protection; and • Collaboration in the establishment of Regulatory Services Centres (RSCs);
4.	Professional Bodies	<ul style="list-style-type: none"> • Adherence to applicable legislative framework; • Collaboration in the review of laws; • Easy access to accurate and relevant information; • Collaboration on registration of law firms; • Collaboration in the accreditation of Insolvency Practitioners; • Collaboration on registration of accounting firms; and • Promotion and protection of innovation and creativity
	Other Stakeholders	<ul style="list-style-type: none"> • Adherence to international standards in the promotion and protection of IP Rights; • Information sharing and collaboration on protection and promotion of IP; • Registration of rural agricultural businesses; • Prudent financial management of grants; • Information relating to registered MSMEs; and • Collateral Registry

2.2 Internal Analysis

This section highlights the past performance and analyses the internal capability of the Agency to establish the strengths and weaknesses, and provide for optimisation and/or mitigation measures.

2.2.1 Past Performance

The Agency's performance during the period 2016-2020 was evaluated based on a self-assessment (internal) conducted by staff of the Agency with technical support from MDD.

The rating was based on a 3-Tier rating system, with the respective colour codes as follows:

- Rating 3 – Colour Code **Green** for Above Average performance;
- Rating 2 – Colour Code **Yellow** for Average Performance; and
- Rating 1 – Colour Code **Red** for Below Average Performance.

The overall performance of The Agency was above Average at 87% with a Rating of 3. The performance was attributed to the following enablers:

- (a) Government goodwill and support;
- (b) Consistency in general Government policy;
- (c) Support from stakeholders that enabled the Agency to carry out sensitisation and awareness activities and implementation of some of its programmes;
- (d) Committed Board, Management and staff;
- (e) Robust ICT Infrastructure;
- (f) Continued demand for The Agency services; and
- (g) Acceptance of the Strategic Plan by stakeholders.

The major constraining factors included the following:

- (a) Inadequate funding for operations;
- (b) Delays in drafting Bills and Regulations;
- (c) Delayed enhancements to the Intellectual Property Automation System (IPAS);
- (d) Fluctuations in the Exchange and Inflation Rates; and
- (e) High labour turnover.

2.2.2 Institutional Capability Assessment

The Institutional Capability Assessment conducted provided an in-depth analysis of the Institution's status internally. The Internal analysis identified a number of gaps and provided appropriate interventions as input into the preparation for the 2021 – 2026 Strategic Plan. Based on the assessment, it was established that the Institution had challenges in the seven areas relating to the Strategy, Structure, systems, staff, skills, shared values and style of leadership and management. The identified challenges will need to be addressed for the Agency to effectively implement its Strategic Plan. Further, a SWOT analysis was conducted. The analysis identified the factors within the Institution in respect of Strengths and Weaknesses that would facilitate or hinder respectively, the implementation of the identified interventions. In addition, the analysis identified factors outside the Agency in respect of Opportunities and Threats that would facilitate or hinder respectively the implementation of the identified interventions. The analysis revealed the following:-

a) Strengths

The following are the strengths that the Agency has:

Strengths	Optimisation Measures
Supportive leadership and management in the development of the Resource Mobilisation Strategy and Operational Systems.	Continuously engage and update leadership and management for support in the development and implementation of the Resource Mobilisation Strategy and Operational Systems.
Supportive leadership and management in the implementation of the structure, review conditions of service, culture remodelling programme and establishment of an Integrity Committee.	Continuously engage and update leadership and management for support.
Availability of qualified, skilled and committed staff to provide input in the development of the Resource Mobilisation Strategy and Operational Systems.	Involve staff in the development of the Resource Mobilisation Strategy and Operational Systems.
Existing channels to facilitate wide consultations with stakeholders and experts	Utilise existing channels to conduct wide consultations with stakeholders and experts in the implementation of the Strategic Plan.
Availability of ICT infrastructure.	Continuously invest in ICT infrastructure.
Staff willingness to upgrade skills.	Engage the willing staff to participate in the capacity building programmes.
Supportive leadership and Management towards Staff Capacity Development.	Continue engaging leadership and management for support in Staff Capacity Development.
Availability of staff with some requisite skills.	Involve the staff with requisite skills in the implementation of Capacity Building Programmes.
Availability of electronic knowledge base.	Continuously update and sensitise staff on the utilisation of the electronic knowledge base.
Documented Core Values.	Utilise documented Core Values in the development of a Culture Remodelling Programme
Existence of a client feedback mechanism.	Strengthen the feedback mechanism
Effective communication channels for information dissemination.	Exploit communication platforms

a) Weaknesses

Despite having the strengths highlighted above, the Agency identified some weaknesses, which may negatively affect performance if not addressed. The weaknesses and mitigation measures include the following:

