bipa

BUSINESS AND INTELLECTUAL PROPERTY AUTHORITY

Protecting Entrepreneurship and Innovation

2022/23 ANNUAL REPORT

ABOUT THE THEME:
Gearing Towards a Compliant Business Landscape

In the dynamic realm of modern business, embracing a compliant business landscape and economy is essential for sustainable growth. This year's theme delves into the strategies and tools that aim to empower businesses and economies alike to navigate the intricacies of compliance that can lead to opportunities for enhanced economic development.

As a central regulatory body, BIPA serves as a linchpin in ensuring that entities adhere to transparency standards and fulfil their annual obligations. BIPA's role in beneficial ownership compliance is pivotal. It serves as the main conduit through which legal persons are required to register and disclose accurate information about their beneficial owners.

This transparency not only safeguards against financial crimes such as money laundering, terrorism financing and proliferation financing, but also builds trust among stakeholders, investors, and the public at large. In the ever-evolving global business landscape, the imperative of compliance has taken centre stage like never before, not only in Namibia, but globally.

> As regulations and legislative instruments become more stringent, the need for businesses to navigate complex compliance frameworks is proving to be a pivotal determinant of their success.

The theme of **"Gearing Towards a Compliant Business Landscape"** delves into the multifaceted world of regulatory adherence and ethical responsibility that the business landscape must embrace to thrive. In additional to heightened compliance, BIPA together with the Ministry of Industrialisation and Trade has been working around the clock to reform the current corporate laws, which inadvertently will improve the overall compliance landscape for business conduct in Namibia.

Businesses today find themselves at the crossroads of rapid technological advancement and increasingly vigilant regulatory oversight. This theme further envisions to showcase that there is an array of strategies and tactics that businesses can employ to not only meet the rigorous demands of compliance but also to leverage these demands and become catalysts for innovation and resilience, with BIPA as a trusted partner.

Furthermore, the theme highlights the connection between compliance and ethical conduct. It explores how upholding compliance standards encourages a transparent and honest reputation amongst registered and regulated business entities. The theme aims to further illuminate the path that prospective business entities and entrepreneurs must walk when they make compliance the cornerstone of their operational philosophy.

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1. LIST OF ACRONYMS AND ABBREVIATIONS

4IR	Fourth Industrial Revolution
AML	Anti-Money Laundering
APF	Anti-Proliferation Financing
ARIPO	African Regional Intellectual Property Organisation
ARAMN	Association of Records and Archive Management in Namibia
ATF	Anti-Terrorism Financing
BIPA	Business and Intellectual Property Authority
BRS	Business Registration Services
CC	Close Corporation
CEO	Chief Executive Officer
ERP	Enterprise Resource Planning
ESAAMLG	Eastern and Southern Africa Anti-Money Laundering Group
FATF	Financial Action Task Force
FIA	Financial Intelligence Act
FRAC	Finance, Risk and Audit Committee
FY	Financial Year
BO	Beneficial Ownership
FIC	Financial Intelligence Centre
GLEC	Governance, Legal and Ethics Committee
HCM	Human Capital Management
HRRC	Human Resources and Remuneration Committee
IBRS	Integrated Business Registration System
ICSF	Integrated Client Service Facility
ICRS	Integrated Company Registration System
IP	Intellectual Property
IPR	Intellectual Property Rights
ICAN	Institute of Chartered Accountants of Namibia
ICT	Information and Communication Technologies
MIT	Ministry of Industrialisation and Trade
MoU	Memorandum of Understanding
N$	Namibian Dollar
NAMRA	Namibia Revenue Agency
NUST	Namibia University of Science and Technology
PCT	Patent Cooperation Treaty
SME	Small and Medium Enterprise
MSME	Micro, Small and Medium Enterprise
PE	Public Enterprise
SPPC	Strategic Planning and Projects Committee
TIN	Tax Identification Number
WTO	World Trade Organisation
WIPO	World Intellectual Property Organisation

2 THE 2023 FINANCIAL YEAR **AT A GLANCE**

Up to
12,577
new businesses registered

To date,
114,845
intellectual property rights have been registered in Namibia

68%
of BIPA workforce is female

73%
employee satisfaction

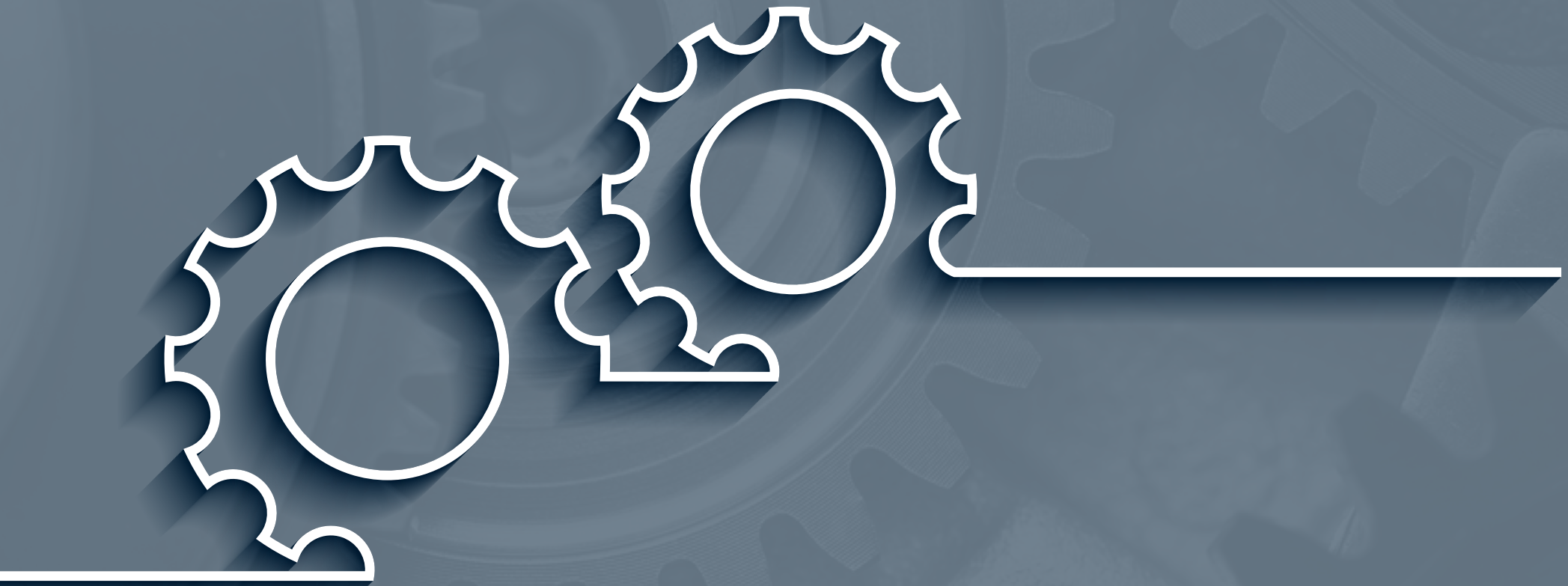
88%
stakeholder satisfaction

98%
critical systems availability

N$575,541
budgeted for employee capacitation

3 ABOUT BIPA

"Compliance is the compass that guides businesses through the intricacies of the modern economy"



ABOUT **BIPA**

3.1. Purpose

BIPA is mandated to regulate and administer the registration of business and industrial property in terms of applicable legislation with the objective of facilitating economic growth and development, promoting investment and creating employment through enhancing the efficient protection of business and intellectual property in Namibia.

Simultaneously, BIPA is mandated to promote the conduct and use of business and intellectual property in Namibia; facilitate, streamline, simplify and harmonise the business and industrial property procedures, registrations, filings and searches to expedite economic growth and development; and to enhance the efficient exchange and distribution of information. Protection of intellectual property rights encourages innovative economies, enriches individuals and companies, preserves wealth and saves lives.

BIPA's dual mandate further tasks the Authority with the registration of Companies, Close Corporations and Defensive Names. This function is not only a vital enabler of a stable and thriving economy, but also contributes to government's greater developmental goals of poverty eradication, the alleviation of unemployment and bridging the inequality gap amongst Namibians.

Against this background, the objectives of BIPA as outlined in Section 2 of the Act are:

- To foster economic growth and development, and promote investment and employment and the efficient protection and administration of business and intellectual property in Namibia;
- To consolidate the various offices and officials involved in the registration and administration of business and intellectual property;
- To facilitate and promote the efficient and effective registration of business and intellectual property and to keep and administer the required registers;
- To promote the conduct and use of business and intellectual property in Namibia;
- To facilitate, streamline, simplify, harmonise and expedite business and intellectual property procedures, registrations, filings and searches; and
- To enhance the efficient exchange and distribution of information.

Vision

"To be the catalyst of economic growth for a transformed business landscape and an innovative nation."

Mission

"We protect intellectual assets and make doing business possible in Namibia."

Values

Values are important building blocks to create a high performance and innovative culture for our people. This creates a common and shared purpose and encourages the active participation of each staff member to live our values through their behaviour and decision making.

Our values are:

- Accountability
- Teamwork
- Integrity
- Service Excellence
- Empowerment
- Innovation

3.2. Strategic Themes

BIPA's 5-year business strategy consists of four (4) key themes to assist the Authority to reach its goals through enhancing:

Financial Sustainability: BIPA aims to become a self-sustaining public enterprise by improving its revenue generation.

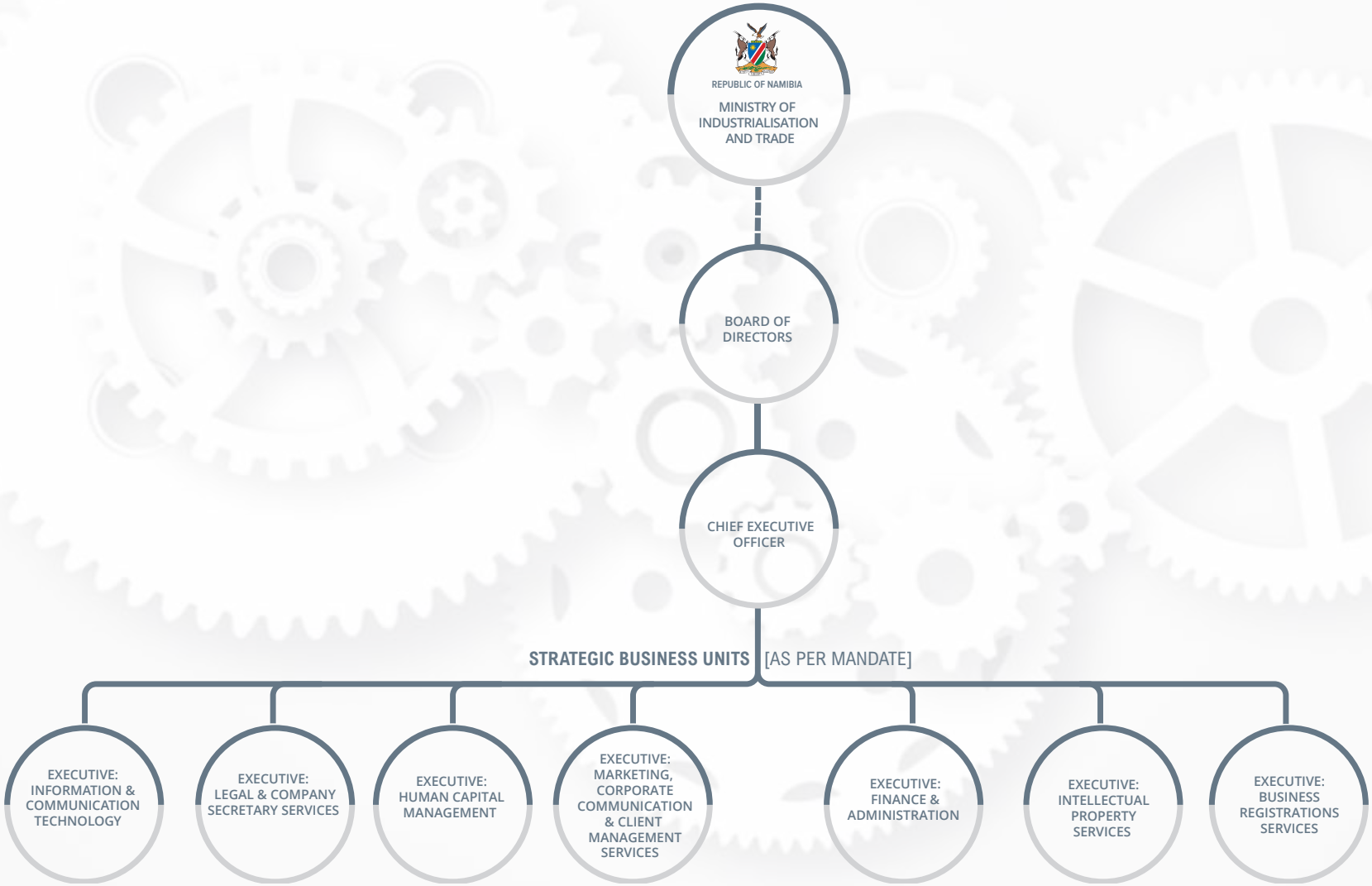
Stakeholder Confidence: BIPA is mandated to provide services to its clients and collaborate with its stakeholders to deliver value to its clients

Internal Processes and Governance: To ensure that the organisation is able to meet the clients and stakeholders' objectives, BIPA aims to improve its internal processes and governance framework.

Operational Excellence: BIPA is focused on its core assets, which are its people.

3.3 BIPA Organogram

ORGANISATIONAL STRUCTURE



3.4 Legislative and other mandates

The BIPA Act, 2016 confers powers onto the Authority to administer legislation relating to business registration and intellectual property administration. Its mandate encompasses companies, close corporations, trademarks, patents, industrial designs, aspects of copyright legislation and enforcement of rules and regulations.

Therefore, it is important to note that in addition to its establishing legislation, BIPA's legislative universe is rather broad and the below highlights the laws under administration of BIPA:

Legislation	Mandate
Business and Intellectual Property Authority Act, 2016 (Act No. 8 of 2016)	Facilitate and promote the efficient and effective registration of business and industrial property in Namibia.
Companies Act, 2004 (Act No. 28 of 2004)	Register companies, maintain data, regulate governance of and disclosure by companies, resolve disputes, educate and inform about all laws, non-binding opinions and circulars, policy and legislative advice.
Close Corporation Act, 1988 (Act No. 26 of 1988)	Register close corporations, maintain data, and regulate governance of and disclosure by close corporations.
Industrial Property Act, 2012 (Act No. 1 of 2012)	Register, protect and grant trademarks, industrial design, utility models and patent rights in accordance with the law and other international instruments.
Copyright and Neighbouring Rights Protection Act, 1994 (Act No. 6 of 1994)	Register copyright, maintain data, resolve disputes, and provide non-binding advice to the public.
Merchandise Marks Act, 1941 (Act No. 17 of 1941) as Amended	To make provision concerning the marking of merchandise and coverings with which merchandise is sold and the use of certain words, emblems in connection with business.

4 STATEMENT BY THE BOARD CHAIRPERSON

"Ethical conduct is the cornerstone of a transparent and honest business reputation."

Immanuel Tino !Hanabeb, Chairperson of the Board of Directors

STATEMENT BY THE **BOARD CHAIRPERSON**

Dear Stakeholders,

It is with immense pride and profound optimism that I extend these remarks to the annual report of the Business and Intellectual Property Authority (BIPA) for the financial year 2022/23. As the Chairperson of the Board, I am privileged to bear witness to the remarkable journey of BIPA in fulfilling its mandate as an economic driver, catalyst for business excellence, and guardian of intellectual property rights in Namibia.

Over the past year, BIPA has made significant strides in enhancing the ease of doing business, fostering a conducive business environment, and attracting foreign investment into our beloved country. This journey towards progress would not have been possible without the dedication and hard work of the entire BIPA team, and I extend my heartfelt gratitude to all our staff members who have relentlessly pursued excellence.

One of the notable achievements of this past year is the commendable financial resilience demonstrated by BIPA, especially during the challenging times brought about by the global COVID-19 pandemic. The prudent financial management policies advised by the Board have not only shielded BIPA from financial instability but have also allowed us to thrive. For the 2022/23 Financial Year, BIPA proudly recorded total revenue of N$91.8 million, marking a substantial increase from the N$84.3 million recorded in the previous Financial Year. This accomplishment underscores our commitment to financial stewardship while concurrently implementing the approved Revenue Diversification Strategy—a testament to our foresight in securing BIPA's sustainability.

Improved governance frameworks within BIPA have been paramount in achieving these successes. The Board, in its oversight capacity, diligently approved the 2022/23 annual business and financial plan, ensuring that BIPA remains compliant with the essential laws such as the BIPA Act, 2016, and the Public Enterprise Governance Act, 2019. These governance principles are the bedrock upon which BIPA stands, safeguarding its integrity and trustworthiness.

During the year under review, the Board displayed forward-thinking by allocating a sufficient CAPEX budget for two strategic and transformative projects.

First, the law reform project focusing on corporate law reforms will contribute to the modernisation and efficiency of our business regulatory framework. Second, the development of the Integrated Business Registration System (iBRS) represents a major leap forward in our pursuit of making Namibia an even more attractive destination for business. The iBRS will streamline the registration process for businesses, significantly reduce turnaround times, enhance communication between BIPA and its clients, and ultimately elevate the ease and conduct of business in Namibia.

The journey of BIPA towards being a driver of economic prosperity and a beacon of good governance continues unabated. The achievements highlighted in this annual report are a testament to the dedication, expertise, and unwavering commitment of the entire BIPA family. We shall not rest on our laurels, but rather, we will continue to innovate, improve, and serve the interests of Namibia, its businesses, and its people with ever-greater determination.

Looking ahead, we are in are in the process of reviewing all business policies so that we are able to align them to current trends. This is essential in equipping the business landscape with laws that speak and conform to the realities of our contemporary business environment.

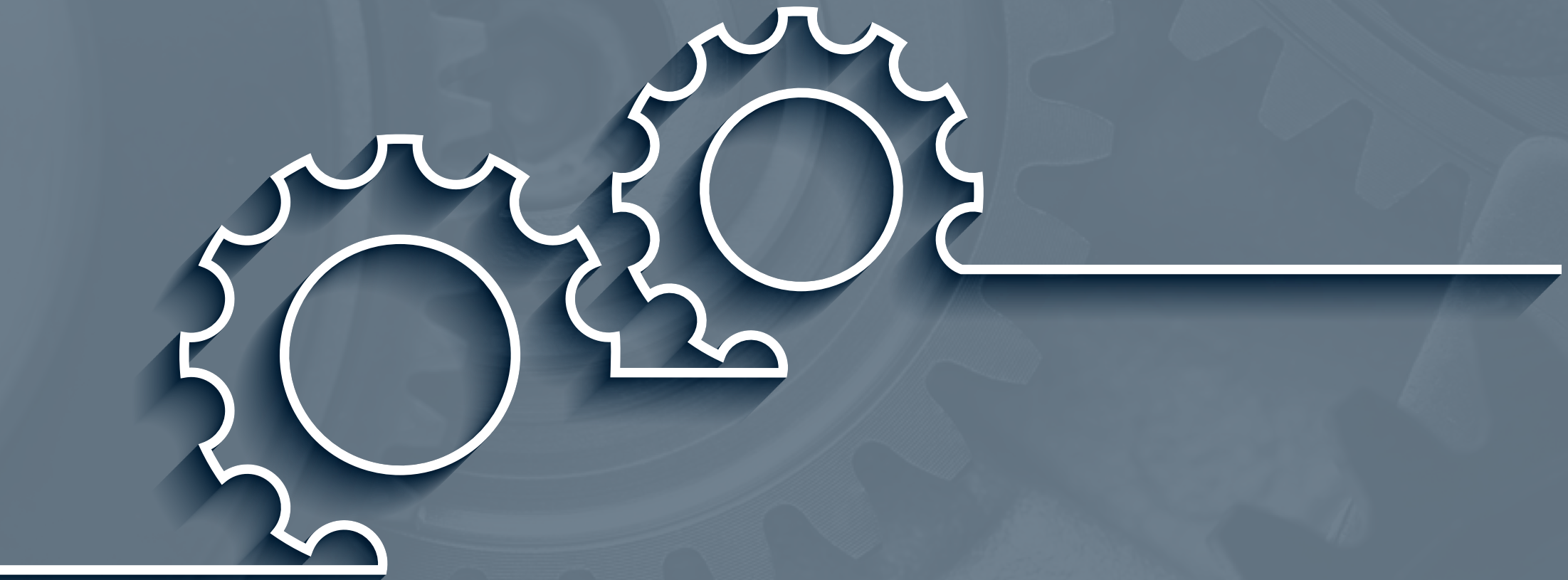
I extend my gratitude to our management team and staff, stakeholders, partners, and the Namibian public for their unwavering support, and I invite you all to join us on this remarkable journey as we unlock prosperity through progress and resilience.

Immanuel Tino !Hanabeb

Chairperson of the Board of Directors

5 OUR CORPORATE GOVERNANCE ARCHITECTURE

"BIPA serves as a trusted partner on the path to compliance and ethical conduct in the business world."



OUR CORPORATE **GOVERNANCE ARCHITECTURE**

The Board of **Directors:**

Immanuel Tino !Hanabeb
(Chairperson)

Mr. !Hanabeb holds a Master's Degree in Development Finance, as well as a Post Graduate Diploma in Leadership, both from the University of Stellenbosch in Cape Town. !Hanabeb has twenty-eight (28) years of experience in the fields of accounting, finance, business development, strategy, operations, project management, commerce, marketing and tourism. Previously he worked in the investments/asset management, consulting, logistics, road construction, seaports and maritime industries and currently serves as the Chief Executive Officer of Erongo Regional Electricity Distributor (ErongoRed).

Sara Katiti
(Deputy-Chairperson)

Ms. Katiti holds a Masters Degree in Development Finance from the University of Stellenbosch, a Bachelor of Technology and National Diploma respectively in Accounting and Finance from the Polytechnic of Namibia. Ms. Katiti held various senior management positions in TransNamib, NamPower and City of Windhoek. In addition, Ms. Katiti's professional profile also includes directorships on the Boards of a number of entities. Her expertise in corporate finance, governance and project management makes her an invaluable member of the BIPA Board.

Nangosora Ashley Tjipitua
(Board Member)

Ms. Tjipitua is an independent non-executive director in both public and private sector enterprises. She has more than 15 years' experience in regulation, business management and commercial law. She honed her expertise in management, corporate legal advice, governance, compliance risk management and competition law in over the 10 years that she served at management and senior executive levels. She is the former Director: Enforcement, Exemptions & Cartels at the Namibian Competition Commission, where she led significant market intervention in the telecommunications, financial services, insurance, and energy sectors to name a few.

Justin Strauss
(Board Member)

Mr. Strauss currently serves as the Strategic Executive: Information and Communication Technology at the Namibia Airports Company. He also held positions at the US Embassy in Windhoek and the Polytechnic of Namibia, now NUST. Mr. Strauss holds a Bachelor's Degree of Science, Computer Science and Physics from the University of Namibia as well as various professional/ technical certifications. He also completed the Leadership & Management Programme of the University of Stellenbosch.

The Board of **Directors:**

Julius Haikali
(Board Member)

Mr. Haikali is a Human Resources Practitioner and Business Strategist by profession. He possesses a Diploma in Public Administration majored in Human Resources from NUST, B-Tech in Public Administration majored in Human Resources from UNISA, Master of Administration from University of Namibia and Executive Development Programme from Wits University. He has 23 years of experience in Human Resources and organisational development field, of which 13 years has been served at Senior and Executive level.

Nancy Watyoka
(Board Member)

Ms. Watyoka is an Intellectual Property Expert on Geographical Indications and Collective Trademarks. She holds a Master in Intellectual Property from Africa University (AU), Zimbabwe. Nancy also holds an MDP from University of Stellenbosch Business School and BTech HRM degree from NUST, Namibia. A social entrepreneur at heart, she is a founding member of the Child Development Foundation in Namibia and serves as Trustee of Hope Village Foundation.

Hilka Alberto
(Board Member)

Ms. Alberto holds B Juris and LLB degrees from the University of Namibia; and a LLM degree from the University of Liverpool. She is currently employed as an EXCO member at the Financial Institutions Supervisory Authority (NAMFISA) and served as a director at Sisa Namandje & Co Legal Practitioners. She boasts with extensive experience in the legal and regulatory fields over the last 16 years.

5.2 Board Governance Structure

The governance structure of the BIPA Board is established firstly, in terms of sections 6 and 7 of the BIPA Act, 2016 and secondly in terms of chapter 3 of the Public Enterprise Governance Act, 2019. The Board of Directors play a pivotal role in shaping the direction, decisions, and performance of the organisation. It defines the framework within which the Board operates, its responsibilities, and how it interacts with stakeholders. An effective governance structure is essential for ensuring transparency, accountability, and the fulfilment of BIPA's objectives. The Board operates within the principles of best governance principles, as outlined within the King Code III, NamCode and related governance legislative provisions.

