

# STRATEGIC PLAN

---

2021 - 2026



PATENTS AND COMPANIES REGISTRATION AGENCY



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# List of ACRONYMS

<b>7NDP</b>	Seventh National Development Plan
<b>ACC</b>	Anti-Corruption Commission
<b>COVID - 19</b>	Corona Virus Disease of 2019
<b>DEC</b>	Drug Enforcement Commission
<b>GSB</b>	Government Service Bus
<b>IA</b>	Institutional Assessment
<b>ICT</b>	Information and Communication Technology
<b>IP</b>	Intellectual Property
<b>IPRs</b>	Intellectual Property Rights
<b>LDCs</b>	Least Developed Countries
<b>MCTI</b>	Ministry of Commerce, Trade and Industry
<b>MDD</b>	Management Development Division (Cabinet Office)
<b>MNGRA</b>	Ministry of National Guidance and Religious Affairs
<b>MSMEs</b>	Micro, Small and Medium Enterprises
<b>NIPP</b>	National Intellectual Property Policy
<b>OD</b>	Organisational Development
<b>PACRA</b>	Patents and Companies Registration Agency
<b>PESTEL</b>	Political, Economic, Social, Technological, Environmental, Legal Factors
<b>PSMD</b>	Public Service Management Division
<b>TRIPS</b>	Trade-Related Aspects of Intellectual Property Rights
<b>RSC</b>	Regulatory Services Centre
<b>SWOT</b>	Strengths, Weaknesses, Opportunities and Threats

# FOREWORD

I am delighted to present the 2021-2026 Strategic Plan for the Patents and Companies Registration Agency. The Agency's desire is to provide a customer focused environment which is aimed at promoting entrepreneurship, innovation and creativity through excellent service delivery.

During the 2015-2020 Strategic Plan, the Agency focused on enhancing the ICT infrastructure, realigning the organisational structure and streamlining registration procedures. In the 2021-2026 Plan, the Agency will build on the achievements attained in the previous plan to effectively implement the set objectives.

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 interests 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.



In conclusion, I am confident that the implementation of the Strategic Plan will be pivotal to the Agency in effectively executing its mandate while contributing to economic growth. We are confident that with continued collaboration with our various stakeholders, attainment of the milestones set for the next 6 years is a reality.



**PROFESSOR MPAZI SINJELA**  
**BOARD CHAIRPERSON**

# ACKNOWLEDGEMENTS

The preparation of this Strategic Plan has an imprint of various stakeholders. Among them, I would like to express gratitude to the Ministry of Commerce, Trade and Industry for the invaluable input towards setting of goals and strategies for the Agency in the next six years. I also wish to acknowledge the Management Development Division of Cabinet Office whose technical support made the development of this Strategic Plan a relatively less strenuous task.

The contributions of our clients and various other stakeholders provided an indispensable resource for Institutional mapping and subsequent development of goals and strategies espoused in this Strategic Plan.

Finally, I wish to pay tribute to the Board of Directors, the Management team and the entire PACRA team for working with unity of purpose in ensuring that we complete the task of preparing the Plan within the time bounds we had set for ourselves.



**ANTHONY BWEMBYA**  
REGISTRAR AND  
CHIEF EXECUTIVE OFFICER



# Executive SUMMARY

PACRA is an Executive Agency of the Ministry of Commerce, Trade and Industry (MCTI), established under the Patents and Companies Registration Agency Act, No. 15 of 2010. The Agency's core mandate is to register businesses and operate a registry for business entities and intellectual property. Thus, it serves as a depository of corporate and intellectual property information.

This Strategic Plan provides the strategic direction for PACRA 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 PACRA'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, PACRA 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 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.



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

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 Mobilization 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 (PACRA) is to register businesses and operate a registry for business entities and intellectual property. Thus, it serves as a depository of corporate and intellectual property information.

## 1.2. Specific Functions

The core functions of PACRA as contained in the Patents and Companies Registration Agency Act No. 15 of 2010 are as follows:

**i)** Administer the Companies Act, The Corporate Insolvency Act, The Registration of Business Names Act, The Patents Act, The Trademarks Act, The Industrial Designs Act, The Companies (Certificates Validation) Act, The Movable Property (Security Interest) Act, The Protection of Traditional Knowledge, Genetic Resources and Expressions of Folklore Act, The Copyright and Performance Rights Act and The Layout Designs of Integrated Circuits Act.