Weaknesses	Mitigation Measures
Weak M&E framework.	Review and document the M&E framework.
Inadequate resources to implement staff capacity building programmes.	Explore alternative modes of skills capacity building (in-house, scholarships) Engage Cooperating partners for support
Lack of a Whistle Blower Policy.	Develop and implement a whistle blower policy

c) Opportunities

The analysis also identified a number of opportunities that the Agency could leverage from the external environment. The following are some of the opportunities and the respective optimisation measures:

Opportunities	Optimisation Measures
Supportive stakeholders towards implementation of the Strategic Plan and Resource Mobilisation Strategy.	Continuously engage stakeholders for support
Supportive stakeholders towards the development of operational systems, review of the structure, job evaluation and update of job descriptions.	Continuously engage stakeholders for support in the development of operational systems, review of the structure, job evaluation and update of job descriptions.
Acceptance of electronic communication platforms to facilitate wide consultations with stakeholders and experts on implementation of the Strategic Plan.	Utilise available electronic communication platforms to facilitate wide consultations with stakeholders and experts.
Availability of resources from regional and international bodies to facilitate the job evaluation and update job descriptions.	Engage regional and international bodies for resources for support towards the job evaluation and update of job descriptions.
Available ICT infrastructure by service providers.	Engage service providers on utilisation of available ICT infrastructure.
Availability of technical support from stakeholders.	Engage stakeholders for technical support in the development of operational systems.
Increased digital and internet penetration among the public.	Develop and implement online services to exploit increased digital and internet penetration.
Availability of technical support from Remuneration Division and Public Service Management Division (PSMD) in the review of conditions of service, job evaluation and update of job descriptions.	Engage the Remuneration Division and PSMD for technical support
Availability of qualified and skilled human capital on the labour market.	Strictly adhere to the Recruitment Policy to ensure the best qualified and skilled human capital is hired and retained.
Training opportunities from stakeholders.	Continuously engage stakeholders on training opportunities.
Availability of customised programmes from learning institutions.	Engage learning institutions for customised learning programmes.
Availability of scholarships for staff capacity building programmes.	Encourage staff to apply for scholarships.
Availability of technical support from institutions such as Cabinet Office Anti-Corruption Commission (ACC), Drug Enforcement Commission (DEC) and PSMD.	Engage relevant institutions for technical support in the implementation of a culture remodelling programme and operationalisation of an integrity committee.
Availability of support from professional bodies.	Strengthen collaboration with professional bodies on upholding professional ethics.
Provisions in Articles 8 and 173 of the Constitution on National Values and Principles and, Values and Principles of Public Service.	Utilise provisions in Articles 8 and 173 in the Constitution to development and implementation of institutional core values.

d) Threats

In addition to the opportunities, some threats were identified from the negative developments in the external environment and mitigation measures have been provided. The following are the threats:

Threats	Mitigation Measures
Change in priorities by stakeholders.	Continuously engage stakeholders for support.
Continued implementation of austerity measures.	Prioritise and rationalise utilisation of resources.
Velocity of change in technology and market dynamics.	Continuously and timely invest in the upgrade of ICT infrastructure, and continuously and timely invest in ICT skills capacity building.
Better conditions of service being offered by other organisations.	Continuously benchmark conditions of service.
Changes in training priorities by stakeholders.	Engage stakeholders for continued support towards training.

2.3 Strategic Issues

Following the External and Environmental Analysis that was conducted, a number of strategic issues affecting the operations of the Agency were highlighted. Based on the strategic issues identified, the following is a summary of the strategic elements:

- (i) Gaps in the Law;
- (ii) Inadequate funds;
- (iii) Inadequate systems for services;
- (iv) Low levels of awareness;
- (v) Unsatisfactory customer service;
- (vi) Inadequacies in Human capital; and
- (vii) Inadequate tools, equipment and infrastructure.

This Plan, therefore, seeks to address the above strategic elements.

3. STRATEGIC DIRECTION

Following the analysis of the internal and external environment within which the Agency has been and may be expected to operate in the next six (6) years, the Agency has set out an operational framework to guide the execution of its mandate. In particular, the framework will guide the Agency's programming, decision-making and resource allocation during the period 2021 – 2026 as follows:

3.1. Vision

The Agency Vision is:

“An innovative customer-centred business and intellectual property registration Agency”.