BIPA's governance structure is similar to that of other Public Enterprises in Namibia, in that the BIPA Board reports to a line minister, in this case the Ministry of Industrialisation and Trade (MIT). The Chief Executive Officer of BIPA in turn reports to the Board.

5.3 Powers of the Board of Directors

The role, function and powers of the Board, its members and committees, and its relationship to other structures of BIPA are determined by law, the Governance Framework, corporate governance best practices, the enabling Act and decisions and policies of the Board. The Board is responsible for the strategic direction and control of BIPA and has the power to make any decision in respect of the institution, in as far as its powers and fiduciary duties extend.

The Board remains responsible for collectively promoting and safeguarding the long-term success of BIPA, as it manages the affairs in the best interest of the Authority, with due regard to the interests of its stakeholders; and in compliance with all relevant Namibian legislation, principles of sound corporate governance and corporate policies.

The following powers are reserved for the Board:

- Appointing the CEO;
- Approving the annual budget, annual business plan and strategy;
- Approving the annual procurement plan;
- Establishing sub-committees of the Board.

The Board has the power to make rules relating to:

- The convening of, and procedures at meetings of the Board or a committee of the Board;
- The management of the affairs of BIPA and execution of its functions;
- Any matter which in terms of the BIPA Act is required or permitted to be prescribed by rules;
- Generally, any matter which the Board considers necessary to give effect to the objectives of BIPA.

A structured succession plan for the Board and executive leadership remains a crucial element to avoid disruptions and ensure a smooth transition of power when necessary.

5.4 Roles and responsibilities

It is the responsibility of the Board to guide the Authority to achieve its strategic purpose by the powers conferred on it by the enabling Act, the Board Charter and other Board decisions and policies. The Board delegates day-to-day strategic management decision making to the CEO, who is supported by the Executive Management team. The CEO is accountable to the Board.

Furthermore, the Board has the responsibility of:

- Approving policies, including those relating to remuneration and investment;
- Remuneration of the CEO and Executive Management members;
- Approval of BIPA's organisational structure, including creating new positions and their grading;
- Approval of Annual Reports including Annual Financial Statements.

The Board delegates various other matters to the Board Committees, as specified in the Terms of Reference of each committee.

The Board Chairperson is responsible for setting the ethical tone of the Board and the Authority, providing overall leadership, overseeing the development of the Board Plan and presiding over Board meetings.

5.5 Board Performance Assessment

In terms of sections 11 and 12 of the Public Enterprise Governance Act, 2019 (Act No. 1 of 2019) the Board's performance is assessed against Key Performance Indicators (KPIs) identified by the Minister. Therefore, on an annual basis, the Board signs a Governance Agreement and individual Performance Agreement with the Minister to ensure their performance are measurable and assessed against set targets.

5.6 Board Structure

The BIPA Board consist of seven Board of Directors and their tenure runs for a period of three years. The Board was appointed on 01 October and 01 November 2021 respectively, and their term ends 30 September 2024, unless extended for a further period by the Minister.

Directors	Position	Designation	Appointment Date
Mr. Immanuel !Hanabeb	Board Chairperson	Non-executive	01 October 2021
Ms. Sara Katiti	Deputy Board Chairperson	Non-executive	01 November 2021
Mr. Justin Strauss	Board Member	Non-executive	01 October 2021
Ms. Hilka Alberto	Board Member	Non-executive	01 October 2021
Ms. Nangosora Tjipitua	Board Member	Non-executive	01 October 2021
Mr. Julius Haikali	Board Member	Non-executive	01 October 2021
Ms. Nancy Watyoka	Board Member	Non-executive	01 October 2021

5.6.1 Board Sub-Committees Structure

Board Sub-Committees	Chairperson	Substantive Members
Human Resource and Remuneration Committee (HRRC)	Mr. Julius Haikali	Ms. Nancy Watyoka Ms. Hilka Alberto Mr. Immanuel !Hanabeb
Finance, Risks, and Audit Committee (FRAC)	Ms. Sara Katiti	Mr. Justin Strauss Ms. Nancy Watyoka Mr. Immanuel !Hanabeb Mr. Justin Strauss
Governance, Legal, and Ethics Committee (GLEC)	Ms. Hilka Alberto	Ms. Nangosora Tjipitua Ms. Nancy Watyoka
Strategy, Projects, and Procurement Committee (SPPC)	Mr. Justin Strauss	Ms. Sara Katiti Ms. Hilka Alberto Ms. Nangosora Tjipitua Mr. Julius Haikali

5.7 Board and Board Sub-Committee Meetings held for FY2022/23

5.7.1 HRRC:

Chaired by Mr. Julius Haikali. This committee is responsible for developing formal and transparent policies and procedures on BIPA remuneration, and for determining the remuneration packages of BIPA Management. The Committee upholds the principle that the financial reward offered should be market related to attract highly qualified employees to enable the institution to fulfil its mandate.

A total of 4 meetings were held. Q4 of the FY22/23 was held outside of the reporting financial year. No special meetings were held.

Total Meeting Dates Attended	09 June 22 Q4 21/22	29 Sep 22 Q1 22/23	09 Dec 22 Q2 22/23	27 Mar 23 Q3 22/23	No. of Meetings
Mr. Immanuel !Hanabeb	X	X	X	X	4
Ms. Sara Katiti		X	X	X	3
Ms. Nancy Watyoka	X	X	X	X	4
Mr. Julius Haikali	X	X	X	X	4
Ms. Hilka Alberto	X	X		X	3
Mr. Justin Strauss	X	X	X	X	4
Ms. Nangosora Tjipitua		X	X	X	3

5.7.2 GLEC:

Chaired by Ms. Hilka Alberto. The Governance, Legal and Ethics Committee (GLEC) provides legal support to the Board. The primary role of the GLEC is to deliberate, consult, comment and assist the Board regarding existing and pending legislation and other legal matters.

A total of 4 meetings were held. Q4 of the FY22/23 was held outside of the reporting financial year. No special meetings were held.

Total Meeting Dates Attended	12 May 22 Q4 21/22	18 Aug 22 Q1 22/23	17 Nov 22 Q2 22/23	20 Feb 22 Q3 22/23	No. of Meetings
Ms. Hilka Alberto	X	X	X	X	4
Ms. Nancy Watyoka	X	X	X	X	4
Ms. Nangosora Tjipitua	X	X	X	X	4

5.7.3 SPPC:

Chaired by Mr. Justin Strauss. The Strategic Plan and Project Committee (SPPC) discusses, formulates, recommends and provides advice for strategic and operational implementation of key objectives on all capital and operational projects.

A total of 4 meetings were held. Q4 of the FY22/23 was held outside of the reporting financial year. No special meetings were held.

Total Meeting Dates Attended	13 May 22 Q4 21/22	17 Aug 22 Q1 22/23	18 Nov 22 Q2 22/23	24 Feb 22 Q3 22/23	No. of Meetings
Mr. Justin Strauss	X	X	X		3
Ms. Hilka Alberto	X	X	X	X	4
Mr. Julius Haikali	X	X	X	X	4
Ms. Sara Katiti	X	X	X	X	4
Ms. Nangosora Tjipitua		X	X	X	3

5.7.4 FRAC:

Chaired by Ms. Sara Katiti. The purpose of the Finance, Risk and Audit Committee (FRAC) is to oversee responsibilities relating to financial planning, audit processes, financial reporting, the system of corporate controls and risk management, and to make recommendations to the Board for approval when appropriate. In the process of overseeing BIPA's audit procedures, FRAC is given the necessary resources to carry out its responsibilities, including the authorisation to engage independent counsel and other advisors. A total of 4 meetings were held. Q4 of the FY22/23 was held outside of the reporting financial year. One special meeting was held. In total FRAC held 5 meetings for the FY22/23.

Total Meeting Dates Attended	13 May 22 Q4 21/22	18 Aug 22 Q1 22/23	18 Nov 22 Q2 22/23	17 Jan 23 Q3 22/23	24 Feb 23 Q3 22/23	No. of Meetings
Ms. Sara Katiti	X	X	X	X	X	5
Ms. Nancy Watyoka	X	X	X	X	X	5
Mr. Julius Haikali	X	X	X	X	X	5
Mr. Immanuel! Hanabeb	X	X	X	X	X	5
Mr. Justin Strauss	X	X	X	X		4

6 CHIEF EXECUTIVE OFFICER'S OVERVIEW

"Prospective businesses must make compliance the foundation of their operational philosophy for a successful journey."

Vivienne Katjiuongua, Chief Executive Officer

CHIEF EXECUTIVE **OFFICER'S OVERVIEW**

Dear Stakeholders,

As we step into the new year, it is essential to pause and reflect on the milestones achieved during the year 2022/2023 at the Business and Intellectual Property Authority (BIPA). This year has been a time of transformation, dedication, and resilience, as we have continued our unwavering commitment to serving our nation and its people.

One of the most significant aspects of our work this year has been our relentless pursuit of improving our compliance and legislative framework. Namibia's commitment to international standards in combating financial crimes led us to undergo the Mutual Evaluation Report (MER) by the Financial Action Task Force (FATF), a global watchdog for Anti-Money Laundering and related financial crimes.

It was an imperative task to ensure that our controls and laws meet the highest standards in Anti-Money Laundering (AML), Anti-Proliferation Financing (APF), and Anti-Terrorism Financing (ATF). Further, BIPA has been working around the clock to address the MER requirements, one of which is to ensure the effective implementation of a comprehensive Beneficial Ownership (BO) Register, a cornerstone in the fight against financial crime. BIPA anticipates completion of the BO register within the next financial year.

Our collaboration with the Ministry of Industrialisation and Trade (MIT) has been instrumental in reforming Namibia's Corporate Law. This ambitious project aimed to modernize, simplify, and streamline the Companies and Close Corporations Acts, creating a comprehensive and unified Corporate Law. This reform is not just about regulatory changes; it signifies our commitment to providing a business-friendly environment that fosters economic growth and innovation.

In the realm of intellectual property, we recognized the need for updating our legal framework to meet the evolving needs of creators and innovators. The Copyright and Neighboring Rights Protections Act, 1994, underwent a thorough review, and by the end of this financial year, the draft bill was submitted to the Attorney-General's Office for constitutional scrutiny. We anticipate finalising this critical piece of legislation by the end of the 2023/24 financial year, reinforcing our commitment to safeguarding the intellectual property rights of our citizens and investors.

Furthermore, BIPA's endeavors in strengthening our brand position have been remarkable. We developed a comprehensive brand strategy aimed at enhancing the trust relationship between BIPA and our internal and external stakeholders. Our commitment to transparency, integrity, and excellence is at the heart of our brand strategy, ensuring that our stakeholders have confidence in our services and processes.

Financially, I am delighted to report that BIPA has performed exceptionally well. We have witnessed an increase in both business and intellectual property registrations, leading to improved revenue collection. This not only demonstrates the trust our clients have in our services but also reflects the growing entrepreneurial and innovative spirit in Namibia.

As we embrace the future, let us remember that our work at BIPA goes beyond compliance and registration; it is about fostering an environment that nurtures innovation, creativity, and economic growth. With your unwavering support, we will continue to make strides in shaping a brighter future and building shared ownership for a prosperous Namibia.

In closing, I want to extend my gratitude to the dedicated team at BIPA, our invaluable stakeholders, and our esteemed clients. Together, we have achieved remarkable progress in 2022/2023, and I have no doubt that our collective efforts will continue to drive Namibia forward in the years to come.

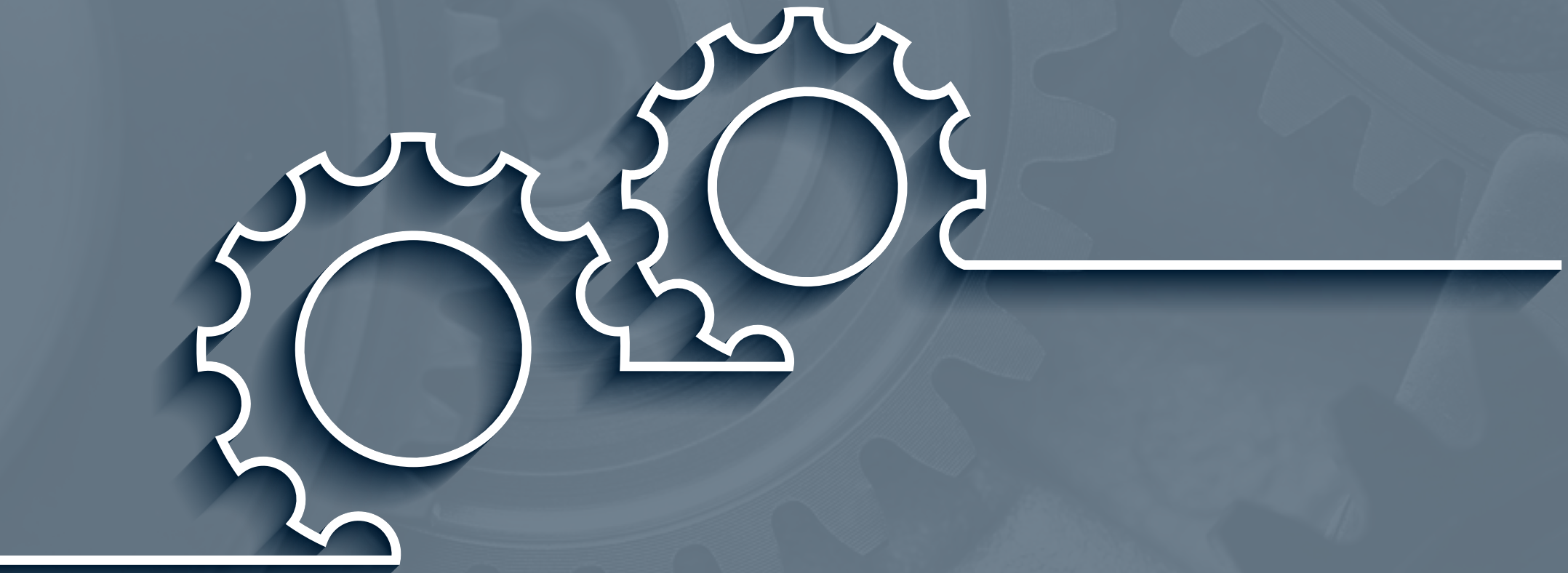
Thank you for your trust, dedication, and partnership.

Vivienne Katjiuongua

Chief Executive Officer

7 EXECUTIVE MANAGEMENT

"Embracing compliance is not just a choice; it's a fundamental step towards sustainable growth."



EXECUTIVE **MANAGEMENT**

7.1 Executive Management Team

The following members held Executive positions during the financial year 2022/2023

Vivienne Katjiuongua
Chief Executive Officer (CEO)

Jones Lubinda
Executive: Finance and Administration

Ainna Kaundu
Executive: Intellectual Property

Veneranda Shoombe
Executive: Information and Communication Technology
as of March 2023 (Replaced Veiko Muronga who resigned on 30 September 2022)

Frieda Mokotjomela
Executive: Corporate Services
as of 27 March 2023
(Replaced Martin Mwaetako resigned on 01 March 2023)

Raphael Likando
Executive: Business Registration Services

Ockert Jansen
Executive: Marketing, Corporate Communication and Client Management Services

Chief Legal and Company Secretary
Vacant

8 OFFICE OF THE CHIEF EXECUTIVE OFFICER

"Compliance is the compass that guides businesses through the intricacies of the modern economy."

OFFICE OF THE **CHIEF EXECUTIVE OFFICER**

The Chief Executive Officer (CEO) occupies a pivotal leadership position with the primary responsibility of supervising and directing the organisation's activities, strategic trajectory, and the attainment of its mission and goals. Moreover, the CEO concurrently assumes the role of the Registrar of Business and Industrial Property as defined by the BIPA Act, 2016 (Act No.8 of 2016). This role entails the day-to-day management of an institution that bolsters business efficiency and the safeguarding of intellectual property rights through registration in Namibia. Collaborating with the executive management team, the CEO steers the realization of BIPA's strategic vision, objectives, and undertakings.

Within BIPA, the CEO's duties encompass a diverse spectrum:

- Strategic Leadership
- Operational Management
- Engaging with Stakeholders
- Ensuring Regulatory Adherence
- Supervising the administration of Intellectual Property services and the fostering of innovation
- Formulating Policies that contribute to the advancement of Namibia's business landscape
- Furnishing Reports to the Board
- Serving as the face of BIPA to the public, media, and other stakeholders. Effective and transparent communication cultivates credibility, transparency, and public confidence in BIPA's endeavors.

This role entails the day-to-day management of an institution that bolsters business efficiency and the safeguarding of intellectual property rights through registration in Namibia.

9 AUDIT, RISK AND INVESTIGATIONS MANAGEMENT

"Transparency in beneficial ownership compliance is the foundation of trust in the business world."

AUDIT, RISK AND **INVESTIGATIONS MANAGEMENT**

9.1 Overview

The Internal Audit, Risk, and Investigations department at BIPA carries out a self-reliant, unbiased, and advisory role aimed at enhancing BIPA's operational excellence. This role contributes valuable perspectives on the organisation's dedication to robust governance, risk reduction, and ethical standards.

This showcases BIPA's forward-thinking method in recognizing and tackling potential obstacles, thus nurturing reliance, openness, and assurance among both internal and external stakeholders. The department plays a pivotal role in aiding BIPA in achieving its goals by applying a methodical and rigorous approach to assess and enhance the efficiency of risk management, control, and governance procedures.

9.2 Independence and Accountability

The Chief of the Internal Audit, Risk, and Investigations unit (CRA) holds a functional reporting relationship with the Board of Directors and an administrative reporting relationship with the Chief Executive Officer (CEO). Alongside these established reporting structures, the CRA possesses both the authority and responsibility to promptly notify the Board of Directors about instances of fraud, corruption, or other matters that, in their judgment, could potentially cause substantial harm to BIPA.

The Chief of the Internal Audit, Risk and Investigations division is accountable to:

- Provide an assessment on the effectiveness and efficiency of the internal control, risk management and governance processes regarding the engagements in the Audit Plan.
- Report significant issues related to the processes for controlling the activities of BIPA and its affiliates, including potential improvements to those processes, and provide information concerning such issues.
- Provide information periodically on the status and results of the Audit Plan and the sufficiency of department resources.

9.3 Audit Scope

The Internal Audit, Risk, and Investigations division's scope encompasses evaluating the sufficiency and efficacy of BIPA's governance, risk management processes, internal control framework, and the quality of performance in fulfilling assigned duties to realize BIPA's declared aims and objectives.

This encompasses:

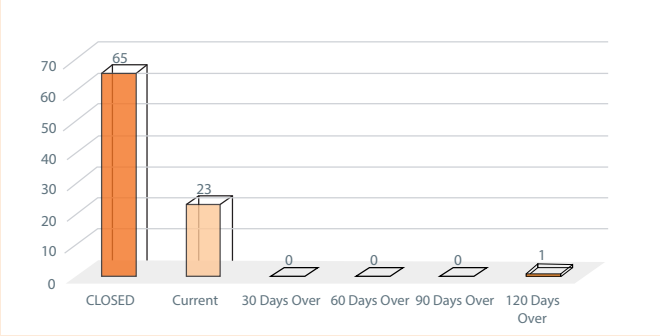
- Assessing the accuracy and trustworthiness of financial and operational data and the methods employed to recognize, measure, categorize, and report such data.
- Evaluating the efficiency, cost-effectiveness, and success of resource utilization.
- Examining the strategies in place for asset protection and, where applicable, validating the existence of said assets.
- Scrutinizing the systems implemented to ensure adherence to significant operational and reporting policies, plans, protocols, laws, and regulations.
- Appraising operations or initiatives to confirm their alignment with established objectives and goals, and their adherence to planned procedures.
- Investigating specific operations upon request from BIPA Management and/or the Board of Directors. BIPA upholds the highest professional standards, as endorsed by authoritative bodies like the Institute of Internal Auditors.

9.4 Internal Audits conducted for FY 2022/23

Internal audits conducted for the reporting financial year amounted to eight (8). Seven (7 are risk based internal audits and one (1) was an assurance audit.

9.4.1 Major audit findings

- In total, 89 audit issues were raised and 65 (73%) were mitigated and closed whilst the remaining 24 (27%) remained open at the end of the review period.
- From the 24 audit issues that remained open, 23 were current and 1 is aging in the over 120 days category.



Audit Issue Tracking Status

9.4.2 Improvements on internal controls due to audit findings

From the audit findings and subsequent recommendations made by the Internal Audit and Risk department, the following improvements were noted:

1. Management improved response times to queries on public email accounts .
2. Management enforced compliance by ensuring that employees carry out processes in accordance with set policies and procedures.
3. Management implemented log books to monitor the movement of files between divisions.
4. Management implemented checklists in files being circulated for better control.

9.5 Investigations conducted for FY 2022/23

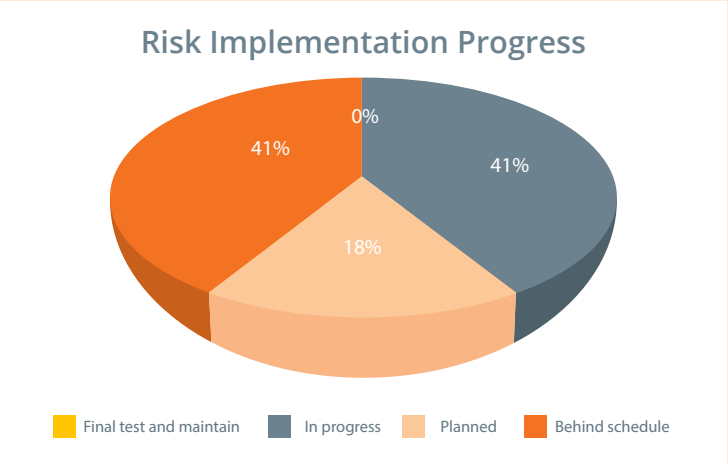
9.5.1 Major findings

CATEGORY	NUMBER	STATUS	MAJOR FINDINGS
Alleged forged signatures	3	Complete	1. CM2- Forged signatures CM27- Incorrect ID number 2. Questionable signatures 3. Forged signature on share certificate
Fake Founding Statement	1	Complete	Fake CC1 used for business and tax registration purposes
Illegal removal of Accounting Officer	1	Complete	Incorrect amendment procedure followed on the change accounting officer

Investigations conducted during 2022/23

9.6 Risk Register Status

The total number of strategic risks for the period under review were 17. One of the risks is complete and removed from the report in Q2 of FY 22/23.



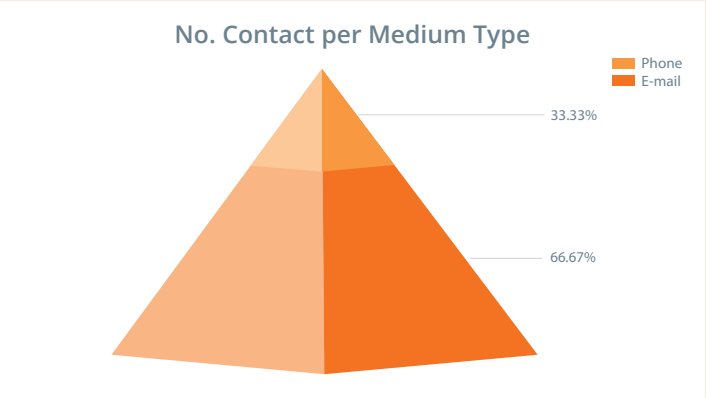
Risk implementation progress by % as at 07 March 2023

Risk category by %

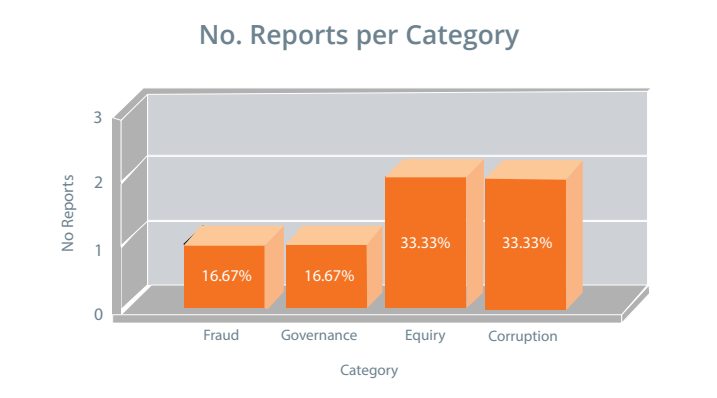
9.7 Fraud Hotline Statistics

BIPA undertook a Fraud Awareness campaign during quarter 4 of the year under review. The campaign was aimed at improving internal and external awareness on fraud and related matters. In addition, the camapign further aimed to reduce the number of fraud related incidents related to BIPA activities. The campaign promoted the Fraud Hotline number and as such, we onserved an increase in the number of reported incidences during the period.

Six incidents were reported during the period of 01 April 2022- 31 March 2023.