**ii)** Receive and investigate complaints of alleged or suspected breach of the Acts referred to above and subject to the directives of the Director of Public Prosecutions or Attorney General, prosecute offences under those Acts, as the case may be.

**iii)** Collect, collate and disseminate information on the law relating to the Acts referred to above;

**iv)** Advise Government on all matters pertaining to the Acts referred to above; and

**v)** Do all such other things as are necessary or incidental to the performance of its functions under the Patents and Companies Registration Act.

### 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 two Assistant Registrars, in charge of Commercial and Intellectual Property registries. The Management Team also includes the Heads of Departments responsible for:

- i)** Business Development;
- ii)** Compliance and Awareness;
- iii)** Finance;
- iv)** Human Resources and Administration;
- v)** Information and Communication Technology (ICT);
- vi)** Internal Audit; and
- vii)** Legal.

### 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 and protection of intellectual and commercial rights; and

**v)** Reduction in the cost of doing business.

### 1.5 Rationale for Developing the 2021 – 2026 Strategic Plan

The expiry of the 2016 – 2020 Strategic Plan as well as the launch of the Seventh National Development Plan (7NDP) has necessitated the development of a new plan. The rationale for developing this Plan is to provide an operational framework for PACRA 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/Units was constituted to assess the capabilities of PACRA, 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 PACRA'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) Analyses. In addition, various stakeholders, that is, Clients, Stakeholders, Staff, Management and the Board were engaged to solicit for information on the current and future outlook of the Institution and to suggest areas of focus to enhance the execution of the Institution'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 PACRA 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 PACRA'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 Seventh National Development Plan (7NDP) 2017 - 2021**

The 7NDP under Economic Diversification and Job Creation (Pillar I) provides an opportunity for the growth of MSMEs in various sectors. This has resulted in increased demand for business registration services.

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

###### **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 sensitization and awareness on innovation and creativity;
- c)** Strengthen coordination on enforcement of Intellectual Property Rights; and
- d)** Prioritise funding towards the implementation of the Policy.

### iii) COVID-19 Economic Empowerment Development Fund - 2020

The introduction of the COVID-19 Economic Empowerment Development Fund is aimed at supporting MSMEs that have been financially affected by the outbreak of Covid-19 pandemic. MSMEs require a PACRA certificate to access the Fund.

The following measures will be undertaken to optimise the opportunities arising from the creation of the fund:

- a)** Enhance collaboration with financial service providers;
- b)** Enhance operational systems in service delivery, and
- c)** Enhance sensitisation and awareness on benefits of business registration.

### iv) 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 rationalize and prioritize 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 PACRA's operations during the period under review included fluctuating Inflation and Exchange Rates. Inflation rates fluctuated from 21.8% in January 2016 dropping to 7.5% in December 2016 and rising to 11.7% by December 2019. Exchange rates fluctuated from K11/\$1 in January 2016 to K9.79/\$1 by December 2016, before averaging to K14.03/\$ by December 2019. As of 30th October 2020, the Exchange rate rose to K20.80/\$1.

The fluctuating inflation and exchange rates negatively affected the Agency due to an increase in operational costs in relation to the planned budget.

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

- a)** Rationalize and prioritize the utilisation of the available resources; and
- b)** Engage stakeholders for support to mitigate the reduced funding.

## **c) Social Developments**

One of the social developments negatively impacting on operations was the outbreak and spread of COVID-19 from December 2019 which led to reduced productivity among employees and affected implementation of some programmes such as mobile registration, sensitization and awareness.

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 prevention of the spread of COVID-19;
- b)** Explore flexible work scheduling for staff;
- c)** Optimise use of online services and platforms; and
- d)** Enhance the Staff Health and Wellness activities.

## d) Technological Developments

Technological developments impacting on PACRA 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 PACRA.

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 utilization 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 period under review, changes in the legal environment within which the Agency operates included the following:

### i) Enactment of the Companies Act No. 10 of 2017 and Related Statutory Instruments

The Companies Act No. 10 of 2017 provides for the incorporation, management and administration of different types of companies.