Our aspiration is to make our services responsive to the needs of our customers through continuous improvements in service delivery. The Agency will, therefore, create a conducive environment that will enable the general citizenry to formalise their business and seek to protect their innovations while promoting creativity.

3.3. Core Values

The operations of the Agency and more specifically, the conduct and behaviour of the staff for the next six (6) years will be anchored on the following six (6) core values:

Core Values	
Integrity	We pledge to be honest, trustworthy and ethical in all our actions.
Excellence	We will provide high quality service to our customers.
Accountability	We will accept responsibility for our own actions and omissions.
Transparency	We will be honest and open in the execution of our mandate.
Creativity	We will embrace and nurture new and progressive ideas in offering our services.
Courtesy	We will be polite and respectful to our clients

3.2. Mission Statement

To realise the vision and achieve the strategic results, the Agency commits itself to the following mission statement:

“To provide business and intellectual property registration services for economic growth and National development”.

The Agency will continue to maintain a registry for business and intellectual property that is reliable and easily accessible in order to meet the needs of its users. The mission statement underscores the significance of our services towards the attainment of the national development agenda in line with the vision 2030 which seeks to transform Zambia into a prosperous middle income country by 2030.

Through this mission, the Agency shall endeavour to develop and implement strategies aimed at promoting entrepreneurship, innovation and creativity to spur economic growth.

3.4. Strategic Themes and Strategic Results

To realise its Vision, the Agency has identified three (3) areas of focus or themes as follows:

- a) **Business entity and Security interests registration** intended to promote orderly trade and increased entrepreneurship;
- b) **Innovation and creativity promotion** intended to promote the generation, protection and commercialisation of Intellectual Property (IP); and
- c) **Excellence in service delivery** to maximise customer satisfaction.

3.3.1 Business Entity and Security interests registration

The focus on business entity and security interests' registration is meant to provide and facilitate registration of business names, companies and security interests in movable property with a view to promoting orderly trade and entrepreneurship.

3.3.2 Innovation and creativity promotion

The theme on innovation and creativity

promotion will enable the Agency to focus on providing and facilitating the registration of intellectual property rights in order to promote innovation and creativity. This is expected to result in increased generation and commercialisation of intellectual property.

3.3.3 Excellence in Service Delivery

The focus on excellence in service delivery entails improving internal processes and procedures, human capital as well as equipment and infrastructure. The Agency will, therefore, seek to provide services to customers in an efficient and effective manner. This is expected to result in high quality services.

3.5. Strategic Objectives, Intended Results, Measures, Targets and Strategies

In the next six (6) years, the Agency commits to pursuing six (6) strategic objectives with their associated intended results, measures, targets and strategies (initiatives). The strategic objectives demonstrate the continuous improvements that the Agency will need to make to get the desired results in the areas of focus as follows:

S/N	Strategic Objective	Strategic Objective Description
1.	Improve Customer Service	This objective relates to the improvements that the Agency seeks to make towards the services it offers and focuses on: <ul style="list-style-type: none"> • The three (3) key aspects of application, registration and renewal of both Business Entities, Moveable Property Security Interest and Intellectual Property; • Compliance issues relating to post registration requirements; and • Maintaining customer satisfaction will entail improving customer experience through automation of processes
2.	Enhance financial Capacity	This objective on enhancement of financial capacity will: <ul style="list-style-type: none"> • Ensure that the Agency has adequate funds; • Develop and implement a resource mobilisation strategy as well as strengthen the Enterprise Risk Management framework and internal controls; and • Ensure there is increased accountability for public resources collected as well over resources specifically raised for the Agency.
3.	Enhance operational systems	The objective seeks to enhance operational systems. The Agency will streamline operational systems with a view to improve service delivery. This will entail automating processes and making services available online to customers
4.	Improve work culture	To improve work culture, the Agency will introduce a programme that promote and enhance work culture within the Institution
5.	Develop Human Capital	The Agency will enhance Capacity Building programmes.
6.	Improve infrastructure and equipment	The Agency will acquire appropriate infrastructure and equipment in the provision of services.