Fraud incidents reported FY 22/23 per catergory



Fraud incidents reported FY 22/23 per medium type

9.8 Enhanced Compliance - Implementation of the Mutual Evaluation Report (MER)

The Mutual Evaluation Report of Namibia was finalised by and adopted at the 44th Eastern and Southern Afica Anti-Money Laundering Group (ESAAMLG) Task Force Meeting on 02 September 2022 in Livingstone, Zambia. As a premise, Namibia was under a 12-month evaluation period to implement actions set out by the Financial Action Task Force (FATF) that will address the deficiencies that have been identified during the assessment and reported in the Mutual Evaluation Report. Such deficiencies related to the gaps in the laws, systems and process that would give rise to increased money laundering, terrorism financing and proliferation financing activities in Namibia, specifically when legal persons (companies and close corporations) are used to drive and hide such illicit activities.

BIPA, having primarily been responsible for addressing the deficiencies under Immediate Outcome 5 and Recommendation 24 of the FATF recommendations, which includes making provision for public availability of information on the creation and types of legal persons and arrangements, as well as the transparency and beneficial ownership of such legal perons.

The above is further reiterated by Section 4(1)(a) Financial Intellegence Act (FIA), 2012 which requires the Registrar of Companies and Close Corporations to annually collect and keep accurate and up to date prescribed information in respect of members / directors, shareholders and beneficial owners of companies and closed corporations.

An Action Plan has been developed and progress on the implementation of same has been continuously and closely monitored.

9.8.1 Regulatory Compliance Universe

The compliance function has identified the following key regulatory areas of the compliance landscape:

- Companies Act No. 28 of 2004
- Close Corporations Act No. 24 of 1988
- Copyright & Neighbouring Rights Protection Act No. 6 of 1994
- Industrial Property Act No.1 of 2012
- Merchandise Mark Act No.17 of 1941
- Financial Intelligence Act No. 13 of 2012
- Public Procurement Act No. 15 of 2015
- Public Enterprises Governance Act No. 1 of 2019
- Business and Intellectual Property Authority Act No. 8 of 2016

10 LEGAL & COMPLIANCE

"In the global business landscape, compliance is no longer a choice but a necessity."

10.1 Overview

The Legal and Compliance Department plays a crucial role in ensuring that BIPA executes its mandate as a regulator, but equally that the Authority remains compliant to laws that applies to it. Further the department is responsible for ensuring that the Authority's operations, policies, and practices are in alignment with relevant laws, regulations, and industry standards. This department plays a vital role in minimising legal risks and upholding ethical standards.

Further to this, the department also ensures the following:

- Enhancing good corporate governance
- Ensuring that relevant Board approved policies are effective and complied with
- Providing legal advice to internal and external stakeholders
- Ensuring stakeholder relationships are effectively managed and complied with appropriately
- Strategic Compliance Risk Management

10.2 Strategic Objectives

- Ensure Financial Sustainability
- Ensure and Maintain Stakeholder Confidence
- Ensure Legislative Alignment to National, Regional and International Obligation
- Enhance Corporate Governance and Risk Management
- Deliver quality simple and accessible services
- Achieve Mutually Beneficial Stakeholder relationships

10.3 Personnel Capacity

For the period under review, the department had 3 permanent staff members, 2 legal officers and 1 para-legal assistant, in addition to two (2) temporary legal officers.

10.4 Request for information/files by Competent Authorities

BIPA, by law is the competent Authority and keeps record of all legal persons (companies and close corporations) formed in terms of the relevant laws. As such, BIPA therefore serves as the first point of contact for other competent authorities when they seek information about legal persons, including information about the members, shareholders and directors. Very often, such requests are served onto the Registrar by virtue of legal summons, what often requires the Registrar to provide the information or to depose to an affidavit.

The latter is used for investigative ad legal proceedings amongst others. In the financial year under review, the Authority received a total of 228 requests form law enforcements agencies, in which all of the above requests required the deposition of an affidavit.

10.5 Statistics on the number of Subpoenas by the Court

In the financial year under review, the Authority did not receive any subpoenas from court, however, the Authority was cited in a number of cases as a respondent for multiple case proceedings.

10.6 Number of Internal Requests for Legal Advice

The total number of internal legal advice amounts to 8 for the reporting period. This excludes the amount of draft and/or review requests for Contracts, Policies and Memorandums of Understanding (MoU).

10.7 FIC Report Submissions

BIPA and Bank of Namibia (BoN) entered into a grant agreement and the purpose of this agreement was for the implementation of the Corporate Law Review Project, where the funds were channelled towards the engagement of services of international consultants to assist with the finalisation of the project and local services associated with implementation of the project. In light of the abovementioned agreement, BIPA is obliged to provide quarterly updates or reports to BoN on the status of the Project. One report was submitted to the Bank of Namibia via the Financial Intelligence Centre (FIC) to provide an update on the Corporate Law Reform Project.

10.8 Corporate Law Reform and Legal Instruments Update

The Authority started the review process for the Companies Act, 2004 (No. 28 of 2004) and Close Corporations Acts, 1988 (No. 26 of 1988) for the purpose of developing a more simplified, modernised and, consolidated corporate law draft Bill which will in turn speak to the outdated laws and business practices that are no longer on par with global standards.

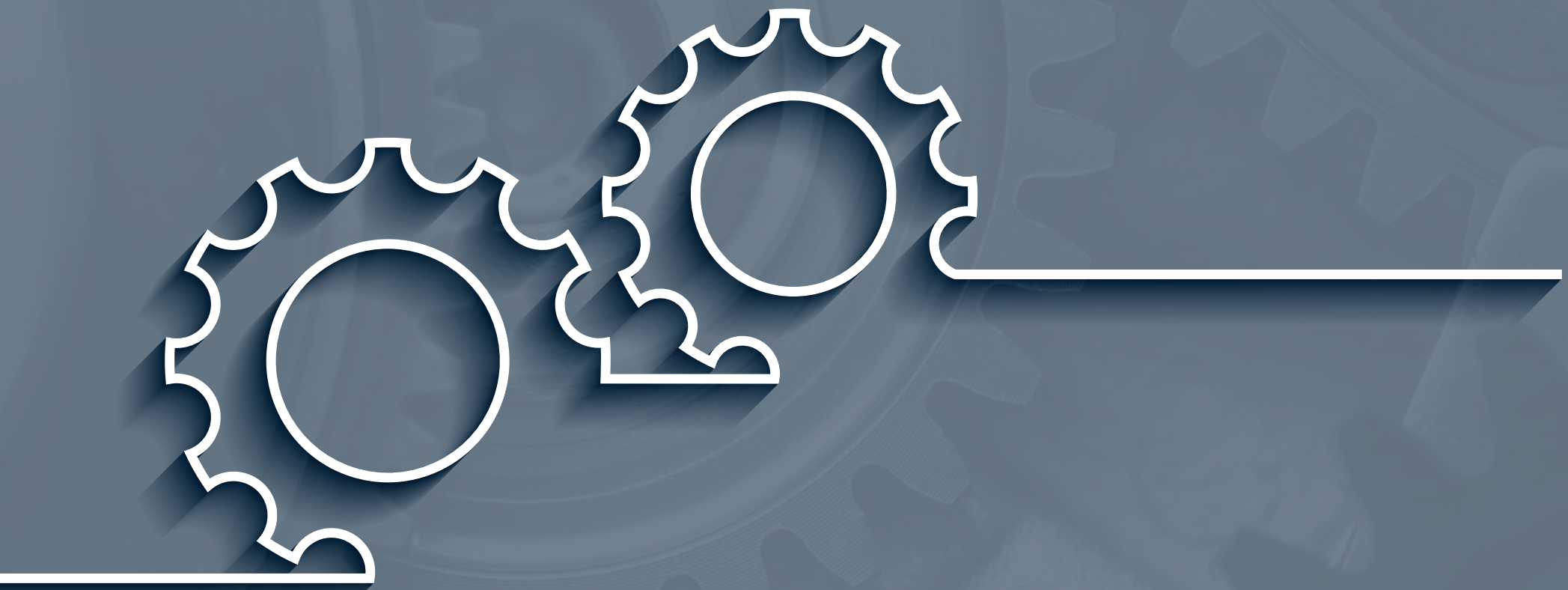
In addition to the above corporate law reform project, the Ministry of Industrialisation and Trade, together with the Authority, commenced the development of the stop-gap amendments to both the Companies and Close Corporations Acts, as part of its action plans in fulfilling the recommendations set by the Financial Action Task Force (FATF) Mutual Evaluation Report to ensure Namibia becomes compliant to measure for Anti-Money Laundering (AML), Anti-Terrorism Financing (ATF) and Anti-Proliferation Financing (APF).

As such, a draft bill was finalized this financial year, following by stakeholder engagements in the last quarter of the year, through the hosting of a high-level International Roundtable Consultative Forum review of the current corporate law and was attended by a high-level panel of experts across various industries, as well as the chief drafters on the Bill to solicit inputs into the law. The round table paved a way for the regional stakeholder engagements which sought nationwide comprehensive inputs and is planned toward the new financial year.

As part of the legislative review of updating outdated governing laws, the Copyright and Related Rights Bill was developed and driven mainly by BIPA's Intellectual Property department. The Bill is under consideration by the Office of the Attorney General for Constitutional scrutiny and is anticipated for tabling during the 2023/24 financial year.

11 BUSINESS **STRATEGY**

"A compliant business landscape is one that thrives on ethical responsibility."



BUSINESS **STRATEGY**

11.1 Overview

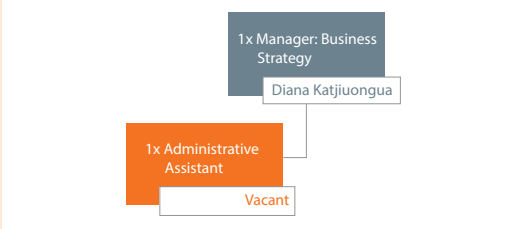
The Business Strategy Division is responsible for driving and coordinating the implementation of key strategic initiatives across the Authority and provide strategic insights necessary to improve the overall operational effectiveness of services as directed by the CEO.

11.2 Strategic Objectives

Strategic Pillar	Objective
Financial Sustainability	• Growing Revenue by 10% annually • Maintain annual Liquidity Ratio Standard • Grow Assets (Financial Position) • Manage Costs
Stakeholder Confidence	• Improved Customer Satisfaction • Improved Stakeholder Relationships
Internal Processes & Governance	• Enhance Process Optimisation • Enhance Corporate Governance and Risk Management • Ensure reputable business and IP environment
Operational Excellence	• Employee Engagement • A Conducive Organisational Culture • A Competent Workforce • Fit for Purpose Organisational Structure • Ensure successful delivery of the IT Strategy

11.3 Personnel Capacity

For the period under review, the Business Strategy department consisted on 1x permanent employee, whereas the position for an Administrative Assistant was vacant.



11.4 Projects Undertaken for FY 2022/23

The Business Strategy Office has for the financial year had a supporting function and assisted other departments with the delivery of strategic projects.

Below are projects that are currently underway under the Business Strategy division:

1. Enterprise Resource Planning (ERP) Project
2. iBRS Project
3. Registry Data Completeness Project, in conjunction with the Beneficial Ownership project
4. Organisational Structure Review
5. Organisational Culture Change Project
6. Annual Financial and Business Planning (Annual Project)

11.5 Planned projects for FY 2023/24

Although there are no projects budgeted for under the division for the new financial year, the business process re-engineering training for Managers and Supervisors falls as a project under the Office of the CEO and will be carried out by the Business Strategy Department.

The business process re-engineering has become a strategic initiative and the training aims to capacitate mid-level manager to be able to develop and implemented simpler and smarter business process with the aim to create efficient and effective business operations. It is also important to note that some of the projects of the FY 22/23 will spill over into the new FY 23/24.

11.6 Challenges for FY 2022/23

A challenge that has been experienced in the business strategy department is the low personnel capacity to effectively carry out projects. With the introduction of the graduate programme, the department will make us of graduates to enhance divisional capacity and carry out projects.

12 OPERATIONS

"Ethical conduct is the cornerstone of a transparent and honest business reputation."

OUR CORE **OPERATIONS**

12.1 BUSINESS REGISTRATION SERVICES (BRS)

Business Registration Services Division Team

12.1.1 Overview

Legalising business conduct through business registration is a fundamental aspect of a country's economic eco system and as such,a BIPA plays a crucial role in facilitating the process of business formation, which is essential for promoting entrepreneurshipand creating a conducive environment for economic growth.

Formalisation of businesses enhances transparency, accountability and provides access to financing, making it easier for businesses to scale and contribute to the economy. Section 5(b) of the BIPA Act, 2016 mandates the Authority to regulate and administer the registration of businesses under the applicable legislation as follows:

DOMAIN	NATIONAL LEGISLATION
Company Registrations	**Companies Act, 2004 (Act No. 28 Of 2004)** Provides for the establishment of the company registration office, appointment of the Registrar and for the incorporation, management and liquidation of companies and incidental matters.
Close Corporations	**Close Corporation Act, 1988 (Act No. 26 Of 1988)** Provides for the establishment of the Close Corporation registration office, appointment of the Registrar and the formation, registration incorporation, management, control and liquidation of close corporations and for matters connected therewith.
Companies and Close Corporations	**The Financial Intelligence Act, 2012 (Act 13 of 2012).** In terms of Section 4, the Registrar of Companies and Close Corporations annually collects and keeps accurate and up-to-date prescribed information and report as required.

12.1.2 Operational Structure

There are four streams within the Business Registrations Department to ensure the execution of the relevant laws:

i. **Stream 1: New Business Registration Division**
   - Administers the registration of new Company applications;
   - Administers the registration of new Close Corporations;
   - Facilitates the registration Online business registrations.

ii. **Stream 2: Maintenance and Compliance Division**
   - Administers the function of maintenance / amendments of existing Companies and Close Corporations.

iii. **Stream 3:** Annual Returns, Deregistrations and Liquidations Division
   - Administers the deregistration, lliquidation and restoration function of the organisation;
   - Administers the Annual Return function of the organisation.

iv. **Stream 4:** Regional Business Registrations Division
   - Administers the registration of businesses for regional clientele, including:
     - New Business Registration
     - Maintenance and Compliance
     - Annual Returns, Deregistration's and Liquidations
     - Facilitating record requests and
     - Dealing with general client enquiries

12.1.3 Types of Business Entities Registered by the Authority

The decision on what business structure to choose is largely dependent on the circumstances of the prospective business owner or owners. The type of business entity a client choose will depend on four primary factors: liability, taxation, record-keeping and ongoing regulatory requirements after registration.

Of all the choices to make when starting a business, one of the most important considerations is the type of legal structure the client selects for their business entity. Not only will this decision have an impact on how much the business pays in taxes, but it will also affect the amount of paperwork the business is required to do and the personal liability it may face, including the ability to raise capital.

Here is a quick look at the types of business entities registered by BIPA and the differences between the business entities:

12.1.3.1 Close Corporations

A Close Corporation (CC) is a legal entity that is created to conduct business and drive profits. Close Corporations can be taxed and can be held legally liable for its actions. The corporation becomes a legal entity that is separate from its founding members and it therefore provides the members of the CC with limited liability as per Section 2(3) of the Close Corporation Act, 1988.

The formation and registration of Close Corporations are in accordance with Act, and there is a mminimum requirement of one with a maximum of ten members, who own and manage the Close Corporation. Ownership of the Corporation must add up to a 100% and each member's interest is expressed as a percentage. The CC is liable to pay taxes and a member of a CC can be personally held liable for the losses of a CC if the member acts carelessly, or without skill.

How to know if this is the business entity you want to register?

- The Close Corporation must be profit making in its intentions.
- It is an appropriate vehicle for a small business.
- It is relatively simple and inexpensive to set up.
- It does not have the legal complexities compared to a company.
- Every member act as an agent of the CC and the CC is bound by the member's actions.

12.1.3.2 Companies

A company is a more complex business structure and is a separate legal entity with certain rights, privileges, and liabilities beyond those of an individual. The owners of a company are its shareholders who then elect directors to oversee operations as well as to carry out major policy related tasks and make day to day decisions. The formal establishment and ongoing regulatory requirements are most complex for a company. When registering a company, there are certain statutory requirements, extensive formalities and ongoing reporting requirements as set out in the Companies Act, 2004. The company has a life of its own and does not dissolve when ownership changes. Companies may be formed for profit or non-profit purposes and can assume any of the following forms:

- Private Company (Pty) Ltd - Limited to 50 shareholders
- Public Company (Ltd) – Unlimited shareholding options
- Non-Profit Association incorporated under Section 21
- Foreign (External) Companies

Having regard to the above, it is important to note that the people, or organisations that a business entity will interact with, such as potential investors or government departments may prefer a particular business structure. This may influence a client's decision in deciding what type of business to register. Whichever business entity they decide to register, it is pertinent to remain cognisant and compliant to the requirements of the law that governs the structure.

12.1.4 Benefits of Owning a Registered Business

Registering a business with BIPA is a rewarding choice for prospective business people and there are a number of important benefits of formalizing your business structure.

i) Establishing a Business Bank Account

To open a business bank account; you need to provide proof that your business is formally registered with BIPA. A business bank account is important for a business owner as it ensures that they can separate their personal finances from those of the business. When conducting business; it adds professionalism and credibility to their entity.

ii) Access to finance

Prospective lenders and investors often require proof of business registration along with other application requirements before approving a business loan or investing in such a business.

iii) Taxes and Liabilities

Registered business entities are required to have a Tax Identification Number (TIN) with the Namibia Revenue Agency (NAMRA). This ensures the legitimacy of the business entity as a legal entity that complies with local tax laws. Further, it also ensures compliance with legal standards for bookkeeping and accounting. Registering for tax also provides an opportunity for benefits such as tax exemptions for registered businesses.

iv) Reputation with Customers

Conducting business whilst not registered may create the impression to potential client and creditors that your business is a "fly-by-night" operation and hence may not want to do business with such an individual. To establish trust with clients and prospective creditors, it is important for a business to be registered.

V) Eligibility to credit arrangements

Having a registered business entity allows the entity to receive supplier discounts and certain revolving credit facilities. Credit arrangements are especially important during times when a business is low on cash flow and requires supplies to operate. Suppliers usually reserve wholesale and discount rates for business owners who can show proof of registration as a business.

vi) Eligibility for Government Tenders and Contracts

Registered businesses become eligible to apply for Government tenders, and contracts with Government and other public entities. To bid for a tender or a contract, proof of business registration is one of the first requirements.

12.1.5 Business Registration Statistics

12.1.5.1 Transactions processed for the 2022/23 Financial Year

During the lifespan of a registered entity, the business may lodge applications for amendments, conversions from one type of entity to another, deregistration's, and restoration, as prescribed.

For the financial year under review, the Authority recorded a total of 154,838 applications on the Integrated Companies Registration System (ICRS), representing a 3% increase in the number of applications received during the current review period, compared to the previous financial year. It must be noted though that not all of the above referenced applications resulted in registrations.

12.1.5.2 Total Registrations for the Financial Year 2022/2023 (Overall)

For the financial period 2022/23, the Authority registered a total of 12,577 businesses, compared to 12,925 for the FY 2021/22 financial period. It is important to note that applications are received through different streams, namely the BIPA Head Office in Windhoek and through the BIPA Walvis Bay branch.

The businesses are registered in the following categories as presented below. Close Corporations continue to represent the highest registration on the business categories at 87%. For the 2022/23 financial year, the Authority saw a 3% decline in the number of businesses registered during 2022/23, compared to the 2021/22 financial year, as can be seen in the table below.

	Total registrations for 2022/23 FY (Overall) per quarter					
Organisation Type	**Quarter 1**	**Quarter 2**	**Quarter 3**	**Quarter 4**	**Total**	**% per business category**
Section 21	80	121	60	77	338	2.7%
Close Corporation	2776	3,005	2,500	2,653	10,934	87%
Company	266	333	316	350	1,265	10%
Defensive Name	5	7	11	3	26	0%
Foreign Entities	1	4	7	2	14	0%
Total:	**3128**	**3,470**	**2,894**	**3,085**	**12,577**	**100%**

Total Approved Registrations for the FY 2022/23

The below table indicates the split between the registrations received through the Head Office in Windhoek and the registrations received through Walvis Bay.

Total combined registrations for Windhoek and Walvis Bay			
Organisation Type	**Total registrations for 2022/23 FY (Overall)**	**Total registrations received through Windhoek**	**Total registrations received through Walvis Bay**
Section 21	338	326	12
Close Corporation	10,934	8,137	2,793
Company	1,265	1,196	73
Defensive Name	26	7	19
Foreign Entities	14	14	0
Total:	**12,577**	**9,680**	**2,897**

Total applications received in Windhoek		
Entity Type	**Total Per entity type**	**% Processed against Receipts**
Section 21	326	
Close Corporation	8,137	74,4%
Company	1,196	95%
Defensive Name	7	27%
Foreign	14	100%
Total:	**9,680**	**78%**

Total processed registrations through head office for the FY 2022/2023

During the year under review, the regional business registrations section receives a mixture of applications that are handled by segregated work units within BIPA, from the regions as well as at the BIPA offices in Walvis Bay. The statistics presented below provide an overview of registrations facilitated by the regional stream during the 2022/23 financial year, which represents 23% of the overall registrations for the financial year.

Total applications received in Walvis Bay		
Entity Type	**Number registered**	**Percentage**
Section 21	12	
Close Corporation	2,793	26%
Company	73	8%
Defensive Name	19	73%
Foreign	0	0
Total:	**2,897**	**23%**

Total registrations through Walvis Bay for the FY 2022/2023

12.1.5.3 Total online business registration statistics (Applications submitted via the Integrated Client Services Facility - ICSF).

Online services offered via the Integrated Client Services facility were ceased in Quarter 1 of the financial year. As such, the following are the transactions rendered through the platform prior to ceasing operations.

Total number of applications received via ICRS (Q1 22/23)	
Application Type	Approved applications
Name Reservations	
CC8	137
CM5	11
Close Corporation Founding Statement	
CC1	238
Total ICSF Applications	**386**

12.1.5.4 Deregistration's, Restorations, Dissolutions/Liquidations carried out during the 2022/23 Financial Year

During the 2022/23 financial year, the Authority processed a total of 776 deregistrations, liquidations, and restorations in the different business categories. In comparison with the 2021/22 financial year, the Authority received 27% less applications for de-registrations, liquidations, and restorations.

Matrix of Deregistration's, Dissolutions/ Liquidations and Restorations	2021/22	2022/23	% Variance
Companies Deregistered	305	273	-10%
Close Corporations Deregistered	746	471	-37%
Section 21 Deregistered	0	6	600%
Foreign Companies Deregistered	0	2	200%
Dissolutions (Liquidations)	4	16	300%
Restorations	1	8	700%
Total Deregistration's, Dissolutions/ Liquidations and Restorations	**1,056**	**776**	**-27%**

Total Deregistration's, Dissolutions/Liquidations and Restorations for the FY 2022/2023

12.1.5.5 Maintenance/Amendment Statistics

Close Corporations Maintenance carried out during the financial year. It is important to note that the Voluntary winding up of entities are not approved through BIPA, but through the court and BIPA only manually acknowledges the receipt of voluntary winding up.

CC maintenance applications	Received	Approved	% Processed against receipts
CC2 Maintenance	6,558	5,712	87%
Financial year-end changes (CC9)	369	175	47%
Restorations (CC3)	5	0	-
Conversions (CC4)	4	4	100%
Court Orders (CC5)	2	- 0	-
Voluntary winding-up (CC6)	103	0	-
Total Maintenance	**7,041**	**5,891**	**84%**

Close Corporations maintenance for the FY 2022/2023

Companies Maintenance Carried out during the financial year.

Company maintenance applications	Received	Approved	% Processed against receipts
Certificate of consolidation of articles CM10	6	0	0
Increase of capital of shares CM11	67	43	64%
Registration of a special resolution to approve the acquisition of shares CM14	28	8	29%
Lodgment of allotment of shares CM15	324	109	34%
Lodgment of allotment of shares CM16	23	1	4%
Application for extension of time CM17	42	25	60%
Redeeming of redeemable preference shares CM19	19	1	5%
Registration of a special resolution CM26	841	516	61%
Register of directors, officers, auditors, and secretaries CM29	3,281	0	0%
Maintenance Financial year-end changes (CM32)	672	641	95%
Total	**5,303**	**1,344**	**25%**

Companies maintenance for the FY 2022/2023

12.1.5.6 Annual Returns and Duties

The submission of Annual Returns and payment of Annual Duties is a post-registration statutory requirement as prescribed in terms of section 181 of the Companies Act, 2004 as well as in terms of section 13 (2) of the Close Corporations Act, 988. The law requires that all active Companies and Close Corporations annually submit an Annual return to the Authority and in addition pay the applicable Annual Duties.

Annual Duties are payable to the Registrar of Companies and Close Corporations at the end of the entity's financial year, and penalties are payable for late payment. The penalties are provided for under the two laws. Failure to pay annual duties constitutes an offence under Section 181 of the Companies Act, 2004 and Section 26 of the Close Corporation Act, 1988.

The below table indicates the Annual Returns received and processed during the financial year.