The following are regulations under the Companies Act:

- a)** The Companies (General) Regulations, 2019, Statutory Instrument No. 14 of 2019;
- b)** The Companies (Fees) Regulations, 2019, Statutory Instrument No. 15 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; and
- c)** Lack of provisions on how to deal with share warrants issued under the repealed Companies Act;

In order to mitigate the above threats, the Agency will continue engaging the Ministry of Commerce, Trade and Industry on the proposed amendments of 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) Regulations, 2019, Statutory Instrument No. 40 of 2019; and
- b)** 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.

## iii) Enactment of the Patents Act No. 40 of 2016

The Act provides guidance for the protection and administration of patents and 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 exclusion of pharmaceutical patents 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;
- c)** The Agency will rationalise and optimise funds for sensitisation and awareness programmes; and
- d)** Engage the Ministry on issuance of regulations.

#### 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 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 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
- c)** Engage the Ministry on issuance of regulations.

## vii) 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; and
- b)** The Movable Property (Security Interest) (General) Regulations, 2016, Statutory Instrument No. 77 of 2016.

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; and
- b)** 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 No. 35 of 2010.

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

## 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"> <li>• Effective and efficient policy and programme implementation;</li> <li>• Timely preparation and submission of Annual Reports;</li> <li>• Adherence to applicable policy and legislative framework;</li> <li>• Participation in the development and review of policies and laws;</li> <li>• Accurate and relevant information;</li> <li>• Prudent management of financial resources;</li> <li>• Accountability for revenue collected;</li> <li>• Adherence to contract guidelines;</li> <li>• Promotion and protection of innovation and creativity</li> <li>• Protection of traditional knowledge, genetic resources and expressions of folklore;</li> <li>• Protection of Copyrights;</li> <li>• Disclosure of beneficial ownership information; and</li> <li>• Transfer of shares</li> </ul>
2.	Business Associations	<ul style="list-style-type: none"> <li>• Promotion of efficient and cost effective systems in business and intellectual property registration;</li> <li>• Easy access to accurate and relevant information;</li> <li>• Promotion and protection of innovation and creativity;</li> <li>• Easy access to accurate and relevant information; and</li> <li>• Participation in the review of laws;</li> </ul>
3.	Statutory Bodies	<ul style="list-style-type: none"> <li>• Promotion and protection of innovation and creativity;</li> <li>• Protection of IP rights;</li> <li>• Collaboration in the review of policy and laws;</li> <li>• Efficient and effective registration processes;</li> <li>• Access to accurate and relevant information;</li> <li>• Promotion of competition and consumer protection; and</li> <li>• Collaboration in the establishment of Regulatory Services Centres (RSCs);</li> </ul>

4.	Professional Bodies	<ul style="list-style-type: none"> <li>• Adherence to applicable legislative framework;</li> <li>• Collaboration in the review of laws;</li> <li>• Easy access to accurate and relevant information;</li> <li>• Collaboration on registration of law firms;</li> <li>• Collaboration in the accreditation of Insolvency Practitioners;</li> <li>• Collaboration on registration of accounting firms; and</li> <li>• Promotion and protection of innovation and creativity</li> </ul>
5.	Other Stakeholders	<ul style="list-style-type: none"> <li>• Adherence to international standards in the promotion and protection of IP Rights;</li> <li>• Information sharing and collaboration on protection and promotion of IP;</li> <li>• Registration of rural agricultural businesses;</li> <li>• Prudent financial management of grants;</li> <li>• Information relating to registered MSMEs; and</li> <li>• Collateral Registry</li> </ul>

## 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

PACRA'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 PACRA was Above Average 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 PACRA 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 PACRA 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 PACRA 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 PACRA has:



S/N	Strengths	Optimisation Measures
1.	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.
2.	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.
3.	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.
4.	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.
5.	Availability of ICT infrastructure.	Continuously invest in ICT infrastructure.
6.	Staff willingness to upgrade skills.	Engage the willing staff to participate in the capacity building programmes.
7.	Supportive leadership and Management towards Staff Capacity Development.	Continue engaging leadership and management for support in Staff Capacity Development.
8.	Availability of staff with some requisite skills.	Involve the staff with requisite skills in the implementation of Capacity Building Programmes.
9.	Availability of electronic knowledge base.	Continuously update and sensitise staff on the utilisation of the electronic knowledge base.
10.	Documented Core Values.	Utilise documented Core Values in the development of a Culture Remodelling Programme.
11.	Existence of a client feedback mechanism.	Strengthen the feedback mechanism
12.	Effective communication channels for information dissemination.	Exploit communication platforms