3.5.1 Strategic Objective 1: Improve Customer Service

Improving Customer Service will entail undertaking the following strategies:

- i) Enhance the legal framework;
- ii) Strengthen collaboration with stakeholders;
- iii) Enhance customer feedback mechanisms;
- iv) Enhance M&E mechanisms;
- v) Develop and implement a Communication Strategy; and
- vi) Review and implement the Client Service Charter.

The above strategies are expected to result in increased registration and compliance as well as improved customer satisfaction.

3.5.2 Strategic Objective 2: Enhance financial capacity

Enhancing financial capacity entails:

- i) Developing and implementing a resource mobilisation strategy;
- ii) Strengthening the internal audit function;
- iii) Reviewing and implementing the Enterprise Risk Management Strategy; and
- iv) Strengthening internal controls.

These measures are expected to result in increased financial resources and improved accountability.

3.5.3 Strategic Objective 3: Enhance operational systems

To enhance operational systems, the Agency will pursue the following objectives:

- i) Streamline and automate all processes;
- ii) Develop and implement an internal Service Level Agreement; and
- iii) Develop and implement process and procedure manuals.

These strategies are intended to result in improved efficiency in service delivery.

3.5.4 Strategic Objective 4: Improve work culture

Improving work culture will require the Agency to develop and implement a work culture remodelling programme as well as establish and operationalise an Integrity Committee. This is expected to contribute to attainment of a positive work culture in the Agency.

3.5.5 Strategic Objective 5: Develop Human Capital

The Agency relies on its staff to implement its mandate. The objective on developing its human capital entails:

- i) Strengthening implementation of the Performance Management System;
- ii) Strengthening capacity building programmes; and
- iii) Developing and implementing a staff welfare programme.

The above strategies are intended to result in improved performance.

3.5.6 Strategic Objective 6: Improve infrastructure and equipment

To operate efficiently and effectively, the Agency will need to improve its infrastructure and provide adequate and modern equipment to its staff. This will entail developing and implementing an infrastructure programme. In addition, the Agency will need to strengthen adherence to the Procurement Plan.

The above measures are anticipated to result in a conducive work environment. See the detailed Strategic Plan log frame below.

Strategic Themes, Strategic Results, Strategic Objectives, Intended Results, Measures, Targets and Strategies (Initiatives)

Strategic Objective	Intended Result	Measure	Target	Strategies
Improve Customer Service	Increased applications/registrations	% business entity registration	6% increase in business entity registration annually	<ul style="list-style-type: none"> Enhance the legal framework Strengthen Collaboration with stakeholders Enhance customer feedback mechanism Enhance M & E mechanisms
		% Movable Property Security Interest registration	5% increase in Movable Property Security Interest registration annually	
		% Intellectual Property applications	6% increase in Intellectual Property applications annually	
		% Intellectual Property registrations	5% increase in Intellectual Property registrations Annually	
	Increased Compliance	% Compliance	10% increase in annual returns compliance annually (100% by 2026) 80% reduction in non-compliance with Minimum Share Capital by 2026	<ul style="list-style-type: none"> Review and implement the Client Service Charter
Improved Customer Satisfaction	% customer satisfaction	80% customer satisfaction levels attained annually		
Enhance financial capacity	Increased financial resources	% revenue budget	100% of approved revenue budget collected annually	<ul style="list-style-type: none"> Develop and implement a resource mobilisation strategy Strengthen Internal Audit function Review and implement the Enterprise Risk Management Strategy
	Improved accountability	% budget adherence	100% adherence to annual budget	
		% audit queries	90% of audit queries addressed annually	
				<ul style="list-style-type: none"> Strengthen internal controls
Enhance operational systems	Improved efficiency in service delivery	% service delivered	100% of services delivered in line with Client Service Charter annually	<ul style="list-style-type: none"> Streamline and automate all processes Develop and implement an Internal Service Level Agreement Develop and implement process and procedure manuals
Improve work culture	Positive work culture	% adherence to core values	100% adherence to core values attained by 2023 and maintained thereafter	<ul style="list-style-type: none"> Develop and implement a work culture remodelling programme Establish and operationalise an Integrity Committee
Develop Human Capital	Improved performance	% staff performance	80% individual performance targets attained annually	<ul style="list-style-type: none"> Strengthen implementation of the Performance Management System Strengthen Capacity Building Programmes Enhance organisation structure Develop and implement staff welfare programme
Improve infrastructure and equipment	Conducive work environment	% staff satisfaction	80% staff satisfaction attained annually	<ul style="list-style-type: none"> Develop and implement an infrastructure development programme Strengthen adherence to the Procurement Plan

4. ENABLING FACTORS

The successful implementation of this Strategic Plan is, to a large extent, dependent on the following pre-conditions and assumptions:

4.1. Pre – Conditions

Pre-conditions are the critical success factors that the Agency will need to put in place to ensure the successful implementation of the 2021 - 2026 Strategic Plan.