CY maintenance applications	Received	Processed	% Processed against receipts
Maintenance Annual Returns (CC7)	51,119	36,159	71%
Maintenance - Annual Returns (CM23)	15,196	11,196	74%
Maintenance - Annual Returns (CM23B)	15,744	-	-
Total applications	**82,059**	**47,355**	

Annual duties and returns lodged for the FY 2022/2023

12.1.5.7 Number of Registrars Notices issued (indicate content per RDFor the financial year under review, the following are the Directives / Notices were issued by the Registrar

Directive / Notice Number & Date of Issue	Title	Contents of Directive / Notice
RD – 01 of 2022 – 21 April 2022	Required documents to be attached to the Amendment of the contents of Register of Directors, Auditors and Officers	A helpful guide to explaining the mandatory requirements for attaching to a CM29 when applying for amendment of Directors, Auditors and Officers.

12.1.5.8 Stakeholder Engagements from the Business Registration Department for the Financial Year and impact on organisation

During the quarter under the review, the Authority conducted the following engagements with various strategic intentions.

NAME OF STAKEHOLDER, ORGANISATION, GROUP OR INDIVIDUAL	DATE OF ENGAGEMENT	ENGAGEMENT STRATEGY/TYPE OF ENGAGEMENT	FOLLOW-UP ENGAGEMENT PROPOSED (Y/N)	CONSTRAINTS/CHALLENGES
Business Legislative Review Strategic Committee	26 January 2023	Constitution of the Committee & adoption of their Terms of Reference.	Y	None
Key Stakeholder Engagement from various industries on the Corporate Law Reform	06-10 February 2023	To solicit inputs on the New Business law	Y	Lack of participation from some key stakeholders who were invited
• Business Community • Accountants & • Agents Swakopmund/Walvis Bay	23 February 2023	Presentations on BIPA services	Y	• Low turn up • Low turn-up could be because of i) Inadequate pre-event marketing ii) Lack of adequate contact information on BIPA stakeholders in the region, hence not enabling adequate reach
Engagement with the Chinese Business Community	28 March 2023	Stakeholder relations – presentation on IP & BR Services	Y	Could not cover all services under BR due to time constraints

Stakeholder Engagements for the FY 2022/2023

12.1.5.9. Operations and strategic challenges during the financial year

- **Lack of adequate Legal Framework for the registration of businesses**

  The lack of a modern corporate law to improve the ease of doing business in Namibia, provide simpler procedures for registering businesses thereby improving investors' confidence. Improving the ease of doing business in Namibia is an indispensable factor to contributing to the realization of the National Vision 2030, NDP5, Namibia's Industrialisation Policy, and the the Growth at Home Strategy.

  In response to the above challenges, BIPA in its 5-year Strategic Plan included a strategic objective to "Ensure Legislative Alignment to National, Regional and International Obligations" and has started with a project to reform of the business legal framework aimed at bringing Namibia in alignment with the latest development in the business legislative landscape.

  As such, laymans draft was discussed through stakeholder consultative engagements in the last quarter of the year, through the hosting of a high-level International Roundtable review of the current corporate law and was attended by a high-level panel of experts across various industries, as well as the chief drafters on the Bill to solicit inputs into the law. The round table paved a way for the regional stakeholder engagements which sought nationwide comprehensive inputs.

- **Integrated Business Registration System**

  The further lack of a modern ICT infrastructure to meet expectations of its customers and other stakeholders and to move with the times as the world enters the Fourth Industrial Revolution (4IR) where digitization and artificial intelligence are yet to be implemented.

  To mitigate the above challenges, BIPA has undertaken to develop and implement an online Integrated Business Registration System (iBRS) to provide a modern, integrated, and flexible Business Registration Services solution to its customers. The aim is to implement a suitable solution that can provide an easy-to-use online portal for both BIPA customers, BIPA staff and stakeholders.

- The new system aims to reduce the number of days and procedures to register a business.
- The solution allows integration with all BIPA's current key internal systems and that of external stakeholders to support BIPA's operational processes and improve customer experience, internally as well as externally for beneficial consumers of data held by BIPA, that is currently mainly accessible through manual processes.

- **Data Integrity**

Data integrity is a critical concept in the context of business registration, as it ensures the accuracy, consistency, and reliability of the information captured during the registration process. Accurate business registration data is essential for meeting legal requirements, tax obligations, and regulatory compliance. As the repository of business and Intellectual Property registration information in Namibia, BIPA does not have an electronic document management system to handle the vast volumes of documents received from businesses. On a daily basis, BIPA handles a large number of physical files daily, and most of the files are stored at a third-party location, namely the Document Warehouse.

The compliance risk of safeguarding obsolete data represents a major impediment for BIPA to maximise the strategic benefits that its data can provide. Maintaining data integrity is not only a matter of good practice, but also a fundamental requirement for a well-functioning business registration system and the new Integrated Business Registration System (iBRS) will require clean data for it to be effectively implemented.

BIPA has developed a Business Case for Data Cleansing that will ensure its data is accurate, up-to-date and formatted to an acceptable quality standard that meets global best practices and decreases BIPA's environmental footprint. The Authority has solicited funding for the commencement of the project. The Project aims at cleaning of data for approximately 200,000 registered entities.

12.2. INTELLECTUAL PROPERTY

Intellectual Property Division Team

12.2.1 Overview

The Intellectual Property Services Department is mandated with the registration, granting and protection of intellectual property rights in Namibia. Additionally, the department actively promotes the generation, utilization, commercialization, and protection of intellectual property (IP), while contributing to the development of IP legal frameworks at the domestic, regional, and international levels. The department's primary objective is to deliver effective and efficient services to BIPA clients by administering and registering IP rights. Furthermore, the department strives to cultivate an IP-conscious society through targeted stakeholder engagements and actively participate in the development and improvement of IP legal frameworks on national, regional, and international platforms.

Namibia continues to attract applicants, through designations from across the world through regional and international IP systems. Typically, for a country to be designated for IP protection, would depend on the interest of the applicant who is filing but also influence by factors such as market size, business opportunities, level of digital transformation, and competitiveness rakings of a country.

To date a total of 114,845 intellectual property rights have been registered in Namibia. Trademarks represent the majority, accounting for 99.09% of the registrations, while the remaining 0.91% comprises other IP domains. During the review period, the department received 3,352 applications, with 62.68% attributed to trademark applications, 28.79% to patent applications, and 8.53% to copyrights and industrial designs.

The department remains dedicated to providing unwavering support and maintaining service excellence in the field of intellectual property rights. By fostering innovation and contributing to economic growth in Namibia, the department aims to fulfil our mandate effectively.

12.2.2 Legal IP Framework

Namibia, as a member state of various organisations, actively participates in various international bodies and treaties concerning intellectual property framework and governance matters. Below the treaties are categorised and the status of ratification is indicated.

Domain	National legislation	Regional instrument	International instrument
Intellectual Property Rights	Business & Intellectual Property Authority Act, 2016 (Act 8 of 2016)	Lusaka Agreement on the Creation of the African Regional Intellectual Property Organisation (ARIPO)	Convention Establishing the World Intellectual Property Organisation
Industrial Property Rights (Trademarks, Industrial Designs, Patents & Utility Models)	Industrial Property Act, 2012 (Act No 1 of 2012)	Banjul Protocol on Marks (ARIPO); Harare Protocol on Patents and Industrial Designs (ARIPO)	Paris Convention for the Protection of Industrial Property (WIPO); Trade-Related Aspects of Intellectual Property Rights (WTO); Madrid Agreement Concerning the International Registration of Marks (WIPO); Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (WIPO); Hague Agreement (Geneva Act, 1999) Concerning the International Registration of Industrial Designs (WIPO); Patent Cooperation Treaty (WIPO)
Copyright and Related Rights	Copyright and Neighbouring Rights Protection Act, 1994 (Act No. 6 of 1994)	Swakopmund Protocol on the Protection of Traditional Knowledge and Expressions of Folklore (ARIPO)	Berne Convention (WIPO) Trade-Related Aspects of Intellectual Property Rights (WTO)

12.2.3 Namibia's membership in regional and international bodies

Treaty	Signature	Instrument	In Force
Regional Treaties (ARIPO)			
Banjul Protocol		Accession: 28 March 2003	1/14/2004
Harare Protocol		Accession: 28 March 2003	04/23/2004
Lusaka Agreement		10/14/2003	10/14/2003
Swakopmund Protocol	8/9/2010		5/11/2015
International Treaties (WIPO)			
Beijing Treaty on Audio-visual Performances	6/26/2012		
Berne Convention		Declaration of Continued Application: September 21, 1993	3/21/1990
Hague Agreement		Accession: March 31, 2004	6/30/2004
Madrid Agreement (Marks)		Accession: March 31, 2004	6/30/2004
Madrid Protocol		Accession: March 31, 2004	6/30/2004
Marrakesh VIP Treaty	8/12/2013		
Paris Convention		Accession: December 29, 2003	1/1/2004
Patent Cooperation Treaty		Accession: October 1, 2003	1/1/2004
WIPO Convention		Accession: September 23, 1991	12/23/1991
WIPO Copyright Treaty	12/20/1996		
WIPO Performances and Phonograms Treaty	12/20/1996		2002-05-20
International Treaties (WTO)			
Agreement on Trade-Related Aspects of Intellectual Property Rights Agreement	1995-01-01		1995-01-01

12.2.4 IP Strategic Objectives

During the year under review, the department diligently pursued a range of strategic objectives to uphold a reputable intellectual property environment and foster corporate sustainability. These objectives were underpinned by a series of targeted initiatives and efforts, aiming to achieve the following key goals:

- Create effective and balanced policy, legal and institutional frameworks for the protection of Intellectual Property Rights.
- Deliver service excellence through the modernisation of administration of IP Rights protection.
- Build an IP value-conscious society through targeted education, engagements, integration of IP in business and institutions strategies, and sharing success stories.
- Optimisation of strategic cooperation and collaborations with relevant partners and stakeholders to drive and advance the national IP agenda.
- Advance Namibia's position at negotiations and facilitate Namibia's membership to treaties related to IP.
- Financial sustainability.

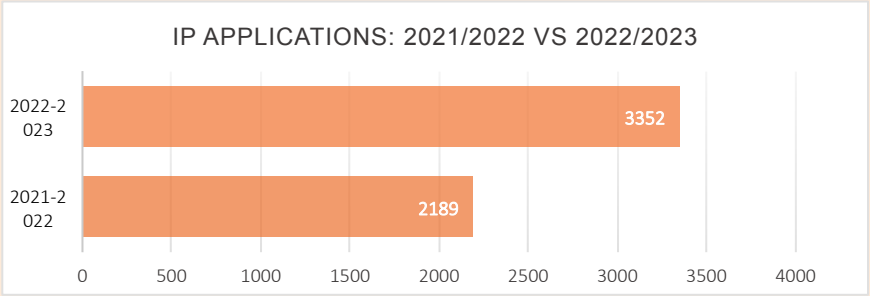
12.2.5 Applications, Registrations, and Rejections

The core responsibility of the IPS department is to receive and examine applications for intellectual property rights and subsequently register and grant such rights or refuse such applications. From the total of 3,352 applications received, a significant increase of 53.12% compared to the 2,189 applications received in the previous financial year (2021/2022) can be observed. The upsurge in applications can be attributed to the department's intensified efforts in raising awareness about intellectual property and the importance of registering individuals' rights through various stakeholder engagements. The increase in applications signifies an expansion and growth in the market, indicating the presence of new business players and the introduction of new or improved products in the market. The performance of intellectual property applications serves as an indicator of enhanced economic activity.

This surge in applications further reflects a positive trend and demonstrates the growing recognition among individuals and businesses regarding the value and protection of their intellectual property rights. BIPA remains committed to providing efficient and effective services to process these applications, ensuring that individuals and businesses can safeguard their intangible assets and enforce their rights in case of infringement.

Domain	National	PCT / Harare	Banjul	Hague	Madrid	Total
Patents	10	955	-	-	-	965
Trademarks	820	-	383	-	898	2 101
Copyright	76	-		-	-	76
Industrial Designs	36	48	-	108	-	192
Utility Modes	0	18	-	-	-	18
Total	**942**	**1021**	**383**	**108**	**898**	**3 352**

IP applications by domain for the financial year 2022/2023

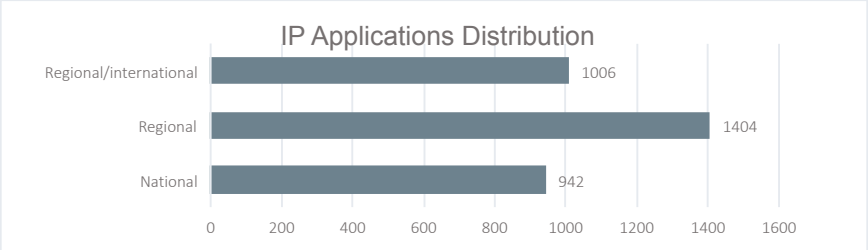


IP applications comparison of 21/22 vs 22/23

12.2.6 IP Applications Distribution – Regional or International

During the reporting year, BIPA received a total of 3,352 IP rights applications. Out of these, 52% of applications were submitted through the regional and international routes, while the remaining 48% were received via the national route.

The higher proportion of 52% of applications through the regional and international routes suggests their stronger performance compared to the national route, which covers the remaining 48%. The lower number of applications through the national route can be attributed to factors such as, limited awareness of the benefits of intellectual property rights protection and a general lack of knowledge about intellectual property.

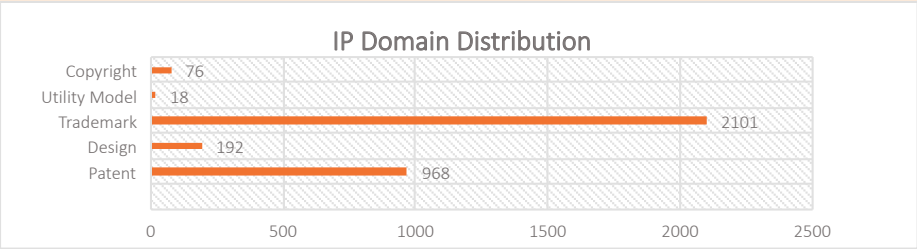


IP Applications Distribution

To address this, BIPA has been actively raising awareness and educating stakeholders about the importance of intellectual property rights. Through targeted outreach programs and engagement with relevant stakeholders, BIPA aims to enhance understanding and encourage more individuals and businesses to utilize the national route for intellectual property protection. BIPA will continue its efforts to promote the benefits of intellectual property rights protection and increase awareness among the local community. By doing so, BIPA seeks to foster a stronger intellectual property culture and stimulate greater engagement with the national route, ultimately contributing to a more vibrant and innovative economy in Namibia.

12.2.7 Applications distribution per IP domain

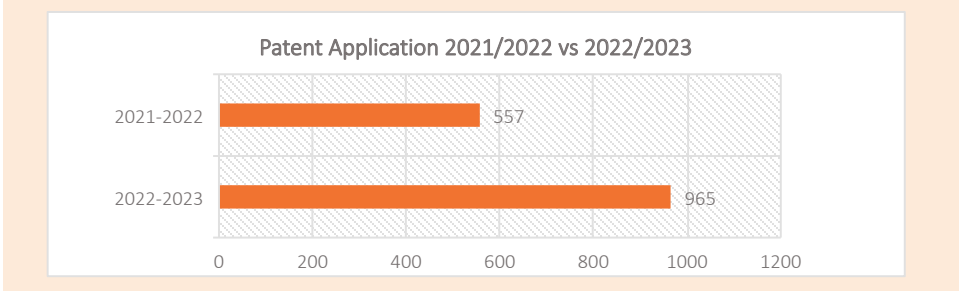
Trademarks accounted for the majority of applications, representing 62.68% of the total IP applications for the 2022/23 Financial Year. Patents constituted 28.79% of the applications, indicating a significant interest in protecting inventions and technological advancements. The remaining 8.53% of applications were allocated to other IP domains, including copyrights and industrial designs.



IP Distribution by domain

12.2.7.1 Patent Applications

The number of patent applications recorded for the 2022/2023 financial year showed a significant increase compared to the previous year. A total of 965 patent applications were received, demonstrating a substantial growth from the 557 applications received in the previous financial year. This is an indicator of the level of innovations entering the Namibian market both from local and international innovators. The increase in the number of applications further demonstrates the value accorded to the protection of the patentable innovations by innovators and businesses which lead to advancements in various industries and contribute to overall economic growth.



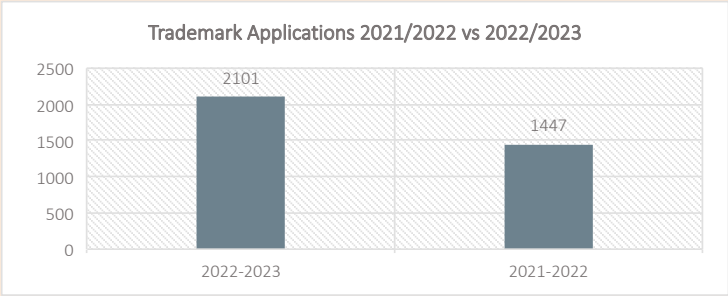
Patent Application comparison of 21/22 vs 22/23

12.2.7.2 Patents Filing route

During the financial year, 955 patent applications were received through the international routes. Meanwhile, 10 applications were received through the national route. This distribution reflects significant interest from global applicants, as well as engagement from domestic applicants seeking intellectual property protection in Namibia.

12.2.8 Trademark applications

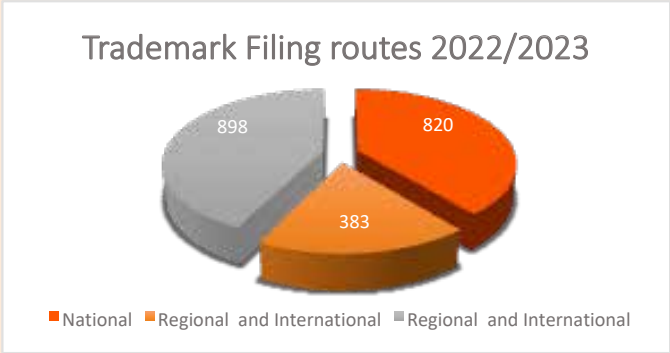
The IP office received a total of 2,101 trademark applications. This represents a growth rate of 45.19% compared to the previous financial year that only recorded 1447 trademark applications. The increase in the number of applications demonstrates a continued interest in intellectual property rights protection and highlights the importance of fostering an environment that encourages innovation and creativity. This increase in applications can further be directly attributed to a trademark campaign rolled out during this part financial year entitled "Own Your Mark – Protect Your Brand". The campaign focused on the creative industry with the objective to improve awareness of trademark protection and increase new trademark applications.



Trademark Application comparison of 21/22 vs 22/23

12.2.8.1 Trademarks Filing route

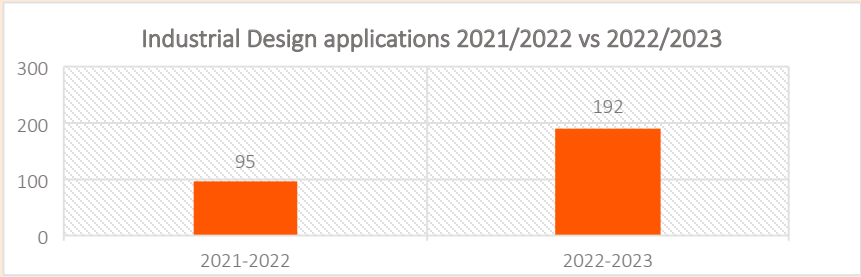
Out of the total 2,101 trademark applications received during the period, the majority of the applications, were submitted through the international filing route. The remaining 39.02% and 18.22% of trademark applications received, were filed through the national and reginal route respectively.



Trademark Filing Routes by %

12.2.9 Industrial Designs applications

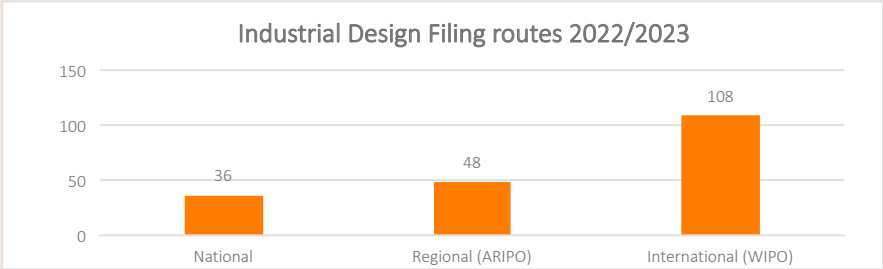
A total of 192 applications for Industrial Designs were received during the review period, representing an increase from the 92 applications received during the previous financial year. This growth in Industrial Design applications highlights the growing importance placed on protecting the visual aesthetics of functional products.



Industrial Designs applications comparison of 21/22 vs 22/23

12.2.9.1 Industrial Designs Filing route

Out of the 192 applications received, 108 applications were filed internationally, 48 applications were submitted through the regional filing route, and 36 applications were processed through the national route.



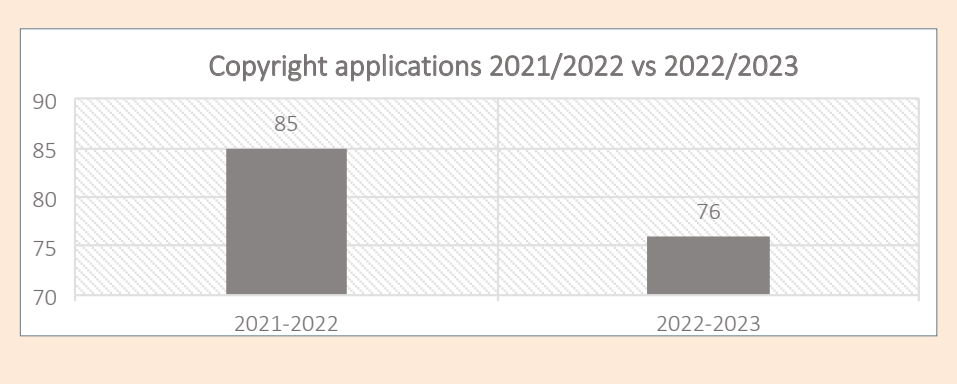
Industrial Designs filing routes

12.2.10 Utility Model Applications

During the period under review, BIPA did not receive any national applications for Utility Models. However, 18 applications were received through the regional route, indicating a regional interest in protecting Utility Models in the Namibian market.

12.2.11 Copyright Applications

BIPA received a total of 76 copyright applications during the period. This shows a slight decrease compared to the 85 applications received in the previous reporting period. This represents a decline of 10.56% in applications.



Copyright Applications comparison of 21/22 vs 22/23

12.2.12 Projects undertaken/executed by under Intellectual Property for FY 2022/23

BIPA has undertaken several projects during the fiscal year 2022/23 to enhance the intellectual property landscape. These projects are currently in the implementation phase, and their progress updates are as follows:

12.2.12.1. Development of the New Copyright Legal Framework

The Copyright and Related Rights Bill project, initiated by BIPA in 2019, is a significant endeavour aimed at updating and improving the copyright legal framework. The draft Bill has been diligently prepared and submitted to the Office of the Attorney General through the Ministry of Industrialisation and Trade on 12 July 2022 for constitutional scrutiny. Although the process is still ongoing, BIPA remains committed to ensuring a thorough and comprehensive review of the copyright legislation. The objective of this project is to replace the existing copyright legal framework with a new Copyright and Related Rights Law. The project is expected to be concluded by the 2024/2025 financial year.

As part of this project, BIPA conducted an impactful awareness campaign on copyright levies, which are proposed to be introduced through the Bill. This campaign included a webinar that was held from 07 to 10 November 2022, serving as a platform to inform and educate the public about the significance of copyright levies and their intended purpose in supporting and fostering creativity and innovation in Namibia.

12.2.12.2. Establishment of the Industrial Property Tribunal

In line with the Industrial Property Act,2012 (Act No. 1 of 2012), BIPA initiated efforts to establish the Industrial Property Tribunal. This project aims to create a specialized dispute resolution mechanism for Intellectual Property Rights (IPRs), encompassing Trademarks, Patents, Industrial Design, and Utility Models in Namibia. The primary objective is to streamline the resolution of industrial property disputes and encourage the enforcement of intellectual property rights by rights holders.

During the year under review, BIPA facilitated the gazetting of the Industrial Property Tribunal rules on 29 April 2022. These rules provide comprehensive guidelines and procedures for the tribunal's operations. On the same day, the Industrial Property Tribunal was officially established, marking a significant milestone in Namibia's intellectual property landscape. Subsequently, the tribunal commenced its operations and successfully delivered its first judgment on 02 March 2023, demonstrating its commitment to an efficient and timely dispute resolution processes. The establishment and functioning of the Industrial Property Tribunal signify BIPA's dedication to promoting a fair and effective intellectual property framework in Namibia.

12.2.13 BIPA Knowledge-based Economy Concept Paper (KBE-C)

BIPA undertook an initiative to develop the BIPA Knowledge-Based Economy Concept Paper (KBE-C), a comprehensive framework aimed at transforming BIPA into a Knowledge-Based Organisation (KBO) and fostering the growth of a knowledge-based economy in Namibia. The project was initiated in 2022 and BIPA worked collaboratively with esteemed partners including WIPO, the Bank of Namibia and African banks to shape and refine the concept paper.