## b) Weaknesses

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

S/N	Weaknesses	Mitigation Measures
1.	Weak M&E framework.	<ul style="list-style-type: none"> <li>Review and document the M&amp;E framework.</li> </ul>
2.	Inadequate resources to implement staff capacity building programmes.	<ul style="list-style-type: none"> <li>Explore alternative modes of skills capacity building (in-house, scholarships)</li> <li>Engage Cooperating partners for support</li> </ul>
3.	Lack of a Whistle Blower Policy.	<ul style="list-style-type: none"> <li>Develop and implement a whistle blower policy.</li> </ul>

## c) Opportunities

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

S/N	Opportunities	Optimisation Measures
1.	Supportive stakeholders towards implementation of the Strategic Plan and Resource Mobilisation Strategy.	Continuously engage stakeholders for support
2.	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.
3.	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.
4.	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.
5.	Available ICT infrastructure by service providers.	Engage service providers on utilisation of available ICT infrastructure.

<b>6.</b>	Availability of technical support from stakeholders.	Engage stakeholders for technical support in the development of operational systems.
<b>7.</b>	Increased digital and internet penetration among the public.	Develop and implement online services to exploit increased digital and internet penetration.
<b>8.</b>	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
<b>9.</b>	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.
<b>10.</b>	Training opportunities from stakeholders.	Continuously engage stakeholders on training opportunities.
<b>11.</b>	Availability of customised programmes from learning institutions.	Engage learning institutions for customised learning programmes.
<b>12.</b>	Availability of scholarships for staff capacity building programmes.	Encourage staff to apply for scholarships.
<b>13.</b>	Availability of technical support from institutions such as Ministry of National Guidance and Religious Affairs (MNGRA), 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 operationalization of an integrity committee.
<b>14.</b>	Availability of support from professional bodies.	Strengthen collaboration with professional bodies on upholding professional ethics.
<b>15.</b>	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:-

S/N	Threats	Mitigation Measures
1.	Change in priorities by stakeholders.	Continuously engage stakeholders for support.
2.	Continued implementation of austerity measures.	Prioritise and rationalise utilisation of resources.
3.	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.
4.	Better conditions of service being offered by other organisations.	Continuously benchmark conditions of service.
5.	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 PACRA 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 PACRA 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

PACRA's 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.

### 3.2. Mission Statement

To realise the vision and achieve the strategic results, PACRA 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.

### 3.3. Core Values

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

### 3.4. Strategic Themes and Strategic Results

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

- A Business entity and Security Interests Registration**  
intended to promote orderly trade and increase 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.

#### 3.4.1. 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.

#### 3.4.2. 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.

### 3.4.3. 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, PACRA 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	<p>This objective relates to the improvements that PACRA seeks to make towards the services it offers and focuses on:</p> <ul style="list-style-type: none"> <li>• The three (3) key aspects of application, registration and renewal of both Business Entities, Moveable Property Security Interest and Intellectual Property;</li> <li>• Compliance issues relating to post registration requirements; and</li> <li>• Maintaining customer satisfaction will entail improving customer experience through automation of processes</li> </ul>
2.	Enhance financial Capacity	<p>This objective on enhancement of financial capacity will:</p> <ul style="list-style-type: none"> <li>• Ensure that the Agency has adequate funds;</li> <li>• Develop and implement a resource mobilisation strategy as well as strengthen the Enterprise Risk Management framework and internal controls; and</li> <li>• Ensure there is increased accountability for public resources collected as well over resources specifically raised for the Agency.</li> </ul>
3.	Enhance operational systems	<p>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.</p>
4.	Improve work culture	<p>To improve work culture, the Agency will introduce a programme that promote and enhance work culture within the Institution.</p>

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.

See the detailed Strategic Plan log frame below.