The following are the pre-conditions:

- a) **Supportive leadership**
A supportive leadership will be required to provide strategic direction in order to ensure effective implementation of programmes.
- b) **Adequate, skilled and committed staff**
The Agency will require staff with relevant experience and competencies that will lead to effectiveness in operations. The Agency will employ adequate staff and work towards motivating them to ensure high productivity in the execution of its mandate.
- c) **Effective and efficient operating systems**
To ensure efficiency and effectiveness in operations, the Agency will improve its business processes and employ innovative solutions in the delivery of services to its clients. The Agency will ensure that it avails more services online in order to respond to the needs of clients and stakeholders.
- d) **Ownership of the strategic plan by Management and Staff**
The Agency will disseminate the Strategic Plan to all members of staff and sensitise them on its contents. This will guarantee ownership of the Plan among members of staff and secure their commitment.
- e) **Positive work culture**

The Agency will sensitise staff on the shared values to ensure that they have a common focus and secure their commitment to drive the Agency to achieve its Vision, strategic results and strategic objectives.

4.2. Assumptions

These are critical success factors outside the control of the Agency that should prevail for the successful implementation of the Plan. The following are the assumptions:

- a) **Adequate and timely funding**
There will be adequate and timely funding to implement all programmes.
- b) **Supportive Stakeholders**
There will be continued technical and financial support from stakeholders to ensure effective execution of the Agency's mandate.
- c) **Political Will from Government**
There will be continued support from Government towards the implementation of programmes for effective execution of the Agency's mandate.
- d) **Effective collaboration with stakeholders**
The stakeholders will continue to collaborate with the Agency on implementation of programmes.
- e) **Economic Stability**
There will be economic stability that will lead to demand for the Agency's services and in turn foster the growth of MSMEs.
- f) **Conducive legal framework**
There will be a coherent legal framework that will enable the Agency execute its mandate effectively. Various pieces of legislation will be reviewed in order to harmonise the legal framework in all sectors.

5. PLAN IMPLEMENTATION

To operationalise the Strategic Plan, a costed Implementation (Operational) Plan, broken down into annual units and individual work plans, with SMART targets and schedules of activities will be developed, taking into account available resources.

The Business Development Unit will be responsible

for the development and implementation of the Operational Plan as well as submission of progress reports to Management by December every year. The Operational Plan will be the basis for monitoring and evaluating the performance of the Agency at three levels, namely; Individual, Unit and Institutional.

6. MONITORING AND EVALUATION

Monitoring and Evaluation (M&E) of the Strategic plan will be vital for effective implementation and ascertaining its impact. The M&E framework will be developed to track progress and evaluate performance against set strategic results, strategic objectives, intended results and targets as well as institute corrective measures timely. The monitoring and evaluation will be done at individual, unit and institutional levels. Accordingly, quarterly and annual progress reports on the implementation of the Plan will be coordinated by the Business Development Unit. The Unit will ensure that each Unit prepares progress reports and submits to Management for consideration.

At individual level, the Performance Management System will be strengthened to monitor and evaluate the performance on a continuous basis. At Unit level, monitoring and evaluation of the implementation of the Plan will be done quarterly and annually at Institutional level.

A mid-term review will be undertaken in 2023 to identify challenges, if any, encountered during implementation and recommend appropriate measures for addressing the challenges. Consequently, a terminal review will be undertaken at the end of the Plan period to determine the full extent of implementation and the overall impact. The terminal review will inform the preparation of the 2027 - 2031 Strategic Plan.

APPENDIX I: PACRA 2021 – 2026 BALANCED SCORECARD

Vision
An innovative customer-centred business and intellectual property registration Agency

Mission
To provide business and intellectual property registration services for economic growth and National development’.