The development of the KBE-C involved a thorough review process to ensure alignment with international best practices and the specific needs of Namibia. The concept paper has reached an advanced stage and is now ready for consideration and approval by the Board of BIPA.

12.2.14 BIPA IP Business Strategy

BIPA has embarked on a project to develop an IP Business Strategy, aimed at establishing a robust framework for the promotion and protection of intellectual property (IP) rights in Namibia. This strategy will outline BIPA's vision, mission, and objectives in creating an environment that nurtures innovation, creativity, and investment in research and development, while safeguarding the rights of IP holders for the next five years.

To ensure the strategy's effectiveness, BIPA conducted a survey involving 15 identified organisations, seeking their valuable insights and inputs. This inclusive approach ensured that the strategy reflects the needs and expectations of key stakeholders within the IP ecosystem. The development of the strategy is currently in progress, with a targeted completion date of June 2023. Once finalised, the IP Business Strategy will serve as a comprehensive roadmap, guiding BIPA's efforts in promoting and protecting intellectual property rights.

12.2.15 Declaration Regarding the Levels of the Standard Designation Fee (Hague Agreement)

Namibia, as a member state of WIPO and a signatory to the Hague Agreement, had initially been designated as Level One (1) for the Standard Designation Fee, which represents the lowest fee category, despite conducting substantive examinations on applications as required. Recognising the need to rectify this discrepancy, Namibia took proactive measures by depositing a declaration with WIPO, clearly expressing its application for Level Three (3) of the Standard Designation Fee.

The declaration has been accepted by WIPO, resulting in the country being designated at Level Three for the designation fee of every application designating Namibia. This positive development came into effect on 13 April 2023. This important milestone demonstrates Namibia's commitment to ensuring fair and appropriate fee designations that align with the efforts invested in conducting substantive examinations on industrial design applications.

12.2.16 Trade Related Aspects of Intellectual Property Rights (TRIPS Amendment Protocol)

During the reporting period, Namibia deposited the instrument accepting the amendments to the Trade-Related Aspects of Intellectual Property Rights (TRIPS) agreement with the World Trade Organisation (WTO) on 24 March 2023. These amendments, which entered into force on 23 January 2017, address various conditions, including the issuing of compulsory licenses for patents.

12.2.17 Ratification of the Kampala Protocol on Voluntary Registration of Copyright Works

Namibia, as a member state of the African Regional Intellectual Property Organisation (ARIPO), has actively participated in the Kampala Protocol for the Voluntary Registration of Copyright and Related Rights. This protocol was developed to nurture, promote, and protect copyright and related rights, recognising their vital role in the growth of Intellectual Property (IP) and their significant cultural, economic, and social implications for Africa and the global community.

The implementation of this protocol aims to enable effective coordination between Copyright Offices (COs), Collective Management Organisations (CMOs), rights holders, and users worldwide.

The Kampala Protocol is guided by the following objectives:

- To establish, manage, facilitate, and coordinate a system for voluntary registration of copyright and related rights.
- To uphold common principles regarding voluntary registration and notification of copyright and related rights.
- To provide copyright holders with means to assert presumption to authorship or ownership of rights.
- To ensure that creative industries contribute to the socio-economic development of countries.

The Kampala Protocol was officially adopted in Kampala, Uganda, on 28 August 2021. Namibia, recognising the importance of this protocol, signed the document on 10 December 2021, affirming its commitment to the voluntary registration of copyright and related rights. During the 2022/2023 financial year, Namibia, through BIPA, took proactive steps towards ratifying the Kampala Protocol.

Management drafted and submitted the Cabinet Submission, along with supporting documents, to initiate the ratification process and submitted to Ministry of Industrialisation and Trade.

12.2.18 The Namibian Women Entrepreneurs: From Generation to Commercialisation of Intellectual Property Assets

During the reporting period, BIPA and WIPO collaborated on a project titled "Namibian Women Entrepreneurs: From Generation to Commercialisation of Intellectual Property (IP) Assets." The primary objective of this project is to provide support to Namibian women entrepreneurs in generating intellectual property (IP) assets and leveraging its value for business competitiveness. The project aimed to enhance the participants' understanding and utilization of IP through training and mentoring programs. Additionally, it aimed to foster networking and mutual support among the women entrepreneurs involved, as well as with local entities that promote women entrepreneurship and safeguard IP rights.

A total of 50 businesswomen representing all 14 regions of Namibia were carefully selected to participate in the project during the review period.

From 7th March to 14th April 2023, BIPA and WIPO conducted online training sessions focused on intellectual property commercialization with the participants. Furthermore, face-to-face training sessions took place in Otjiwarongo.

12.2.19 Delivery of Service Excellence through Modernization of Administration of IP Rights Protection

WIPO File is a modular and extensible system that is used for online submission of applications and supporting documents by local agents. It will be developed into a full online filing system by integrating with local payment and authentication systems. It enables you to file online patents, trademarks and industrial designs and submit it electronically, along with the supporting document to the concerned local IP (Intellectual Property) office. The WIPO File application lets you leverage the ease of paper less filing in an organized manner, thus avoiding delays and cost resulting out of logistics. It helps you to track your application online by a unique application identifier.

12.2.20 The National Intellectual Property Policy and Strategy (NIPPS)

The National Intellectual Property Policy and Strategy (NIPPS) which was launched in 2019, was created to:

- Promote the use of intellectual property.
- Ensure intellectual property is integrated into Namibia's development strategies.
- Provide guidance in strengthening the IP legal framework and.
- Prevent the loss of valuable assets and absence of benefit sharing in relation to traditional knowledge and biological resources.

The National Intellectual Property Policy and Strategy, aims to achieve 14 objectives, including ensuring the effective enforcement of intellectual property rights, raising awareness about IP, strengthening the creative industry, and promoting the use of intellectual property in sectors where Namibia possesses comparative and competitive advantages.

The policy acts as a blueprint that strikes a balance between the interests of creators and users by protecting IP rights, preventing market abuse, providing incentives for industrial innovation, fostering research and development (R&D), and safeguarding both IP rights and the public interest. It sets the stage for utilizing IP as a strategic catalyst to accelerate transformative growth within Namibia.

BIPA's responsibilities include ensuring policy coherence between the national IP Policy and other national and sectoral development policies, integrating IP into various sectors, monitoring and evaluating the impact of the IP Policy and Strategy, and formulating the national stance on intellectual property matters at bilateral and multilateral forums.

During the review period, additional members from the Communications Regulatory Authority of Namibia (CRAN), Law Society of Namibia, and the Ministry of Environment, Forestry and Tourism (MEFT) were appointed to the NIPPS National Technical Committee. Additionally, sub-committees were established to focus on Education and Research, IP and Business, IP Enforcement, and IP and Public Policies. These sub-committees were created to facilitate the smooth implementation of the Policy.

The below table indicates the activities that were undertaken to meet the objectives of the NIPPS Technical Committee.

Date	Activity	Stakeholder	Organizer	Mode
28 June 2022	Information sharing session on the effective enforcement of IP	Namibian Police & NASCAM	BIPA	Face to face
02 August 2022	Meeting of the new NASCAM Board, deliberations on the draft CR Bill and NASCAM/BIPA relationship	Namibian Society of Composers and Authors of Music (NASCAM)	NASCAM	Face to face
11 August 2022	2nd session on the implementation of the IP Policy with the NIPPS TC Meeting	NIPPS Technical Committee	BIPA	Face to face
28 September 2022	Workshop on IP – IP Framework, building respect for IP, challenges and achievements of the IP Office	NUST Master's Students specialising in the commercialisation of IP	BIPA	Face to face
15-16 November 2022	TISC workshop	Educational and Research Institutions	BIPA WIPO	Hybrid
23-24 February	WIPO-ARIPO TISC Regional Meeting on the Development of an ARIPO TISC Network	ARIPO Member States	WIPO & ARIPO	Face to face
15 March 2023	Consultation on Copyright Bill with Mr. Rob Hooijer	Copyright Expert	BIPA IP	Face -face
28 March 2023	BIPA Chinese community engagement	BIPA	BIPA	Face-face

12.2.21 Stakeholder engagements for the IP Department for FY 22/23

Several stakeholder engagements were conducted during the review period as part of the Policy's implementation process.

These engagements including training Police Officers on enforcement of IP, as well as an information session with Chinese business community in Namibia on the protection of imported innovation in Namibia.

During the period under reporting, IP stakeholder engagements were directed at enhancing stakeholder and shareholder confidence, strengthening cooperation, public education and awareness, capacity building and strategic support.

The table below depicts the various stakeholder engagements IP undertook during the reporting period:

Date	Activity	Category	Objective	Stakeholder	Place
29 April 2022	Celebration of World Intellectual Property Day; IP and Youth innovating for future.	Public education and awareness	To improve and strengthen intellectual property awareness.	Youth, business community from Walvis Bay	Walvis Bay
28 June 2022	Information sharing session on the effective enforcement of IP	Capacity building	Establish and strengthen linkages and coordination among enforcement agencies.	Namibian Police & NASCAM	Windhoek
10 August 2022	Induction on IP	Public education and awareness	To improve and strengthen intellectual property awareness.	New BIPA staff and interns	Windhoek
11 August 2022	2nd session on the implementation of the IP Policy with the NIPPS TC Meeting	Meeting	The meeting was held to constitute sub-committees, review the progress made since the launch of the Policy in 2019, review the structure of the Technical Committee and discuss the implementation of the Policy.	NIPPS Technical Committee	Windhoek
28 September 2022	Workshop on IP – IP Framework, building respect for IP, challenges and achievements of the IP Office	Training	To improve and strengthen intellectual property awareness	NUST Master's Students specialising in the commercial-isation of IP	Windhoek
05 October 2022	The Power of a Trademark to Public Enterprises Webinar	Public education & awareness	To improve and strengthen intellectual property awareness	State Owned Enterprises (SOEs)	Virtual
18 October 2022	Awareness campaign	Public awareness (media)	To improve and strengthen intellectual property awareness	General public (Tswana Radio)	Windhoek
07 November 2022	Awareness campaign: Part 1: Copyright levy workshop	Public awareness (media)	To provide an overview of copyright levies, learn from other countries' experiences, and share best international practices covering the application, collection, and distribution of copyright levies.	General public (National Radio)	Virtual
08 November 2022	Awareness campaign: Part 2: Copyright levy workshop	Public awareness	To provide an overview of copyright levies,	General Public (Good morning Namibia TV programme)	Windhoek
09 November 2022	Awareness campaign: Part 3: Copyright levy workshop	Public awareness	To provide an overview of copyright levies,	General Public (National Radio)	Windhoek
10 November 2022	Workshop on Copyright levy	Public awareness and training	To provide an overview of copyright levies and share best international practices covering the application, collection, and distribution of copyright levies.	General Public	Virtual

Date	Activity	Category	Objective	Stakeholder	Place
15-16 November 2022	TISC workshop	Training	Facilitate access to and promote importance and use of technological and information sources such as patent documents available in BIPA and other sources as a means to acquire, adapt and exploit technologies that form part of the public domain	Educational and research institutions	Windhoek
07-13 March 2023	Namibian women entrepreneur project online training	Training	Aims to encourage Namibian women to integrate intellectual property assets into their business strategy, empower women to commercialize their IP assets and to improve and strengthen intellectual property awareness.	WIPO	Online
15 March 2023	Consultation on Copyright Bill with Mr. Rob Hooijer	Meeting	Discussions on copyright related issues such as copyright levies and CMOs	Copyright Expert	Windhoek
28 March 2023	BIPA Chinese community engagement	IP promotion campaign focusing on business establishments to register, protect and utilize IP as a resource to drive efficiency, competitiveness, and profit	To improve and strengthen intellectual property awareness by 2023	BIPA	Windhoek

12.2.21.1 BIPA IP Office participation at National Engagements

Date	Activity	Objective	Stakeholder	Organizer	Place
21 May 2022	Market your business	To promote and increase the use of IP in areas where Namibia has existing or potential comparative and competitive advantage to access and compete favourably in international markets.	Creative Industry	I Create Namibia	Windhoek
22 June 2022	Information sharing session on IP as a tool to advance informal traders	To improve and strengthen intellectual property awareness	City of Windhoek and informal traders	City of Windhoek	Windhoek
11 – 15 July 2022	Innovation investment readiness week	To improve and strengthen intellectual property awareness	Various industries including manufacturing, mining, transport, logistics, tourism, food and agriculture	Namibian University of Science & Technology (NUST), Namibia Investment Promotion and Development Board (NIPDB)	Windhoek
27 July 2022	Training on IP framework/rights	To improve and strengthen intellectual property awareness	SMEs based in Rundu	Ministry of Industrialisation & Trade	Virtual
02 August 2022	BIPA-NASCAM Board Meeting	Establish and strengthen linkages and coordination among enforcement agencies.	NASCAM Board and BIP staff	NASCAM	Windhoek
19-22 October 2022	Brand building expo	To strengthen the local production of goods and provision of services, and give exposure to local brands.	Public and private owned institutions	Africa Events Brand Building Expo	Swakopmund

12.2.21.2 BIPA participation at Regional Engagements

Date	Activity	Objective	Stakeholder	Organizer	Place
27-28 April 2022	Regional workshop to promote designs and utility models in ARIPO Member States	The workshop aimed to raise awareness, provide training and promote ARIPO's regional system for registering designs and utility model trends in various ARIPO Member States.	ARIPO Member States	ARIPO	Harare, Zimbabwe
21-22 June 2022	Integration and implementation of IP tools for ARIPO Member States	The objective of the workshop was to introduce the EU IP tools to ARIPO Member States. These tools offer benefits to the users of the IP system in Africa, such as, quality and reliability and access to information.	ARIPO Member States	ARIPO	Harare, Zimbabwe
05-07 October 2022	Regional capacity building training on IPR policies and regulations	To foster mutual cooperation on IP issues within the context of industrialisation, trade and addressing socio-economic development and competitiveness in the region in its transition to innovation driven knowledge economies.	ARIPO Member States	ARIPO	Virtual
10-11 October 2022	Conference on copyright in the audio-visual sectors	To develop adequate national systems for the protection of the film and audio-visual industry, including the authors, the performers, and the producers.	ARIPO Member States	ARIPO	Harare, Zimbabwe
17 – 18 October 2022 (preceded by online training on 3 - 5 October 2023)	Training program on collecting and analysing data on the economic contribution of copyright Industries for ARIPO member states	To develop a tool which will help to understand the economic contribution of the creative sector and to re-design the data collection frameworks considering current needs and evolving priorities of the creative industries.	ARIPO Member States	ARIPO	Virtual
19-21 October 2022	Shaping the copyright and related rights landscape conference	The Conference focused on pressing copyright and related rights issues and investigated solutions, particularly relating to copyrights in the digital sphere for the benefit of right holders, users, and other stakeholders in Africa.	ARIPO Member States	ARIPO	Harare, Zimbabwe
8-10 Nov 2022	Communication training under ARIPO regional IP rights registration system	The objectives of this activity were to provide the participants, namely government communicators and journalists, with tools and support to help them increase the awareness of intellectual property rights among various stakeholders in the African Regional Intellectual Property Organisation (ARIPO) Member and Observer States.	ARIPO Member States	ARIPO	Harare, Zimbabwe
21-26 November 2022	46th session of the Administrative Council of the African Regional Intellectual Property Organisation (ARIPO)	To decide on Program and Budget of ARIPO for 2023, consider and approve Human Capital, Audit, and Finance related matters. Approved amendments of ARIPO's Protocols on Industrial Property to make them more user-friendly and align them to relevant international treaties and best practice.	ARIPO Member States	ARIPO	Maputo, Mozambique

12.2.21.3. BIPA participation at International Engagements

Date	Activity	Objective	Stakeholder	Organizer	Place
16 – 20 May 2022	28th Session of the Committee on Development and Intellectual Property (CDIP)	To discuss IP- and development-related issues as agreed by the Committee, as well as those decided by the General Assembly. The Committee reports and makes recommendations annually to the General Assembly.	World Intellectual Property Organisation (WIPO) Member States	World Intellectual Property Organisation (WIPO)	Geneva, Switzerland
14 – 22 July 2022	63rd WIPO Assemblies	1. To represent, safeguard, and advance the interest of Namibia at WIPO 2. To contribute to, and influence, the development of International Intellectual Property System 3. To participate in, and influence, governance, decision-making, and leadership over the World Intellectual Property Organisation 4. To form new, and strengthen existing, partnerships and cooperation.	World Intellectual Property Organisation (WIPO) Member States	World Intellectual Property Organisation (WIPO)	Geneva, Switzerland
03-07 October 2022	Conference on Patent Co-operation Treaty (PCT)	Training of staff member as a patent examiner, training on PCT online services, processing of PCT applications, formality checks and the formal integration of the patent prosecution highway into the PCT	WIPO Member States	WIPO	Geneva, Switzerland
12-13 October 2022	Workshop on Hague System	To educate and inform participants on the importance of industrial designs as business assets to be Valued and protected, and the advantages of using the Hague System to obtain protection of industrial designs in more than one jurisdiction.	WIPO African Member States	WIPO	Virtual
01-02 November 2022	Workshop Hague system	To educate and inform participants on the importance of industrial designs as business assets to be Valued and protected, and the advantages of using the Hague System to obtain protection of industrial designs in more than one jurisdiction.	WIPO Member States	WIPO	Virtual
13 – 15 February 2023	Conference on Countering Illicit Trade Amid Expanding Trade Infrastructure Investments	1. Enable participants to better understand the risks and threats posed to global economies by illicit trading; 2. Provide information on illicit trade practices impacting the region, including environmentally sensitive goods, narcotics, and human trafficking; 3. Address IP-related illicit trade and 4. Promote best practices in the Sub-Saharan region to counter risks posed by illicit trading.	IP and Customs Offices	United States Patent & Trademark Office (USPTO)	Alexandria Virginia, USA
23-24 February	WIPO-ARIPO TISC Regional Meeting on the Development of an ARIPO TISC Network	To enable open discussions on the current status of TISC networks in the ARIPO Member States, highlighting the actions taken by these TISC networks in the promotion and awareness of TISC services and apprise participants of the recent developments in WIPO activities and resources related to TISCs.	ARIPO Member States	WIPO & ARIPO	Harare, Zimbabwe
07-09 March 2023	Women in IP: Meeting on Mentoring and Related Topics	to develop strategies to overcome the disparity and support women in the IP system.	Women in IP	USPTO	Alexandria, Virginia, USA
20-21 March 2023	WIPO-WTO Advanced course on IP policy issues	To raise awareness on the importance of IP to capacity building and national development	WIPO-WTO Member States	WIPO-WTO	Geneva, Switzerland

12.2.22 Bilateral Engagements

BIPA also engaged the following stakeholders for bilateral engagements on various strategic initiatives:

- Bank of Namibia, African Development Bank and World Intellectual Property Organisation for input on the Concept Note on BIPA's contribution to the Knowledge Based Economy.
- Canadian Intellectual Property Office to provide input to the BIPA IP Business Strategy.
- Harvard University on the draft Copyright Bill.

12.2.23. Operations and Strategic Challenges

The Intellectual Property Department has faced several challenges during the period under review, despite its commitment to improve and deliver effective and efficient services to both internal and external stakeholders. These challenges are outlined hereunder:

12.1.23.1. Low Level of IP Awareness

BIPA has made strides in educating the Namibian public on intellectual property through mass media and social networks, during the period under review. However, those in rural areas remain unreached and the need to roll out IP education campaigns through traditional mediums that is able to penetrate in these areas is a crucial part of the new financial year.

Through the implementation of the above proposal, BIPA aims to attract new clients seeking IP services, foster stronger relationships with existing clients, and provide innovative solutions to meet their intellectual property needs.

12.1.24. Key focus areas for 2022/2023

1. Review of the Copyright and Neighbouring Rights Act	2. The Namibian Women Entrepreneurs: From Generation to Commercialisation of Intellectual Property Assets
The review of the copyrights law is a brought forward project and as per the project plan; during the year, the office will continue to implement the plan. Some of the critical activities include submitting the draft bill to the Cabinet Committee on Legislation. The rational for reviewing the law is to improve it and level it with the changes in technology.	The official launch of the Project by WIPO and BIPA. Further training and mentoring of the Top 10 participants.
3. Implementation of NIPPS	**4. IP Business Strategy**
The project to implement the National Intellectual Property Policy and Strategy commenced in 2021. During the year 2023/2024 BIPA plans to implement strategies related to enforcement of IP, and establishment of linkages with IP stakeholders.	The IP Business Strategy will be rolled out during the 2023/2024 financial year.
Implementation of the IP revenue Growth Plan	
During the Financial year BIPA will continue to implement to revenue growth plan	

12.3. INFORMATION AND COMMUNICATION TECHNOLOGY

Information and Communication Technology Division Team

12.3.1 Overview

The Information Communication Technology (ICT) department designs, acquires, implements, and maintains the ICT infrastructure and the applications required to provide operations and business support, which benefits both the employees and clients of BIPA. The department consists of the following divisions:

- Networks, Infrastructure and Security Division is responsible for network administration (installing, maintaining and upgrading the corporate computer network, including the wide area network and internet); systems administration (managing the reliable operation [availability and capacity] of computer hardware, software, servers and computers) and security administration (administering and managing the security of all data systems including systems and networks).
- The Information Systems Division is responsible for business analysis (managing business requirements, managing solutions identification, managing business processes and business intelligence); software engineering (designing, developing, configuring, testing and maintaining of business processes, applications, information, data and the corporate website) and helpdesk management (service request management, incident management and problem management). The helpdesk is the initial contact point for all data network users within the organisation.
- The Enterprise Project Management Office (E-PMO) division is responsible for managing programmes and projects. The division manages all programmes and projects from the investment portfolio in alignment with the enterprise strategy and in a co-ordinated way. It also initiates, plans, controls, and executes programmes and projects and close-off with a post-implementation review.

- Records and Archive Management Division is responsible for the Archiving and Retrieval, Records Management System; Manual Filing and Tracking; Records Maintenance; e-Records Solutions; Warehouse administration, and Data Sale. The Records and Archiving Division manages all documents and records relating to business and IP registration

12.3.2 Networks, Infrastructure and Security Division

The purpose of the Division is to develop, enhance, communicate, report, and oversee the ICT infrastructure, networks and security frameworks, associated tools, and process. The core functions of the Division are:

- Infrastructure setup and management
- Data center management
- Network setup and management
- ICT user service desk
- Systems administration, policies, and protocols
- Information security management
- Stress testing
- Capacity management
- Disaster recovery and risk management
- 3rd party management
- End user device support

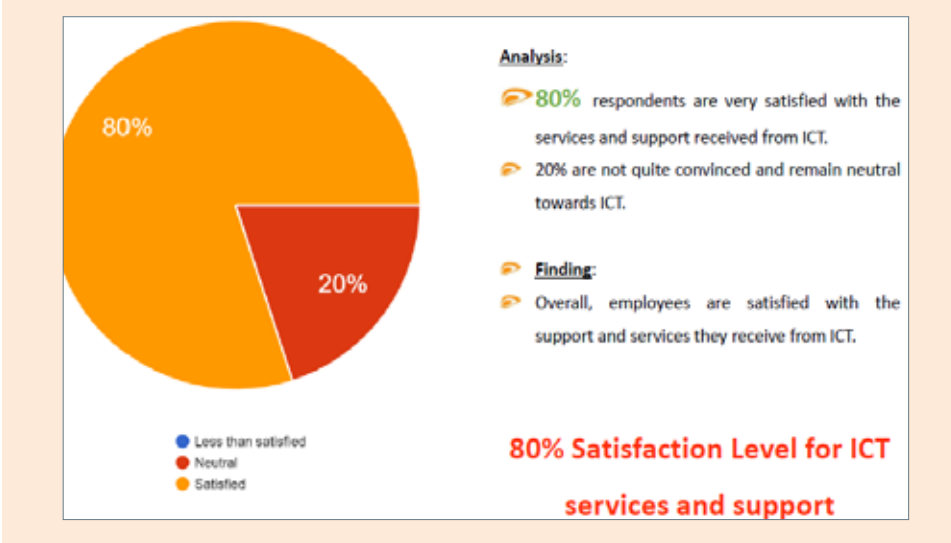
12.3.2.1 IT Satisfaction Survey & Indicators

The decision to conduct a satisfaction survey was driven by our commitment to continually improve our ICT services. The survey was administered by the Marketing department following the conclusion of the financial year in April 2023. The survey serves as a valuable tool to gauge the ICT team's responsiveness to company issues and service requests. It provides insights into areas that require enhancement and identifies opportunities for learning and growth. The ICT department's primary goal is to ensure the satisfaction of all BIPA's internal and external stakeholders, and the survey results are integral in achieving this objective.

In the pursuit of optimizing our ICT services and ensuring the satisfaction of our stakeholders, significant strides have been made in enhancing the response time and preparedness of our ICT team. It's worth noting that this progress has been particularly remarkable, considering our team's history of operating with only two technicians responsible for handling all service request, desktop support, and IT support operations at BIPA. Today, we have successfully transitioned to a full-fledged support team comprising four dedicated members, ready to promptly assist with queries and address any technical issues that may arise.