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

Objectives	Results	Measures	Targets	Strategies	
Improve Customer Service	Increased registrations	% business entity registration	6% increase in business entity registration annually	<ul style="list-style-type: none"> <li>Enhance the legal framework</li> <li>Strengthen Collaboration with stakeholders</li> <li>Enhance customer feedback mechanism</li> <li>Enhance M &amp; E mechanisms</li> <li>Develop and implement a Communication Strategy</li> <li>Review and implement the Client Service Charter</li> </ul>	
		% 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
		% Intellectual Property renewals	85% Intellectual Property renewals annually		
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"> <li>Develop and implement a resource mobilization strategy</li> </ul>	
	Improved accountability	% budget adherence	100% adherence to annual budget		



		No. of audit queries	Below 10 audit queries annually	<ul style="list-style-type: none"> <li>• Strengthen Internal Audit function</li> <li>• Review and implement the Enterprise Risk Management Strategy</li> <li>• Strengthen internal controls</li> </ul>
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"> <li>• Streamline and automate all processes</li> <li>• Develop and implement an Internal Service Level Agreement</li> <li>• Develop and implement process and procedure manuals</li> </ul>
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"> <li>• Develop and implement a work culture remodelling programme</li> <li>• Establish and operationalise an Integrity Committee</li> </ul>
Develop Human Capital	Improved performance	% staff performance	80% individual performance targets attained annually	<ul style="list-style-type: none"> <li>• Strengthen implementation of the Performance Management System</li> <li>• Strengthen Capacity Building Programmes</li> <li>• Enhance MCTI on implementation of the approved structure</li> <li>• Develop and implement staff welfare programme</li> </ul>
Improve infrastructure and equipment	Conducive work environment	% staff satisfaction	80% staff satisfaction attained annually	<ul style="list-style-type: none"> <li>• Develop and implement an infrastructure development programme</li> <li>• Strengthen adherence to the Procurement Plan</li> </ul>

Refer to Appendix I for PACRA's Balanced Scorecard.

## 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 PACRA 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**  
PACRA 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 PACRA 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 PACRA's mandate.
- C Political Will from Government**

There will be continued support from Government towards the implementation of programmes for effective execution of PACRA'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 PACRA's services and in turn foster the growth of MSMEs.
- F Conducive Legal Framework**

There will be a coherent legal framework that will enable PACRA execute its mandate effectively. Various pieces of legislation will be reviewed in order to harmonise the legal framework in all sectors.

## 5. PLAN IMPLEMENTATION

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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 PACRA at three levels, namely; Individual, Unit and Institutional.

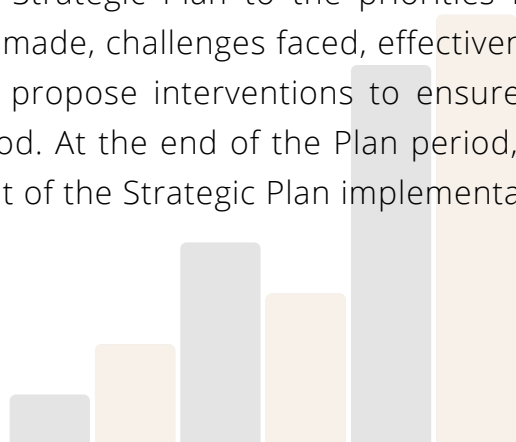


## 6. MONITORING AND EVALUATION

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.

Once the next National Development Plan is approved, a review will be undertaken to align the Strategic Plan to the priorities in the new Plan. The review will also assess progress made, challenges faced, effectiveness of the strategies provided in the Strategic Plan and propose interventions to ensure attainment of set targets for the remaining Plan period. 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.



# APPENDICES

## APPENDIX I: PACRA 2021 – 2026 BALANCED SCORECARD

### VISION

An innovative customer-centred business and intellectual property registration Agency

### MISSION

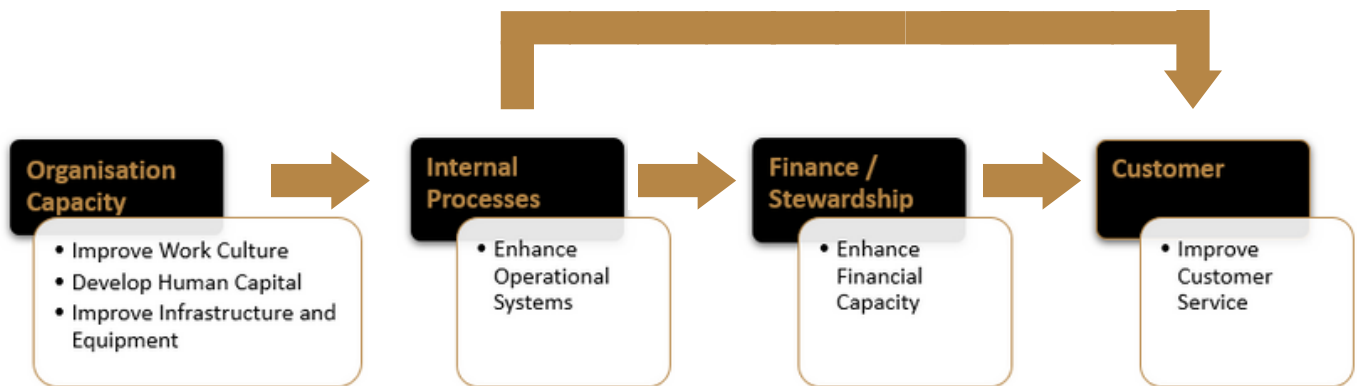
To provide business and intellectual property registration services for economic growth and National development”.