Values
Integrity, Excellence, Accountability, Transparency, Creativity, Courtesy

Strategic Themes
Business Entity and Security Interest Registration

Innovation and Creativity Promotion

Excellence in Service Delivery

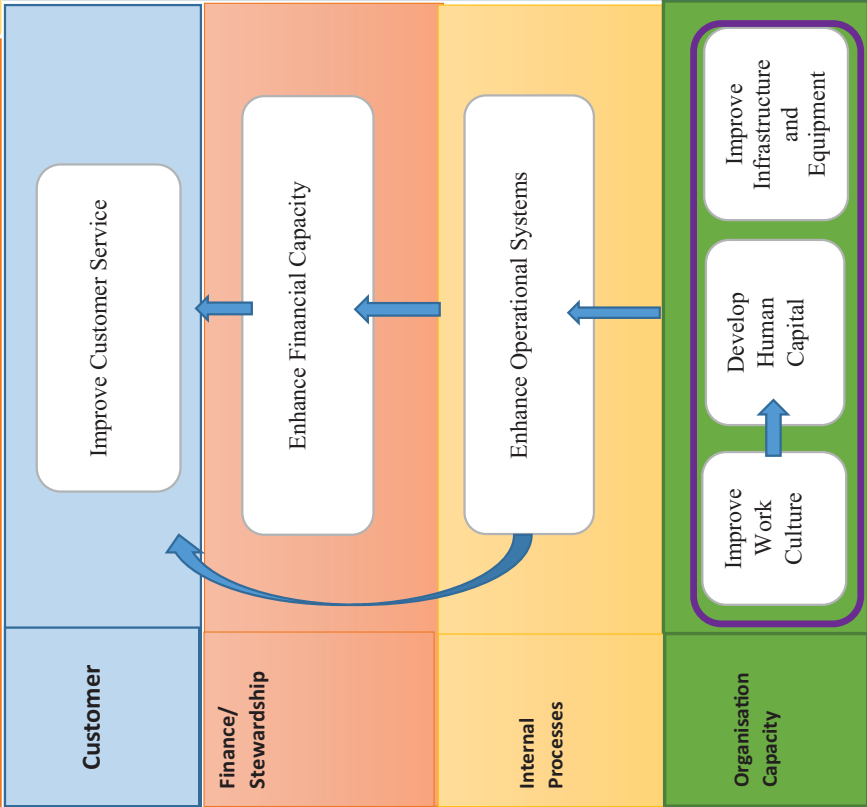
Strategic Results
Orderly Trade and Increased Entrepreneurship
Increased Generation and Commercialisation of Intellectual Property
High Quality Services

STRATEGIC OBJECTIVES AND STRATEGY MAPS

Measures

Targets

Strategies



Measures	Targets	Strategies
<ul style="list-style-type: none"> % business entity registration % Movable Property Security Interest registration % Intellectual Property applications % Intellectual Property registrations % Compliance Intellectual customer satisfaction % revenue budget adherence No. of audit queries % service delivered % adherence to core values % staff performance % staff satisfaction 	<ul style="list-style-type: none"> 6% increase in business entity registration annually 10% increase in annual returns compliance annually(100% by 2026) 80% reduction in non-compliance with Minimum Share Capital by 2026 5% increase in Movable Property Security Interest registration annually 6% increase in Intellectual Property applications annually 5% increase in Intellectual Property registrations annually 85% Intellectual Property renewals annually 80% customer satisfaction levels attained annually 100% of approved revenue budget collected annually 100% adherence to annual budget Below 10 outstanding audit queries annually 100% of services delivered in line with Client Service Charter annually 100% adherence to core values attained by 2023 and maintained thereafter 80% individual performance targets attained annually 80% staff satisfaction attained annually 	<ul style="list-style-type: none"> Enhance the legal framework with stakeholders Collaboration Strengthen customer feedback mechanism Enhance M & E mechanisms Develop and implement a Communication Strategy Develop and implement a Resource Mobilization Strategy Strengthen Internal Audit function Review and implement the Enterprise Risk Management Strategy Strengthen internal controls Streamline and automate all processes Review and implement the Client Service Charter Develop and implement an Internal Service Level Agreement Develop and implement process and procedure manuals Develop and implement a Work Culture Remodeling Programme Establish and operationalize an Integrity Committee Strengthen implementation of the Performance Management System Strengthen Capacity Building Programmes Engage MCTI on implementation of the approved structure Develop and implement staff welfare programme Develop and implement an infrastructure programme Strengthen adherence to the Procurement Plan

APPENDICES

APPENDIX I: PACRA 2021 – 2026 BALANCED SCORECARD

VISION

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Integrity, Excellence, Accountability, Transparency, Creativity, Courtesy.



CREATIVITY & INNOVATION
ARE THE KEY TO

WEALTH CREATION



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