This transformation has had a positive impact on our service delivery, with a notable improvement in the satisfaction of our users, showing an overall 80% satisfaction. However, it's important to address the 20% of users who express relative dissatisfaction. ICT team still facing number of users preferred for informal approach to IT Support, which occasionally clashes with our structured incident and service management approach. To address this concern, a regular training session will be planned. There is also a need for ICT to improve its budget to keep spare stocks of equipment, and spare part for ICT to provide replacement device when needed. The 20% means ICT have rooms for improvements and efforts will be made to enhance the response time for service ticket assignment and resolution time, ensuring that issues are promptly addressed.

The satisfaction rate of 80% indicates that the ICT department has made substantial contributions to the company's growth and effectiveness. This achievement underscores ICT team's commitment to providing efficient and effective services to our stakeholders. It also serves as an indicator of the positive actions taken to enhance user experiences.



Results from the ICT Satisfaction Survey

12.3.2.2 Statistics on Network Availability

Network availability statistics provide a good snapshot of network infrastructure accessibility by quantifying the percentage of time the network is operational. BIPA has thus invested in a tool to monitor network availability for all systems and applications.

These statistics are an indication of BIPA's average network uptime across all our core network equipment. An average network availability of 99.55% indicates that our core network equipment has been operational for the majority of the time, this is again for BIPA.

Name	Up	Down	Availability (%)
192.168.0.252 (192.168..0.252)	117d 20h 555m 46s	59m 55s	99.965
192.168.4.1 (192.168.4.1)	344d 6h 20m 41s	6d 8h 39m 19s	98.186
Blue-Fibre (192.168.0.111)	350d 14h 11m 57s	48m 3s	99.99
Hq-firewall-01 (192.168.3.39)	344d 11h 20m 44s	6d 3h 39m 16s	98.245
SW-10GP-1 (192.168.0.239)	350d 12h 10m 17s	2h 49m 43s	99.966
SW-BIPA-24P (192.168.0.240)	350d 7h 2m 11s	7h 57m 49s	99.905
SW1 (192.168.0.241)	350d 11h 52m 19s	3h 7m 41s	99.963
ServerRoom-02 (192.168.0.251)	350d 14h 2s	59m 58s	99.988
ServerRoom-Main-SW (192.168.0.250)	350d 12h 31m 8s	2h 28m 52s	99.971
WestwingSW1 (192.168.0.243)	348d 8h 29s	2d 6h 59m 31s	99.347
WestwingSW1 (192.168.0.200)	348 20h 19s	1d 18h 59m 41s	99.489
Avg			99.54681818

Average Network Availability (%) = 99.55%

Average Network Availability (%)

12.3.2.3 Statistics on Systems Availability

Systems availability statistics provide a good snapshot of systems accessibility by quantifying the percentage of time the systems have been operational. BIPA has thus invested in a tool to monitor availability for all systems and applications. These statistics are an indication of BIPA's average systems uptime across all our systems and applications. An average network availability of 97.50% indicates that our business-critical systems have been operational for the majority of the time, which is good for BIPA.

Name	Device Name	Up	Down	Availability (%)
Bipa Web	null	350d 1h 27m 55s	13h 32m 5s	99.84
ICRS	null	293d 30m 28s	13h 27m 53s	91.68
IPAS System	null	350d 2h 31m 54s	12h 28m 6s	99.85
Sage 300 People	null	337d 38m 39s	1h 28m 14s	99.98
WIPO File Admin	null	350d 13h 12m 37s	1h 47m 23s	99.98
WIPO File Web	null	321d 16h 27m 1s	28d 22h 32m 59s	91.75
WIPO Publish	null	322d 4h 48m 59s	28d 10h 11m 1s	91.89
Bipasage01	null	350d 15h	0s	100.00
Bipamfilapp01	null	350d 14h 10m 5s	49m 55s	99.99
Bipaonelweb01	null	350d 15h	0s	100.00
			Average	97.50

Average Systems Availability (%) = 97.50%

Average Systems Availability (%)

12.3.2.4 Risk and Audit Score for ICT

- ICT risk score for FY 2022/23 is 100%.

12.3.2.5. Networks, Infrastructure and Security Division: Key focus area for 2022/23

The major infrastructure projects implemented for 2022/23 financial year were:

- ICRS Replication setup: To configure, test and commission replication between ICRS production and ICRS DR site (Katutura) thus ensuring failover on the ICRS solution.
- Hyper-V Infrastructure Upgrade on Memory and Storage (To Accommodate ERP): The aim of this project is to upgrade the infrastructure to accommodate ERP rollout.
- Enterprise architecture development: The aim of this project is to come up with network documentation for across BIPA infrastructure.
- Layer 2 replication link: The aim of this project is to install a network link to enable seamless replication between ICRS production and ICRS DR site (Katutura)
- IT policies review and update: the training helps employees understand proper cyber hygiene, the security risks associated with their actions and to identify cyber-attacks they may encounter via emails and the web.

INFRASTRUCURE, NETWORKS AND SECURITY PROJECTS					
PROJECT TITLE	**BUDGET**	**DELIVERABLES**	**TIMELINE**	**STATUS**	**OrganisationAL IMPACT**
ICRS Replication setup	TBC	• Configure replication between ICRS production DR. • Achieve seamless disaster recovery for ICRS solution.	April 2022 to March 2023	Final Testing phase	• Continuous real-time replication. • Ability to failover in case of disaster.
Hyper-V Infrastructure Upgrade on Memory and Storage (To Accommodate ERP)	TBC	• SAN and Server expansion- RAM installation and configurations. • SAN and Server expansion- Hard drive installation and configurations.	April 2022 to March 2023	Completed	• High availability of service • Improved storage space for disaster recovery
Enterprise architecture development-	N$ 0.00	• Develop network and infrastructure documentations for BIPA.	April 2022 to March 2023	Completed	• Ease of troubleshooting and visibility
Implement a dedicated Layer 2 replication link	N$20 388.00	• Procure, install, test and commission replication Link	April 2022 to March 2023	Completed	• Enable seamless replication between ICRS production and ICRS DR site (Katutura)
Implement the information security manual - IT policies review and update	N$0.00	• Review and update IT policies	April 2022 to March 2023	Draft policies Submitted to legal	• Updated information security policies

12.3.3. The Information Systems Division

12.3.3.1 Divisional Overview

To manage the operations of all Information Systems (IS) efficiently and effectively, including related applications, database and software used in the organisation. Information Systems (IS) play a crucial role in modern organisations by facilitating the flow of information, supporting decision-making, and enabling efficient operations.

12.3.3.2 Database

Significant advancements were achieved over the year to enhance the overall robustness and efficiency of our organisation's operations. These efforts primarily focused on enhance security, fortifying database availability, and enhancing database reliability.

On the security front, we implemented stricter password policy, ensuring that passwords are routinely changed and meet specific complexity requirements. This initiative aims to enhance our data protection measures and minimize potential vulnerabilities and safeguarding user identity.

We ensured that BIPA system is available to enable our staffs to deliver uninterrupted services. Average database uptime of 97% across all systems, encompassing both planned and unplanned maintenance periods. It's important to note that this period saw an increased number of database maintenance activities and configuration adjustments for replication and performance optimization. While this led to extended planned downtime, it underscores our proactive stance in fine-tuning our systems for optimal performance, ensuring a more reliable and resilient infrastructure. In addition, most of the downtime occurred afterhours to minimize business interruption.

In pursuit of greater system availability, we successfully implemented cluster setups and database replication strategies. These enhancements not only enhance system redundancy but also contribute to ensuring a seamless and uninterrupted experience.

Feb 2023: Production-DR ICRS server replication configuration commissioned

March 2023: an enhanced ICRS Password Policy deployed

Regular system backup (weekly)

Average of 97% database uptime for all systems

12.3.3.3 Service Desk Operations

In order to improve the asset management, ICT is maintaining an up-to-date register of all ICT assets. This register encompasses a wide spectrum of ICT assets, including physical ICT assets, ICT licenses, and their associated license agreements.

Throughout each asset's lifecycle, this record-keeping approach has been pivotal in providing us with a clear overview of our resource inventory, and guide when ICT assets requires to be replaced. This approach will allow ICT to budget correctly for the periodic asset replacement and safeguarding ICT assets.

ICT team delivered 80% level of user satisfaction achieved concerning service request fulfilment.

This achievement underscores our commitment to providing efficient and effective services to our stakeholders. It also serves as an indicator of the positive actions taken to enhance user experiences.

- Up-to-date register of all assets (physical, licenses and associated license agreements) through the asset's lifecycle
- 80% Level of user satisfaction with service request fulfilment

12.3.3.4 Information Systems

Throughout the year, we have undertaken several significant initiatives to advance our organisation's capabilities and enhance the services we provide.

One notable accomplishment was the commencement in configuration of online filing system for Intellectual Property (IP). This configuration was designed to offer online self-services for IP filing, streamlining processes for our stakeholders and ensuring more convenient access to our services.

For Enterprise Resource Planning (ERP), substantial progress has been made in system configuration and testing. While we have successfully completed most aspects of the ERP system, there were certain delays related to the integration of commercial banking systems and the Electronic Document Record Management System (EDRMS). These delays stemmed from challenges such as the need to reach agreements with banks and the unavailability of the SWIFT exchange protocol approach, as well as limitations in internal server infrastructure for setting up a test environment. Despite these setbacks, we remain committed to resolving these issues and moving forward with these critical integrations.

Our commitment to innovation is evident in the completion of Phase 1 of WhatsApp chatbot development. We are now preparing for extensive internal testing and fine-tuning in the upcoming reporting period before the chatbot goes live, with the aim of providing more efficient and responsive customer support.

Another noteworthy achievement has been the successful proof of concept for in-house developed web services. This initiative has allowed us to identify key use cases and infrastructure requirements for future production deployment. In the next reporting period, we plan to roll out selected public web services to further enhancing collaboration with our stakeholders.

In our ongoing efforts to improve service delivery, BIPA submitted its Integrated Business Registry System (iBRS) to CPBN. This system aims to take our services online, making them accessible 24/7 from anywhere, ultimately enhancing our service capabilities.

Additionally, we have implemented file protection measures in the current Business Registry System that empower our legal team to safeguard specific files from unauthorized capture or amendment until risk elements are effectively mitigated. This proactive approach can be triggered by events such as fraud reporting or suspicious activities, further reinforcing our commitment to maintaining the integrity and security of our data and operations.

- WIPO File configuration revamped
- ERP system configured and tested, with exception of integration with Banks and Electronic Document Record Management Systems (DEDRMS)
- WhatsApp chatbot developed and integrated – waiting for user acceptance testing
- In-house developed web-services proof of concept successful, to identify use-case and infrastructure requirement for production deployment
- Integrated Business Registry System - Bid Document revised and submitted to CPBN in December 2022
- ICRS System enhancement
- November 2022: Withdraw file (protection from amendment)
- March 2023: Reason for payment override included

12.4. RECORDS AND ARCHIVE MANAGEMENT

Records and Archives Division Team

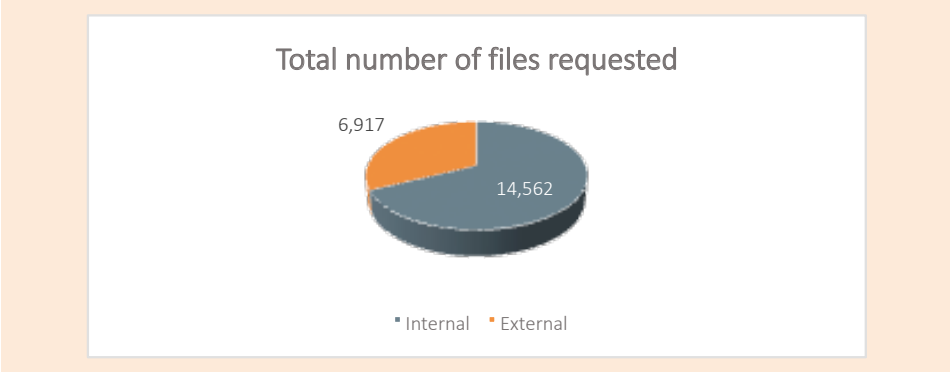
12.4.1 Divisional Overview

The Records and Archive Management Division is responsible for the capturing, scanning, administration, management, and maintenance of BIPA records. The Division is responsible for safekeeping of all entity's files relating to Business and IP registration to ensure that records are managed efficiently, are easily accessible when needed and comply with legal and regulatory requirements. In addition, the division is responsible for attending to all data request (Data Sales) in terms of Section 8 of the Company Act, 2004 and Section 5 of the Corporations Act, 1988.

The core functions of the Division are archiving and retrieval, records management system; manual filing and tracking; records maintenance; e-records solutions; warehouse administration, and data sale.

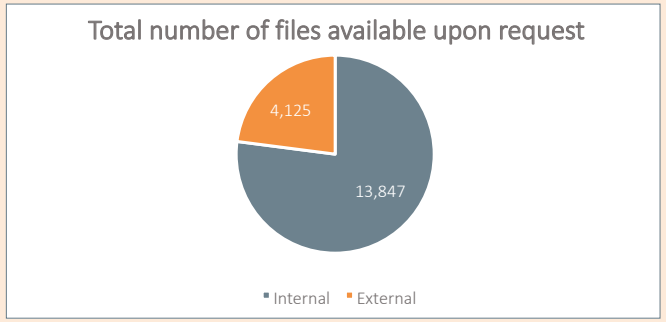
12.4.2 Statistics on Number of Files Requested

The total number of files requested for the period under review amounted to 21,479. From this, the majority of the requests were from external stakeholders, which totalled 14, 562. Internal requests accounted to a total of 6,917.



Total number of files requested for the FY 22/23

12.4.3 Statistics on Number of Files that were Available Upon Request



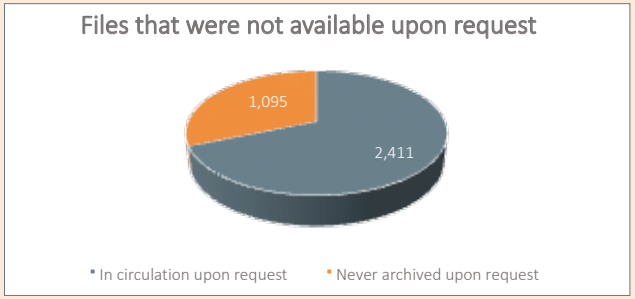
Total number of files available on request for the FY 22/23

The total number of files that were indexed for new business registrations totalled 14,746. The number of files that were returned for archiving upon request was 12,118. Total files archived during the period was 26,864.

12.4.4 Statistics on Number of Files that were not Available Upon Request

The table below indicates the number of files that were not available upon request. There are numerous factors caused the files to be not available upon request. These include:

- Files are in circulation within BIPA as part of our daily operations and cannot be availed;
- A file can be requested simultaneously by more than one requestor;
- The file was submitted for amendments; however, another requestor is in the process of inspection;
- The file was requested by our Legal team for investigation purposes;
- The file being requested was never archived since BIPA's inception.



Total number of files not available on request for the FY 22/23

12.4.5 Records and Archive Management Division: Key focus area for 2022/23

To improve BIPA ICT systems, the division has planned projects that will drive efficiency and effectiveness in our system. These projects include:

- Implementation of the Data Management Strategy
- Ensure financial stability with annual growth in revenue by 10%
- Training and compiling the Retention and Disposal Schedule as per the approved File Plan
- Develop and implementation of the Records Management Policy
- Improve the turnaround time for processes (express file request: 24 hours, standard file request: 2 to 3 working days, data sale request: 5 to 10 working days)
- Monitoring the usage of the approved File Plan by the Departmental PA's
- Develop and implementation of the Division's Customer Service Plan

Attend to the Divisional daily operations (attend to walk-in-clients, attend to data sale request, respond to clients' emails, requesting of files, indexing of new registration, returning of files, scanning of files upon request, copies of files upon request, returning of all requested files).

12.5 HUMAN CAPITAL MANAGEMENT

Human Capital Division Team

12.5.1 Overview

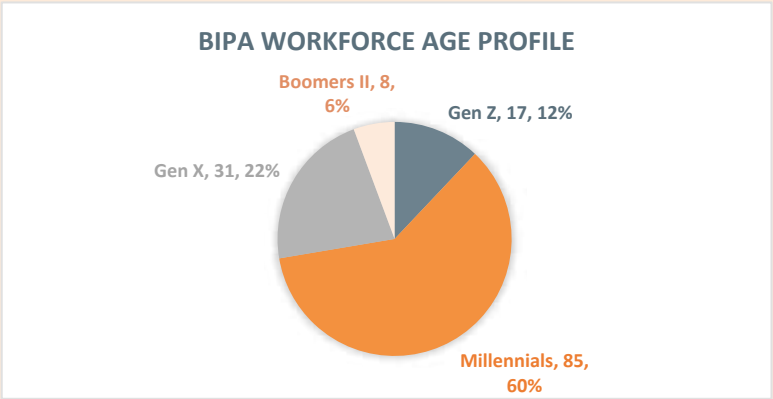
Our dedicated workforce is at the heart of our success, driving innovation, delivering exceptional service, and enabling us to achieve our strategic objectives. This past year has presented both challenges and opportunities, and we are proud of how our team has risen to the occasion, showcasing their resilience, adaptability, and commitment to excellence. At BIPA we recognise that employees are the critical asset to the strategic long-term success and as such, the Authority has embarked on various initiatives aimed at strengthening the drive for employees to achieve the defined strategic objectives designed around four (4) strategic themes using the Balanced Scorecard methodology.

12.5.2 Employment Profile for the 2022/23 Period

The total BIPA workforce at the beginning of 2022/23 financial year stood at one hundred-forty-two (142) employees, whereby 115 were employed on permanent employment basis, while 27 were employed on temporary employment contracts.

However, by the 31 March 2023, BIPA total workforce stood at one hundred and forty-one (141) whereby (115) permanent and fixed term employees and (26) were temporary employees as indicated below.

BIPA workforce statistics for FY 22/23



BIPA workforce age profile for FY 22/23

12.5.3 Workforce age analysis

During the reporting period, the average age for BIPA employees was between 27-42 years of age. This implies that over 60% BIPA workforce comprises of millennial employees. The detailed workforce age analysis profile is indicated below.

Generations		EXCO	Permanent	Temporary	Student Intern/ Graduates	Total Headcount	%
Gen Z	>26	-	1	1	15	17	12%
Millennials	27-42	2	75	2	6	85	60%
Gen X	43-58	4	26	1	-	31	22%
Boomers II	59-60	1	6	1	-	8	6%
TOTAL		**7**	**108**	**5**	**21**	**141**	**100%**

BIPA Workforce age profile for FY 22/23

The table above indicated the various generations employed at BIPA. The Baby Boomer Generation comprises the oldest of the generations and are born between 1946 – 1964, while Generation X are born between 1965 – 1980. The Millennials make up the majority of the workforce and are born between 1981 – 1996. Generation Z, which makes up 12% of the workforce are born between 1996 – 2012.

12.5.4 Gender Representation per Department (Gender Metrics)

During the 2022/23 financial years, all 141 employees are from the previously disadvantaged group implying that our workforce is 100 % previously disadvantaged.

Women – There are 96 women in our organisation who account for 68 % of our workforce profile.

Men - There are 45 men in our organisation who account for 32 % of our workforce profile.

Persons with Disabilities - As at the end of the current reporting period, the company had two (2) employees with disabilities in its employment. Management remains willing to employ and advance such individuals should a suitable vacant position become available. Management also remains aware of its duty to exercise the requisite preferential treatment, should a person with disabilities apply for a suitable vacant position.

	CEO	BRS	MCCCMS	HCM	IPS	ICT	FINANCE	LEGAL	TOTAL
MALE	1	9	4	1	7	8	12	3	45
FEMALE	8	24	17	6	11	13	15	2	96
TOTAL	9	33	21	7	18	21	27	5	141

Table 12: BIPA Gender Matrix for FY 22/23

12.5.5 New Appointments and Terminations

During the 2022/23 financial year, the Human Capital Department has successfully completed the recruitment and selection processes for twelve (12) positions as indicated below.

These talent acquisition efforts were necessary to capacitate various departments which had experienced an increased workload and internal movement of employees to other departments.

Position filled	Department	Quarter
Facilities Specialist	Finance and Administration	2nd Quarter
IP officer: Trademark	Intellectual Property Services	3rd Quarter
Manager: OD and Training	Human Capital Management	3rd Quarter
Practitioner: OD and Training	Human Capital Management	3rd Quarter
Manager: Marketing and Corporate Communications	Marketing, Corporate Communications and Client Service Management	3rd Quarter
Risk and Investigation Specialist	Office of the CEO	3rd Quarter
IT and Projects Auditor	Office of the CEO	3rd Quarter
Administrative Assistant	Intellectual Property Services	3rd Quarter
Assistant HCP: Recruitment & Remuneration	Human Capital Management	3rd Quarter
Logistics Officer	Finance and Administration	4th Quarter
Executive: ICT	Information Communication Technology	4th Quarter
Executive: Corporate Services	Corporate Services	4th Quarter

In addition, the BIPA Board of Directors endorsed a graduate program as part of its Corporate Social Responsibility (CSR) and a total of twenty (20) graduates were appointed for a period of 12 months ending 31 January 2024 to support the core department operations.

12.5.6 Appointment of Foreign Nationals

For the period under review, the Authority had one non-Namibian employed in the position of Manager: The Non-Namibian employee has been appointed since 01 March 2017. A Namibian understudy has been appointed for the non-Namibian employee since 01 April 2021.

12.5.7 AA Appointments & Reporting

The Employment Equity Commission considered the Authority's Report and found it compliant with the requirements of the Affirmative Action (Employment) Act, 1998. BIPA was presented with the Affirmative Action Compliance Certificate on 15 August 2022. By the end of the 2022/23 financial year, the Authority's workforce employment equity profile consisted of four (4) women and three (3) men occupied the executive/senior management positions. In addition, twenty (20) women and twelve (12) men were occupying the mid-level management positions as indicated below. This workforce composition is inclusive of one non-Namibian male with permanent residence permit.

JOB CATEGORY	Racially Disadvantaged		Racially advantaged		Persons with Dis-abilities		Non- Namibians		Totals	
	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
Executive Directors (F)	0	1	0	0	0	0	0	0	0	1
Senior Management (E2)	3	3	0	0	0	0	0	0	3	3
Mid-level Management (D1-D5)	10	19	0	0	1	0	1	0	12	20
Specialised/ Skilled/Senior Supervisor (C4-C5)	2	3	0	0	0	0	0	0	2	3
Skilled (C1-C3)	8	31	0	0	1	0	0	0	9	31
Semi-Skilled (B)	5	20	0	0	0	0	0	0	5	20
Unskilled (A)	3	3	0	0	0	0	0	0	3	3
TOTAL PERMANENT	**31**	**80**	**0**	**0**	**2**	**0**	**1**	**0**	**34**	**81**
Temporary employees /or Student Interns	**11**	**15**	**0**	**0**	**0**	**0**	**0**	**0**	**11**	**15**
Total	**42**	**95**	**0**	**0**	**2**	**0**	**1**	**0**	**45**	**96**

BIPA workforce composition and diversity profile

During the reporting period, 68% of the total workforce is made up of female employees while male employees represent the remaining 32%. It is evident that women have dominated the Authority's structure and this has skewed the Authority's gender profile.

Efforts were made by the Human Capital Department to source the male candidates through talent attraction to fill various vacant positions.

12.5.8 Labour Turnover Statistics

Overall, the Authority has recorded (7) employment separations among its permanent employees during the reporting period from the following departments:

- Intellectual Property Services
- Finance and Administration
- Information and Communication Technology
- Human Capital Management
- Marketing, Corporate Communication and Client Management Services.

A comparative labour turnover analysis for the Authority in the past five (5) financial years [2017/18 to 2021/22] depicts the labour turnover trend.

Financial Period	Opening balance	Joiners	Leavers	Closing balance	% Turnover
April 2018 -Mar 2019	93	12	8	97	5.65%
April 2019 -Mar 2020	97	3	6	94	4.17%
April 2020 -Mar 2021	94	13	4	103	2.75%
April 2021 – Mar 2022	103	14	2	115	1.24%
April 2022 – Mar 2023	115	8	8	115	4.67%

12.5.9 Staff Development

12.5.9.1 BIPA Study Loan Scheme

Staff development is a win-win strategy that benefits both employees and the organisation. By investing in the growth and development of employees, organisations can foster a culture of continuous improvement, innovation, and success. The Authority provides interest-free study loans to employees to pursue courses in relevant fields at recognised institutions of higher learning, as well as conducting on the-job training on a frequent basis to develop, empower and capacitate employees with the necessary skills to effectively fulfil their tasks.

A total of N$720, 000.00 was budgeted for interest-free study loan to assist the studying employees to pay-off their academic related costs. Fourteen (14) staff members were registered under the study loan scheme. BIPA, through its Human Capital Department encourages all employees to enhance their capacity and upskill themselves and to strengthen their talent pool.

The qualifications and number of staff participants on the study loan is indicated below.