### VALUES

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



## STRATEGIC OBJECTIVES AND STRATEGY MAPS



MEASURES	TARGETS	STRATEGIES
<ul style="list-style-type: none"> <li>• % business entity registration</li> <li>• % Movable Property Security Interest registration</li> <li>• % Intellectual Property applications</li> <li>• % Intellectual Property registration</li> <li>• % Compliance</li> <li>• % Intellectual Property renewals</li> <li>• % customer satisfaction</li> <li>• % revenue budget</li> </ul>	<ul style="list-style-type: none"> <li>• 6% increase in business entity registration annually</li> <li>• 10% increase in annual returns compliance annually(100% by 2026)</li> <li>• 80% reduction in non-compliance with Minimum Share Capital by 2026</li> <li>• 5% increase in Movable Property Security Interest registration annually</li> <li>• 6% increase in Intellectual Property applications annually</li> <li>• 5% increase in Intellectual Property registrations annually</li> <li>• 85% Intellectual Property renewals annually</li> <li>• 80% customer satisfaction levels attained annually</li> <li>• 100% of approved revenue budget collected annually</li> </ul>	<ul style="list-style-type: none"> <li>• Enhance the legal framework</li> <li>• Strengthen Collaboration with stakeholders</li> <li>• Enhance customer feedback mechanism</li> <li>• Enhance M &amp; E mechanisms</li> <li>• Develop and implement a Communication Strategy</li> <li>• Develop and implement a Resource Mobilization Strategy</li> <li>• Strengthen Internal Audit function</li> <li>• Review and implement the Enterprise Risk Management Strategy</li> <li>• Strengthen internal controls</li> <li>• Streamline and automate all processes</li> <li>• Review and implement the Client Service Charter</li> <li>• Develop and implement an Internal Service Level Agreement</li> <li>• Develop an/d implement process and procedure manuals</li> </ul>

- % budget adherence
- No. of audit queries
- % service delivered
- % adherence to core values
- % staff performance
- % staff satisfaction

- 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

- 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





CREATIVITY & INNOVATION  
ARE THE KEY TO

# WEALTH CREATION

# PACRA HQ

*PLOT NO. 8471 PACRA HOUSE,  
HAILE SELASSIE AVENUE,  
LONGACRES,  
P.O. BOX 32020,  
LUSAKA, ZAMBIA*



PACRAZAMBIA



@PACRA\_ZAMBIA



@PACRAZAMBIA



+260953748701



5111



[HTTPS://WWW.PACRA.ORG.ZM](https://www.pacra.org.zm)



[PRO@PACRA.ORG.ZM](mailto:PRO@PACRA.ORG.ZM)

PREPARED BY:

**PATENTS AND COMPANIES REGISTRATION AGENCY  
IN COLLABORATION WITH  
MANAGEMENT DEVELOPMENT DIVISION  
CABINET OFFICE  
LUSAKA**

# PACRA HQ

*PLOT NO. 8471 PACRA HOUSE,  
HAILE SELASSIE AVENUE,  
LONGACRES,  
P.O. BOX 32020,  
LUSAKA, ZAMBIA*



PACRAZAMBIA



@PACRA\_ZAMBIA



@PACRAZAMBIA



+260953748701



5111



[HTTPS://WWW.PACRA.ORG.ZM](https://www.pacra.org.zm)



[PRO@PACRA.ORG.ZM](mailto:PRO@PACRA.ORG.ZM)

PREPARED BY:

**PATENTS AND COMPANIES REGISTRATION AGENCY  
IN COLLABORATION WITH  
MANAGEMENT DEVELOPMENT DIVISION  
CABINET OFFICE  
LUSAKA**