Qualification of Study	Number of Employees
Diploma Accountancy	1
Bachelor's degree Logistics and Supply Chain	2
Diploma: Records and Archives	2
Bachelor Degree of Commerce in Law	2
Master of Philosophy in Corporate Strategy	1
Master of Business Administration	2
Bachelor Financial Math -Research Projects (Honour)	1
Bachelor's degree Human Resources Management	1
Master of Business Administration	1
Master of Finance and Accountancy	1
Total Number of Employees	**14**

12.5.10 Performance Management

BIPA's Strategic Plan consists of four strategic pillars, namely: Financial Sustainability, Stakeholder Confidence, Internal Processes and Governance, and Operational Excellence. As per BIPA's Performance Management Policy, a formal Performance Management process started in April 2022 and was completed on 31 March 2023. In line with BIPA's strategic drivers, the Performance Management Process started with aligning the employees Key Performance Area's (KPA's) with the Organisational strategy and the Departmental Objectives.

The KPA; Competency; as well as Long-term assessment (LTA) reviews period was done in the first six months (April to September 2022) and the final performance Appraisals were conducted for each individual's performance for the overall twelve months (April 2022 to March2023). In the past financial year, the ratings were accepted and the average rating for the company performance improved from a previous rating of 3.28 to 3.55 in 2022/23 FY.

12.5.11 Training and Development

BIPA has implemented the learning and development interventions as part of its Annual Training Plan in order to foster a learning and development culture that in turn will give effect to the Human Capital Development Policy requirements. 87% of the training plan was achieved, while 13% could not be achieved due to lack of funds or due to changed circumstances.

The incomplete trainings included Quality Management System Auditor/Lead Auditor Training, HR Business Partner and Business Process Re-design and improvement. The HCM department is however proud to report the following capacity development interventions that were successfully completed.

#	Nature of Training	#	Nature of Training
1	(PTY) Ltd Training	32	Foundations of Risk Management
2	Leadership and Change Management	33	Fraud awareness and investigations training
3	Advance copyright and related rights	34	ICRS & IPAS training
4	Advanced Governance, Risk and Compliance (GRC)	35	IFRS training
5	Agile Business Analysis	36	Institute of Risk
6	Archiving and Records Management	37	Internal Auditing & Essentials of Internal Auditing
7	Basic Companies and Close Corporations Act	38	Investigations Training
8	Board Governance Training	39	IP Training
9	Call Centre Training	40	IP, Competition, Contract and Unjustified Enrichment Law
10	Certified Information Systems Security Professional	41	IPSAS Training
11	Change Management	42	Management Administration
12	Cobit fundamentals	43	MBA Preparatory Course
13	Communication Skills	44	Office administration & Customer care
14	Compliance Management	45	Patents Examination & basic
15	Copyright	46	PCT Examination & administration
16	Copywriting for Digital Marketing	47	Procurement Management Training
17	Data Analysis	48	Project Management (Intermediate Level)
18	Data law	49	Project Management Foundations
19	Data Protection and privacy	50	QMS Training
20	DL-001 Primer on Intellectual Property	51	Recruitment, Interview and Selection Training Course
21	DL-101 General Course on Intellectual Property (version 2)	52	Regional training on e-Workshop - WIPO
22	DL-301 Course on Patents	53	Saga 300 People
23	DL-450 Intellectual Property management	54	Service desk manager
24	ERP Training	55	Supervisory Management
25	Excel Training	56	Telephone Etiquette Training (Call Centre Specific)
26	Excel Training advance	57	Training on Patents examination (In-house training)
27	Executive Development - Coaching for high Performance	58	Training on Trademark Examination
28	Executive Development	59	Training on Vienna Classification
29	Executive development program (EDP)	60	Transport & Fleet Management Logistics
30	Executive Skills for PAs and Administrators	61	Union Induction
31	Fortinet NSE 4 Network Security Professional	62	Windows Server 2019 administration

Employee training session

12.5.12. Employee Relations

12.5.12.1 Investigations

For the period under review, the HCM department have done 2 investigations on matters pertaining to Social Security fraud and Fraudulent amendments that were made to a Founding Statement. These two investigations have been completed and closed. It must be noted that this above investigations only involved internal staff, and does not account for total investigation conducted by the Audit and Investigations Department.

Matter investigated	Status
Social Security Fraud	Investigations Completed
Fraudulent amendments to Founding statement	Investigations Completed

12.9.2 Disciplinary Hearings

For the 2022/2023 reporting period, there was only one disciplinary hearing that took place regarding the Social Security fraud. The hearing was dismissed.

Disciplinary hearing	Status
Social Security Fraud	Case dismissed due to witnesses not showing up

12.5.13. Workplace Culture

The Human Capital Department strives to uphold BIPA's values aimed at improving organisational culture and operations. A culture transition framework was developed, which informed the organisation on how to makes decision, treat its employees and clients and how BIPA business operations are to be managed and transformed.

During the reporting period, HCM conducted an employee satisfaction survey to identify employees' needs and work toward creating an environment where employees feel valued and included. The main purpose of the survey was to determine and measure the level of satisfaction, collect insights on different work-related issues like compensation, benefits, appraisals, policies, retention, politics, and many other factors. The survey measured how employees' primary needs and interests are being addressed and how HCM can continuously work on addressing any changes that occur in employee needs and interests.

The total participation rate was at 90% (104/115) and the overall satisfaction rate was 73%. The average number of employees have shared that they understand how their work relates to BIPA's mandate and that they would advocate BIPA's work to others. From the survey, it was only noted that staff enjoy working remotely and they are proud to be part of BIPA. Further, they shared that their current state of health allows them to perform their job effectively. The survey also identified that an average of 23 % of employees are not entirely satisfied.

The findings from the employee satisfaction survey served as an important tool to inform the HCM and the rest of management how employees feel about the working environment, overall employee well-being, remuneration and other benefits of the organisational culture. The survey assisted HCM to look at the root cause and resolve existing problems that were highlighted in the survey to improve the culture, training, and development that will enhance the business operations and transformation.

There were various strategies developed to achieve an improved culture, as outlined below:

Strategy 1:	Develop a leadership culture that aligns with BIPA's mission and values
Strategy 2:	Improve communication
Strategy 3:	Create a culture that values creativity and innovation
Strategy 4:	Enable work-life balance
Strategy 5:	Effective Talent management
Strategy 6:	Improving processes to be efficient but with sufficient flexibility

12.5.14. Succession Planning

Succession planning is a critical strategic process for any organisation and it involves identifying and developing individuals within the company to assume key leadership roles in the future. It is not limited to just top-level executives; it can encompass various levels of leadership and critical positions within the organisation to ensure business continuity. By investing in the development of internal talent and ensuring a smooth leadership transition, BIPA will be in a better position to navigate challenges more effectively and position themselves for continued success.

BIPA understands the need for a succession plan and as such, a Succession Plan has been developed during the reporting period that will cater for leadership, technical and scarce skills positions. The succession plan is anticipated to be approved by the Board in the new Financial Year 2023/24.

12.5.15. Organisational Structure

Since its inception, there have been a number of various factors that influenced the decision to review BIPA's organisational structure, these included changes in business strategy, growth, provision for technological advancements and the need to improve efficiency. The change will involve, among others, making changes to how the company is organised, how roles and responsibilities are defined and how communication and decision-making flow within the organisation.

BIPA advertised and awarded the bid (Ref. SC/RP/BIPA-06/2021) to BDO Advisory Services (Pty) Ltd in July 2021 as the bidders to facilitate the review and re-align the BIPA structure to align with the above-mentioned factors. The Departmental microstructures were endorsed by the Project Steering Committee and submitted to HRRC for further consideration.

The consultant, BDO Namibia has then suggested the project commence with the following project phases with the aim to complete the same in Quarter 1 of the next financial year 2023/23:

- Job Analysis and Profiling;
- Job Evaluation;
- Costings per department and overall, for the organisation (current and proposed as per the draft structure; and
- Assessment on affected personnel and proposed alternatives to those affected.

12.5.16. Human Capital Policy Review Project

BIPA continued with the comprehensive review of existing HCM practices and policies to determine if all essential HCM areas are covered and how it compares to the governance structure of the Authority and which areas needs to be introduced or reviewed to speak to best practices.

Additionally, the project documents all Human Capital Management responsibilities and practices including recruitment and staffing, performance evaluation, staff development, remuneration and rewards, reorganisation, union negotiations and employee relations. The project was initiated in the previous financial year and is currently still on-going. BIPA is delighted to report that the project is progressing smoothly, considering capacity constraints and frequent stakeholders consultations. The main purpose of this project is to modify existing policies, standards and procedures that will support the change that is constantly taking place in the Human Capital Management environment. A total of eleven (11) HR related policies are currently being reviewed.

#	Existing Policy Name	Workshop recommendations	Proposed Policy (Name)
1.	Conditions for Employment and Benefits Policy	Leave aspects incorporated into the Conditions of Employment Policy.	Conditions of Employment Policy
2.	Leave Policy		
3.	Remuneration Policy	Rewards aspects incorporated into the Remuneration Policy	Remuneration and Reward Policy
4.	Performance Management Policy	Recognitions aspects incorporated into the Performance Management Policy.	Performance and Recognition Policy
5.	Recognition and Rewards Policy		
6.	Recruitment and Selection Policy	Retention aspects incorporated into the Recruitment and Selection Policy.	Recruitment and Retention Policy
7.	Attraction and Retention Policy		
8.	BIPA Ethics Code	Disciplinary aspects incorporated into the BIPA Ethics Code.	Business Ethics Policy
9.	Disciplinary Code and Procedures		
10.	Training & Development Policy	Rename the policy.	Human Capital Development Policy
11.	Job Evaluation Policy and Procedures	Rename the policy.	Job Evaluation and Grading Policy

12.5.17. Employee Engagement

The Authority, through its HCM department, is committed to ensure that its employees are engaged and empowered, motivated, perform consistently and are aligned with the goals and objectives of the organisation.

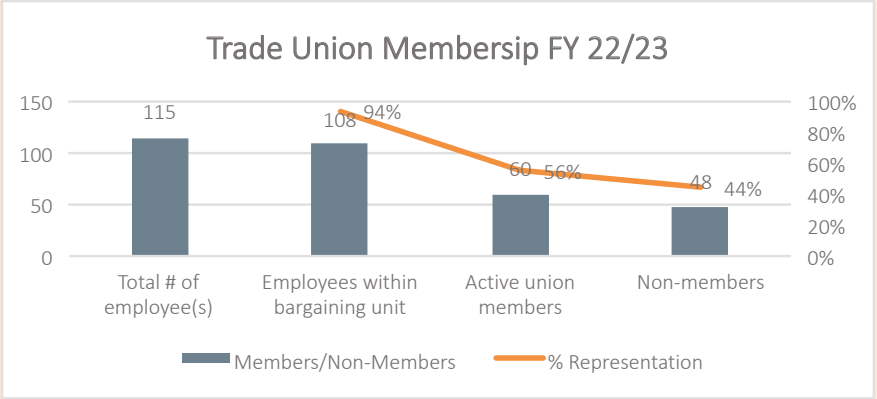
HCM strives to create platforms that will enhance employee engagement through a series of activities ranging from wellness initiatives, soft rewards and appreciation days. For the period under review, this included a Team Building, the BIPA Year-end Function, Mother's Day celebration, Valentine's Day celebration, Father's Day celebrations, Independence Day celebrations, all with the aim to improve team synergy and to create sense of belonging and team cohesion.

HCM activities for the FY 22/23

12.5.18. Trade Union Membership

Trade union representation plays a vital role in protecting the rights and interests of workers within an organisation. Advocating for trade union representation can have several benefits for employees and the overall work environment. For the period under review, BIPA reported just over one hundred and eight (108) employees fall within the bargaining unit. However, only sixty (60) employees have an active union membership from the Namibia Public Workers Union (NAPWU).

This translates into a 56% union membership status as shown below:



Trade Union Membership for the FY 22/23

12.5.19. Occupational Health and Safety

For the period under review, the Wellness and Employee Relations division have endeavored to place employee safety high on the priority list and have fire extinguishers and the emergency horns in the event of a fire installed for the Walvis Bay office. Further to this, two (2) First Aid Kits were mounted at the Walvis Bay office in addition to Emergency Numbers being made visible on notice Boards.

12.6 MARKETING, CORPORATE COMMUNICATIONS AND CLIENT SERVICES MANAGEMENT

Client Management Services

12.6.1 Division: Marketing and Corporate Communications

12.6.1.1 Overview

The Marketing function of BIPA is headed by the Executive: Marketing, Corporate Communications and Client Services Management, who is ultimately responsible for improving and maintaining the brand reputation and communications functions of the organisation; as well as ensuring effective stakeholder management, engagement and customer satisfaction as part of the BIPA Integrated Strategic Business Plan 2021/22-2025/26. The department is furthermore tasked with the ethical reputation management of the authority and the education of the public on its mandate and services.

Marketing and Corporate Communications (MCC) has, over the reporting period, adopted a proactive approach to ensure that BIPA's reputation and credibility remains intact and that confidence amongst its various stakeholder groups are enhanced and maintained. The approach has generally been, the use of public relation strategies as opposed to marketing/advertising tactics. The further adoption of a transitional approach from reactive to proactive communications to better position a brand is something that BIPA is working to adopt for the new financial year FY23/24. This can be seen through the deliberate efforts that BIPA has made to improve stakeholder relations.

12.6.1.2 Strategic orientation

Although the Marketing department supports the strategic plan in varying roles to achieve the Authority's objectives and initiatives, the division is notably concerned with the promotion of stakeholder confidence and the development and implementation of brand management plan, a key pillar of BIPA's 5-year strategic plan.

This is accomplished through a focus on improving customer satisfaction and building trusted stakeholder relationships.

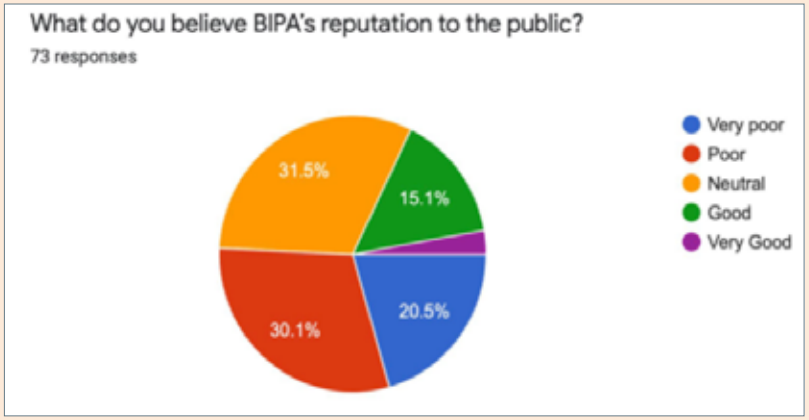
12.6.1.3 Brand Audit and Implementation of the new Brand Strategy

A key performance indicator within the BIPA strategic plan is the development of a brand strategy that would guide and support the Authority's brand building initiatives. The development of the strategy was dependent on the conducting of a brand audit to first determine the Authority's current brand position and understand the perceptions held by its stakeholders. The bid was awarded to Cornerstone Consultants, who conducted a brand audit and has during the reporting period held various workshops and surveys with internal and external stakeholders to put together a brand strategy as well as a new Corporate Identity Brand Guide that will guide the brand's new strategy and how it is applied to all marketing and communications material.

The BIPA Marketing team has starting working towards the implementation of the new brand strategy in a phased approach, which will start by sensitising the internal stakeholders (BIPA employees) to the new strategy during Q1 FY 23/24 and ensuring that it is fully adopted before proceeding to implement to external stakeholders. All Marketing and Communication efforts and materials will start to transition to adopt the new brand strategy in a phased approach.

12.6.1.3.1 Brand Audit Findings

While the Marketing and Communications department strive to report on BIPA as a reputable organisation, there have been instances where the media has influenced public perception through misleading headlines that in turn leads to a negative sentiment from the public. The audit findings showed that BIPA's stakeholder expectations are split and requires rigorous strategy implementation to reposition the brand and enhance trust and confidence by stakeholders in the BIPA brand.



Public perception of BIPA reputation

Marketing and Corporate Communications Team

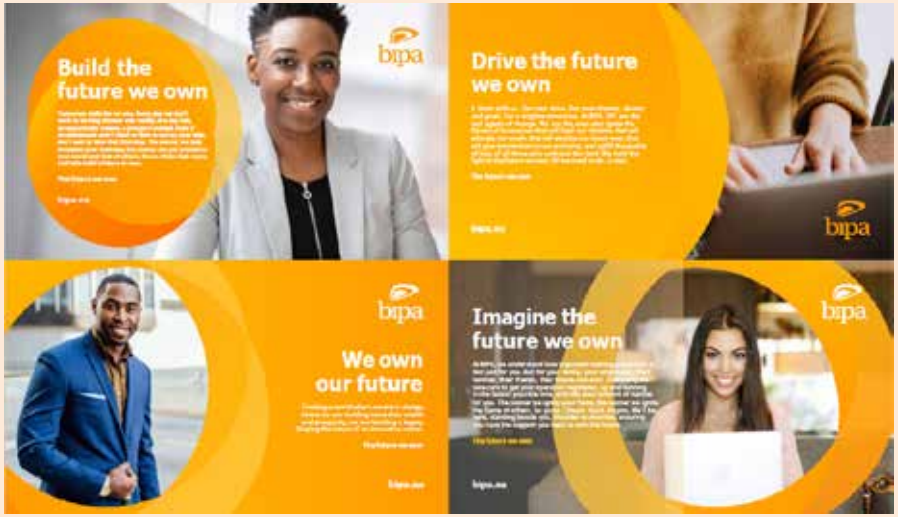
12.6.1.3.2 Brand Strategy & Positioning

The key objective of BIPA's brand strategy is to aid the organisation in building a strong and trusted brand that will resonate with all stakeholders, contributing towards BIPA's business strategy on 3 core levels: growing the value of our assets, building stakeholder confidence and driving operational excellence.

The new strategy and brand positioning are aligned with the vision of BIPA to be the catalyst of economic growth for a transformed business landscape and innovative nation. The positioning for BIPA is Shared Ownership, which is about shared responsibility, shared values and a shared vision for the future.

12.6.1.3.3 Brand Guide (Corporate Identity Guidelines)

Further to the establishment of the new brand positioning, the visual identity of the brand also underwent a change to speak to the new vision of BIPA. The new visual identity is symbolic of the ripple effect, which is representative of the vision of BIPA as the catalyst for economic growth. The overlapping circles are symbolic of commonality and strength in coming together and also once again, echoes Shared Ownership as a collective responsibility.



BIPA new brand guidelines

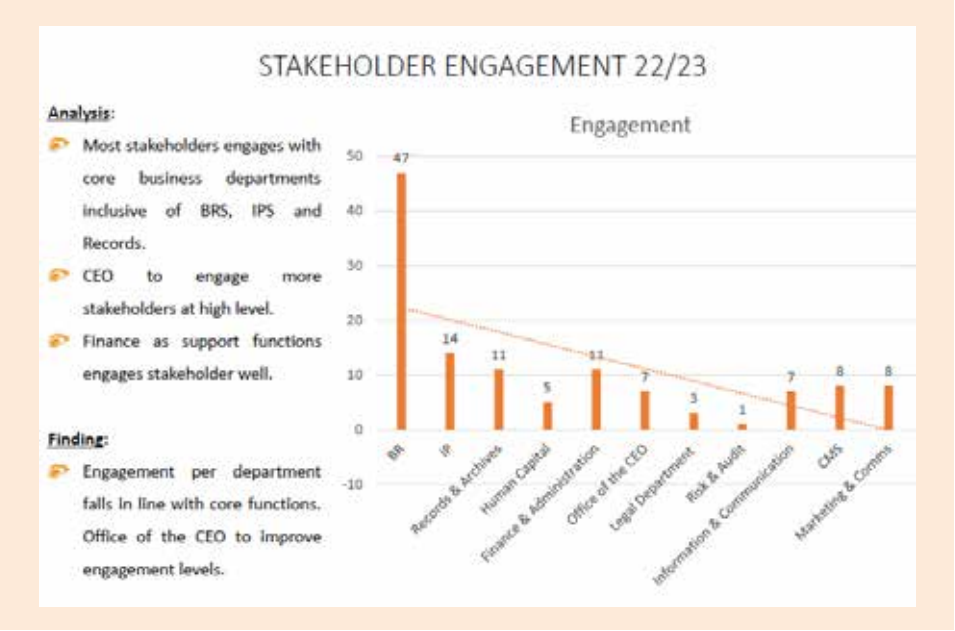
12.6.1.4. Gearing Towards Better Engagement with Stakeholders

For the year under review, the Marketing and Corporate Communication department managed to successfully engage key stakeholder groups.

Improving stakeholder engagement is essential for building positive relationships, enhancing transparency, and achieving organisational goals, which is something the MCC strives to accomplish and improve on with every financial year.

12.6.1.4. 1 Number of Stakeholders engaged for the FY 22/23

Engagements were targeted at various industry players, key strategic partners, employees as well as BIPA clients.

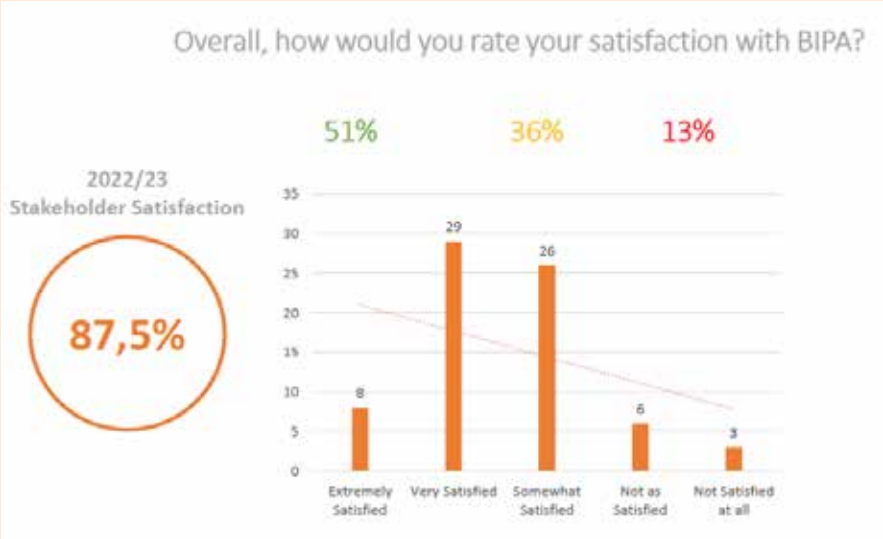


Stakeholder Engagement per department for FY 22/23

The BIPA CEO further ensured regular communication and meetings with the BIPA Board of Directors, the World Intellectual Property Organisation, ARIPO and other intellectual property offices around the globe which led to the formation of strategic partnerships.

For the reporting period 2022/23, the department has engaged in numerous face-to-face stakeholder engagements including business registration and intellectual property information sessions, consultations with relevant stakeholders and educational awareness.

The impact of the engagement sessions has led to an increase in stakeholder satisfaction to 87,5%, as can be seen from the results of the Stakeholder Survey conducted in March 2023.



Satisfaction Survey Results for FY 22/23

12.6.1.5. Stakeholder Engagement for the FY22/23

During the period under review, the Authority undertook stakeholder engagements that were in line with improving stakeholder relations as well increasing the potential for innovation by tapping into the wider resource of broad stakeholders. Below are the engagements that took place in this reporting period ending 31 March 2023.

i. BIPA and Chinese Business Community foster partnership

As part of its strategic objective of improve stakeholder relationships, BIPA continued to demonstrate its commitment to national and economic development through hosting its first ever stakeholder engagement session with the Chinese business community at the Chinese embassy of the people Republic of China on 28 march 2022.

The session served to promote Intellectual Property Protection and offering educational presentations on the Business Registration sphere.

The session was officiated by The Deputy Minister of Trade and Industrialisation Hon. Verna Sinimbo, MP and the Ambassador of The People Republic of China, H.E Zhao Weiping.

ii. World IP Day – Otjiwarongo

Every April each year, the world celebrates World intellectual property (IP) day, the celebration is aimed to increase public understanding and awareness of intellectual property.

With this year theme being Women in IP, the World Intellectual Property organisation in collaboration with BIPA coordinated and facilitated a two-day IP training for female entrepreneurs to celebrate innovation and creative women in the paternity of IP. Further, the project was served as a platform to ensure that women are recognised as the creators of specific innovations literary and artistic works, design and software.

The World IP day was celebrated in Otjiwarongo, 26 April 2023.

iii. Development Bank of Namibia / BIPA presentation

0n 21 September 2022 BIPA conducted an information sharing session at Development of Namibia. The aim of the of the sessions was to address entrepreneurship training on business registration and protecting of Intellectual property rights. Development Bank of Namibia is a state-owned enterprise with the objective to provides support to its target beneficiaries through loans, equity partnerships, financial advisory services and export / import finance.

iv. Get Set - MTC We Race

On 21 May 2022, the Mobile Telecommunication (MTC) held an exceptional 4x100 metre race "MTC WE RACE TOGETHER" at independence stadium, Windhoek.

The initiative was aimed at tackling various social issues such as Gender Based Violence (GVB) and eradicating homelessness through the building houses project the shack dwellers federations. Representing BIPA at the event was Ndeshipanda Thomas, who flew the BIPA flag high and answered to the call of unity.

v. BIPA engaged secretarial companies at a stakeholder engagement

On 02 August 2022, BIPA hosted a stakeholder engagement with secretarial companies at the village Garden, Windhoek. The objective of the session was to discuss major issue pertaining to business registrations and to update stakeholders on the new projects that BIPA is embarking on.

BIPA CEO, Vivienne Katjiuongua led the discussion and BIPA staff members answered to some of the stakeholder's questions.

vi. **Corporate Law Reform International Roundtable**

BIPA together with the Ministry of Trade and Industrialisation during the period of 06 – 12 February 2023 hosted a roundtable on the review of the Namibia Corporate law reform at Avani Hotel, Windhoek.

The aim of the review is to immerge two acts and draft a single corporate business law that would regulate all forms of Business entities, including aspects of business rescue and corporate governance.

BIPA Chief Executive, Vivienne Katjioungua said that the Authority initiated the legislative reform process in 2019, which include the review of the companies Act of 2004 and the Close Corporations Act of 1988 in conjunction with other acts.

The reason for the reform of the law is because the current laws regulating the registration of the business entities and their conduct in Namibia is deemed outdated and non-responsive to the current needs of the economy.

12.6.1.6 Stakeholder Engagement Plan Performance

Strategic Objective: F1 - Grow Revenue by 10% annually

Key Activity	Target/ Measurement	Focus Area	Activity	Progress				Impact	Challenges
				Q1	Q2	Q3	Q4		
Develop & implement a marketing plan 22/23	5% increase in new applications	Stakeholder Engagement	Engage in 3 strategic collaborations with key players	20%	40%	100%	100%	Over 20 stakeholder engagements attended	Resources constraint
		Advertising & Marketing	Develop and launch 3 awareness campaigns	33.3%	33.3%	33.3%	100%	The Trademark Campaign resulted in 1478 new trademark applications in Q1. Further improved understanding on Trademark registration and protection. Additional campaign includes Fraud, Annual Duty and New CC Registration	Lack of funds is limiting the reach and impact of the campaigns.

Strategic Objective: S1 - Improved Customer Satisfaction

Key Activity:	Target/ Measurement:	Focus Area	Activity	Progress				Impact	Challenges
				Q1	Q2	Q3	Q4		
Conduct Customer Satisfaction Survey	70% Customer Satisfaction	Stakeholder Engagement	Information sharing about BR and IP related issues	-	70%	100%	100%	Over 20 stakeholder engagements were attended during Q2 – Q3 for business registration and IP awareness.	
			Develop 20 adverts for the BIPA phone and 5 for the QMS systems.	-	50%	50%	75%	Reinforcing the messaging of BIPA services through telephonic systems (PABX and Call Centre) And through the QMS screen for service-awaiting clients.	QMS adverts completed
			Conduct 4 customer satisfaction surveys.	-	25%	50%	75%	To gauge customer satisfaction for improved strategies on process efficiencies and client experience.	Only 3 surveys conducted instead of 4 planned surveys due to capacity constraints.

Strategic Objective: S2 - Improved Stakeholder Relationships

Key Activity:	Target/ Measurement	Focus Area	Activity	Progress				Impact	Challenges
Implement Stakeholder Engagement Plan.	100% of stakeholder plan implemented	PR & Media	Share information about BR and IP related issues	Q1	Q2	Q3	Q4	Improved understanding by the media and its audiences about BIPA mandate and its activities.	
				20%	30%	30%	50%		
			Utilise commemorations of international days to raise awareness of the activities of BIPA	30%	30%	30%	30%	Creating relevance for BIPA at different touchpoints to further establish top of mind brand awareness.	Lack of capacity in Division for on-time execution.
Conduct Stakeholder Satisfaction Survey	70% Stakeholder Satisfaction	Stakeholder Engagement.	Participate in one trade fair/expo for IP/BR.	100%	100%	100%	100%	Creating relevance for BIPA at different touchpoints to further establish top of mind brand awareness. Improve access to BIPA staff and services outside normal trading venues.	Funds not available to participate in Ongwediva Trade Fair, albeit attendance to smaller fairs and exhibitions.

Strategic Objective: I2 - Enhance Corporate Governance and Risk Management

Key Activity:	Target/ Measurement:	Focus Area	Activity	Progress				Impact	Challenges
Ensure compliance to CRMPs (Annual Reports)	100%	Stakeholder Engagement	Print and distribute the AR 20/21	Q1	Q2	Q3	Q4	AR submitted ensuring compliance to legislative provisions and improved corporate governance through publishing.	
				-	-	100%	100%		
			Develop, print & distribute the AR 21/22	10%	50%	70%	80%	AR submitted ensuring compliance to legislative provisions and improved corporate governance through publishing.	Timely completion of Audited Financial Statements hampers compliance.

Strategic Objective: O1 - Employee Engagement

Key Activity:	Target/ Measurement:	Focus Area	Activity	Progress				Impact	Challenges
				Q1	Q2	Q3	Q4		
Implement the employee engagement plan.	70% satisfaction amongst employees.	Stakeholder Engagement	Distribute internal communication to staff about issues affecting them	100%	100%	100%	100%	Distributed 48 internal communication to staff members. Enhanced relationships and improved staff morale, trust in management through timeous and transparent internal communication.	
			Implementing the internal culture change initiative	-	100%	100%	100%	Launched BIPART of a Collaboration Internal Culture Change Campaign to encourage collaboration among staff. This will remain a continuous exercise to improve employee satisfaction.	
Total cumulative percentage (%) implementation per quarter				26.1%	52.4%	69.4%	84.2%		

12.6.1.7 Consumer Awareness Campaigns

12.6.1.7.1 Fraud Hotline Awareness Campaign - Be #ScamWise.

In order to enhance public confidence and trust in the BIPA brand, its critical to give assurance to clients and stakeholders of BIPA's ability to effectively manage public funds and its further ability to protect the best interest of its stakeholders.

Through the quarterly audit and risk tracker, it has come to the MCC's attention that cases of fraud, forgery and uttering are on the rise and as such required a targeted communication intervention.

Fraud Awareness campaign – Q3 (2022/23)

The BIPA Marketing team, in conjunction with the Risk & Audit department developed an awareness campaign, which was launched internally in December 2022, to promote Fraud Awareness to business and potential business owners about the risks of scams and fraudulent activities as it relates to business registration.

The campaign further aims to highlight BIPA's Fraud Hotline.

The channels used to run the Fraud Hotline campaign consisted of social media posts that were boosted for additional reach, newspaper strip adverts as well as A4 adverts to highlight the significance of the campaign messaging as well as email signature for all employees and internal communication methods. The campaign was also sent through BIPA's Mail Chimp email aggregator and radio live reads were also utilised for further reach of the message.

12.6.1.7.1.2 Campaign objectives:

- Create awareness and promote fraud awareness to potential business owners and current business owners on the dangers and risks of scams in relation to business registration and fraudulent amendments.
- To further promote the BIPA toll-free Fraud Hotline and tip-off email address where the public can anonymously report suspicious activity.

12.6.1.7.3. Annual Duty Reminder Campaign – It's Time!

Following the success of its first Annual Duty campaign that was rolled out in August 2021 – December 2021, the BIPA Marketing team have noted that awareness to business owners on their statutory obligations should be reinforced on an annual basis.

From the findings, it was noted that February and March are the year-ends of many CC's and therefore the team will leverage on the opportunity for business owners to pay their annual duties for 2023.

The channels utilised for the campaign was used intentionally to reach a wide audience of current and potential business owners and consisted of:

- Newspaper adverts
- Internal Communications
- Radio Live reads
- Digital BillBoards
- Internal Communications
- Mail Chimp (Digital email marketing)

12.6.1.7.3.1 Campaign Objectives

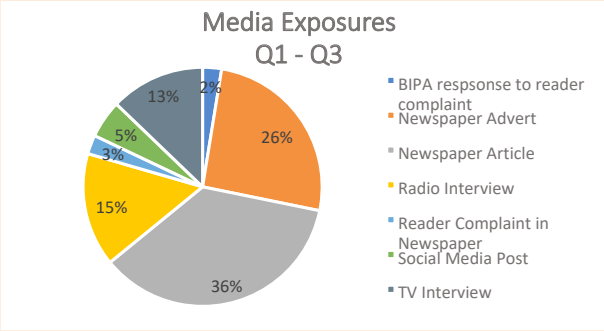
- The campaign with its tagline, "It's Time!", will aim to act as reminders to business owners and also aim to drive additional revenue for the Authority during the off-peak months is set to roll-out Q4.
- The campaign also largely focuses on compliance of post registration obligations

Annual Duty Reminder Campaign artwork

12.6.1.8 Media Relations and Reputation Management

12.6.1.8.1 Media Exposures

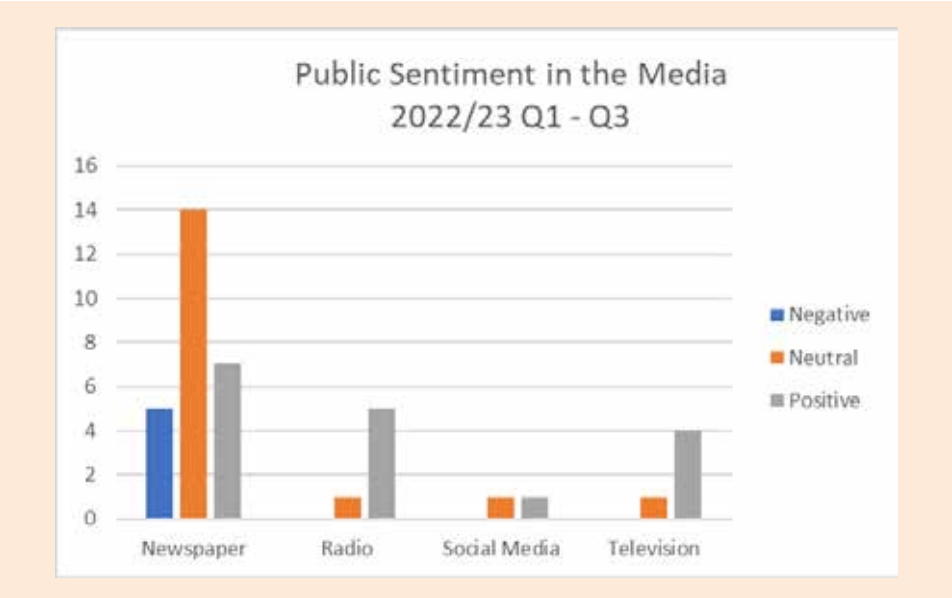
The majority of the exposure for the period was reported through print media with 52 newspaper articles and adverts published, specifically through newsprint, while 19 radio interviews were reported and 8 television interviews.



Media exposure by medium: Q1-Q3 (2022/23)

12.6.1.8.2 Sentiments in the media

During the period under review, the overall sentiment in the media can be described as positive to neutral, however the last quarter saw a decline to negative with articles published that affected the Authority's reputation and credibility. The Marketing and Communications team have strived to keep the lines of communication open with both internal and external stakeholders, through means of regular communication updates regarding matters that make the rounds in the mainstream media, as well as the Authority's position on said matters.



Public Sentiments (tone) in mainstream media: Q1-Q3 (2022/23)

12.6.1.9 Internal Communication

Proactive internal communication techniques are used to strengthen and bolster any negative perception that may have been created through external forces such as stakeholders, the media or the general public. Considering that BIPA's brand strength finds its epicentre from its core internal stakeholders (staff), it is imperative to be consistent with driving internal communication strategies that would concretise BIPA's brand position internally.

BIPA's Communications team have ensured that during instances of reputational instability, internal communications were heightened with open and transparent communication at the core.

Improvements toward the public sentiment will receive high priority for Q4 and FY 23/24 as the Marketing and Communications department will implore efforts to increase media relations through means of thought leadership and regular media engagement through interviews and monthly media releases.

We anticipate that the law review, new business registration system, data completeness and waiver project will earn BIPA positive exposure during Q4 and beyond.

Further efforts to improve our client satisfaction are underway, notably with the roll-out of the WhatsApp Chatbot that will allow clients real-time feedback on client queries.

12.6.2 Division: Client Management Services

12.6.2.1 CMS Departmental/Divisional Overview

In the 5-year BIPA Strategic Business Plan, the Registrar has identified the improvement of its stakeholders' confidence as a strategic theme. The Client Management Service (CMS) division resorts under the Marketing, Corporate Communications and Client Management Services Department. The division plays a critical role of engaging with clients across various channels and ensure that service excellence is retained across the various client engagement touchpoints. At its core, the division services all BIPA clients and operates as the key contact point in person, via the contact centre and via email.

The department attends to client enquiries and submissions from 08h30 to16h30 from Monday to Friday.

12.6.2.2 Application Referencing, Approvals and Rejections

All applications and amendments lodged to the Registrar, be it in person or by courier, are captured and processed on the Integrated Companies Registration System (ICRS). All applications that are received via the Client Management Services desk receives a reference number, a number that is used to process the submission on the ICRS.

12.6.2.2.1 Name Reservations

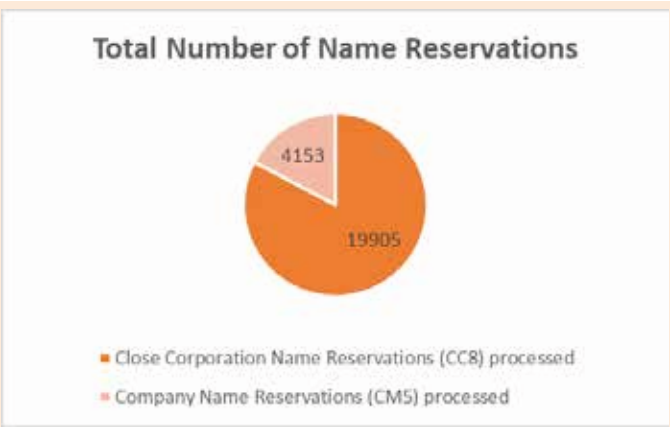
Section 48 of the Companies Act (2004), along with section 12(1) and 19(2) of the Close Corporations Act (1988), state that a name reservation is the initial step of the business registration process. Neither of the Acts describe the administration of the reservation of business names, nor do they set the criteria for the approval of said names. The Acts solely refer to the undesirability of a business name, and even then, the qualification of the term "undesirability" is not provided in either piece legislation.

In the year 2022/23, the CMS team, along with the BR, Legal, Compliance departments, endeavoured to review the name reservation guidelines. An internal document used to best critique the Name Reservation applications received. This is to ensure that the Registrar still applies best practices and keeps abreast with contemporary business name trends.

Client Management Services Team

Name Reservation Applications process from 01 April 2022 to 31 March 2023.

- Number of Close Corporation Name Reservations (CC8) processed for the FY 2022/23: 19905
- Number of Company Name Reservations (CM5) processed for the FY 2022/23: 4153
- Total Number of Name Reservations processed for 2022/23 (CC8 & CM5): 24058



Total Number of Name Reservations processed for FY22/23

12.6.2.2.2 Defensive Names

Section 49(2) of the Companies Act (2004) states that any person may apply to the Registrar for a defensive name. A Defensive Name is used to reserve a business name from being used by other entities for a period of 24 months and is thus a non-trading entity. And though valid for a period of two years, defensive name holders may renew an expired defensive for an additional two years only.

The following statistics were therefore recorded for defensive names for the FY 2022/23:

a. New Defensive Name Applications Received (CM8): 34

b. Defensive Name Renewal Applications (CM8A): 2

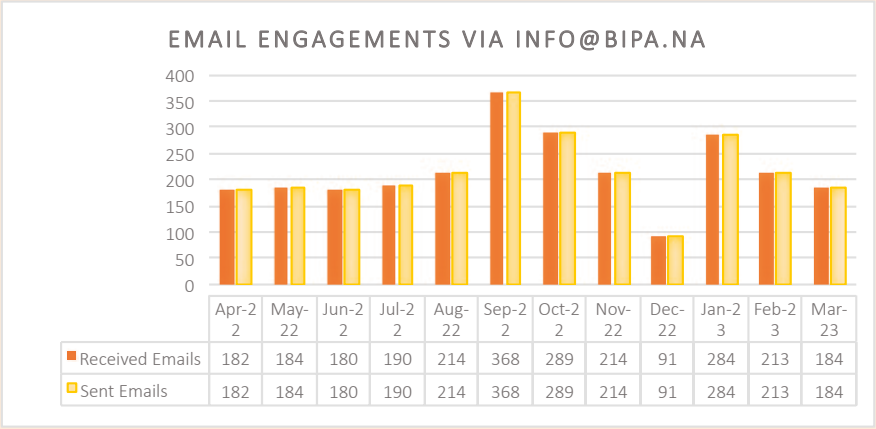
c. Total Number of Defensive Name Reservations processed for 2022/23 (CC8 & CM5): 36

Total Number of Defensive Name Applications for FY22/23

12.6.2.3 Client Service Engagement Channels

12.6.2.3.1 Client Service Public Email

The introduction of the info@bipa.na email has allowed for the requesting of much needed information, which was previously limited to in-person engagements at the physical offices in Windhoek and Walvis Bay. However, the introduction of the info@bipa.na email has ensured that clients have 24-hour access to the Registrar and has made it possible for clients to receive much needed feedback within the same day. An audit done on the BIPA public emails has found that the info@bipa.na email is the only public email that has a consistent 0 day waiting period for clients. The team successfully received and responded to 2593 emails for the period under review.



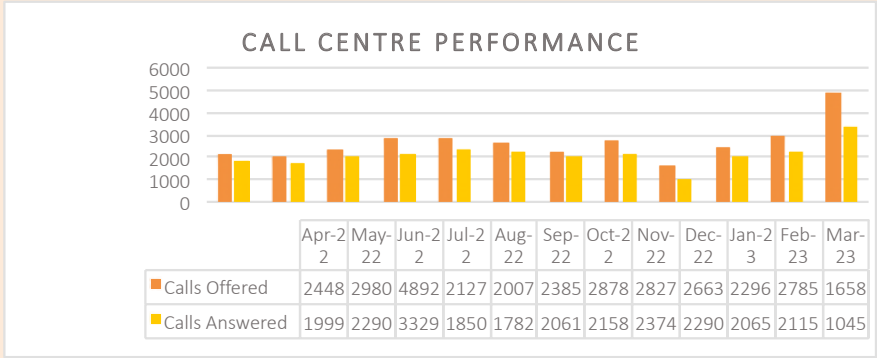
	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Received Emails	182	184	180	190	214	368	289	214	91	284	213	184
Sent Emails	182	184	180	190	214	368	289	214	91	284	213	184

Email engagements via info@bipa.na for FY 22/23

12.6.2.3.2 Client Service Call Centre

In its efforts to improve its stakeholder relationships and client access to the Registrar, the BIPA Call Centre was established. The Call Centre serves as an additional touchpoint for BIPA clients to engage the Registrar with. Especially clients who are not based in Windhoek, as they can then receive first-hand information or feedback about their applications or lodgements. Over the 12-month period we have observed a steady in increase in the number of calls received. For the 2022/23 financial year, the call centre has received 31 946 incoming calls and has been able to answer 25 358, kindly see the graph below for a monthly breakdown of the calls offered and answered. This amounts to 79.4% total incoming calls that were answered.

The graph also indicates the peak and non-peak seasons experienced at BIPA. Where from a call centre perspective, the peak period observed are June to September and then January to March.

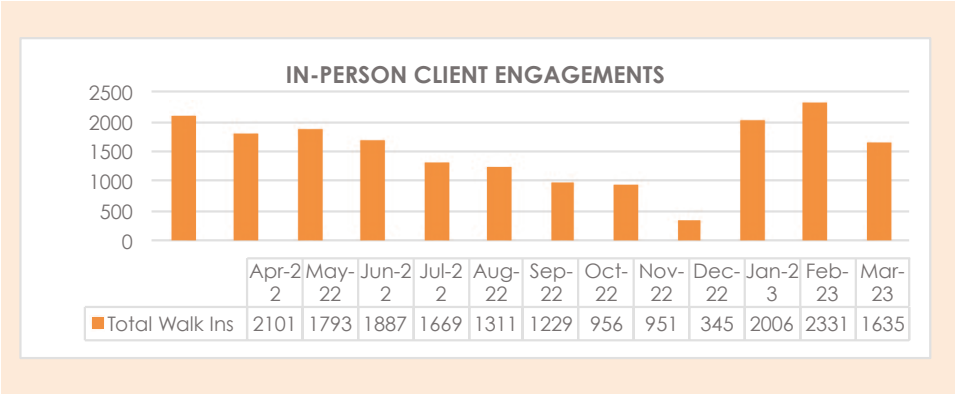


	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Calls Offered	2448	2980	4892	2127	2007	2385	2878	2827	2663	2296	2785	1658
Calls Answered	1999	2290	3329	1850	1782	2061	2158	2374	2290	2065	2115	1045

Call Centre Performance for FY 22/23

12.6.2.3.3 In-Person Client Engagement

As a traditional means of client engagement, face-to-face engagements has been the primary means through which clients submit their submissions to BIPA. The below graph also illustrates that January to April is the BIPA peak period. This period is characterised by the high number of annual duty and annual return payments and lodgements.

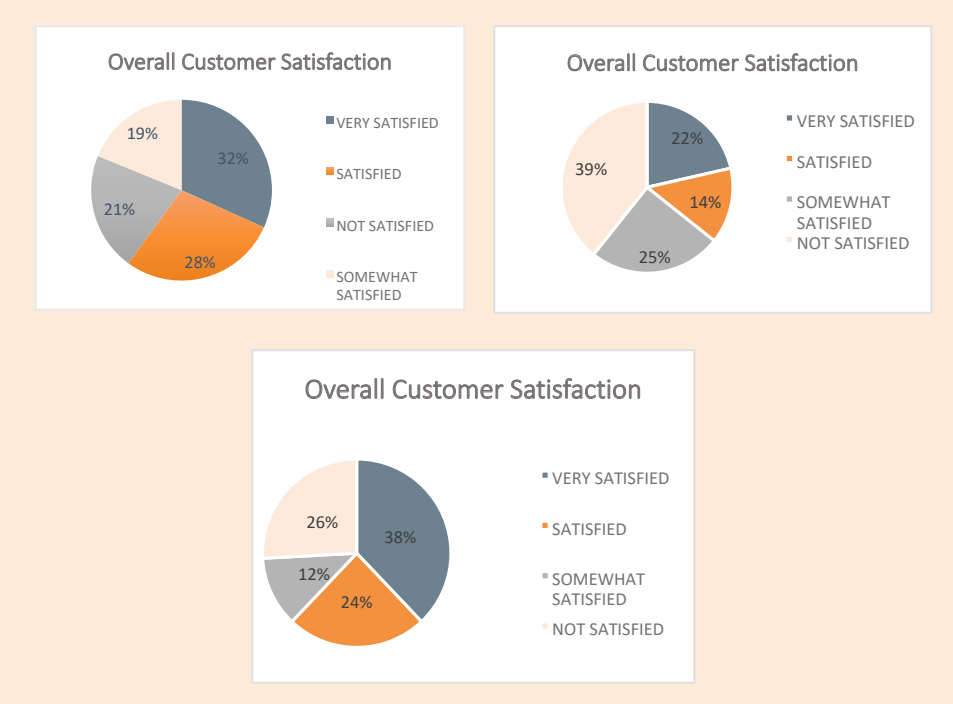


	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Total Walk Ins	2101	1793	1887	1669	1311	1229	956	951	345	2006	2331	1635

In-person client engagement for FY 22/23

12.6.2.4 Customer Satisfaction Measures

For the achievement of an improved customer satisfaction rating, BIPA, via its Marketing and Communications department conducts Customer Satisfaction Surveys to better understand the needs of its clients. For the financial year under review, the department executed 3 customer satisfaction surveys. The graphs below thus indicate the display of the satisfaction surveys and the fluctuations across the various business periods.



FY 2022/23 (Overall Customer Satisfaction from Q2 – Q4)

The initial survey conducted in July/August 2022 garnered an overall satisfaction score of 70%. The second survey conducted during the December/January period garnered a score of 48%. The final survey conducted during the March/April period garnered a score of 68%.

These three (3) measures thus provided an overall average of 62%. The pain points identified were the long waiting periods, an online service, and the need for additional staff. The wins listed were staff friendliness and staff helpfulness.

12.6.2.5 Client Service Plan Performance & Impact

The Client Service Plan was introduced as a tool to ensure that activities focused on improving our customer satisfaction are implemented.

As the custodian of customer service and all client interaction, the CMS department successfully achieved an implementation rate of 88% for the financial year under review.

The Client Service Plan ensured the implementation execution of initiatives that sought to strengthen the relationship between BIPA and its clients. These initiatives included but were not limited to activities such as Stakeholder Engagements (both in-person and virtual), the introduction of quality assurance measures (i.e., Client Submission checklists) and the development of a Client Service Multi-Channel Strategy. These initiatives thus ensured that the Overall Strategic Stakeholder Confidence Pillar is achieved as far as possible.

12.7. FINANCE AND ADMINISTRATION

Finance and Administration Team

12.7.1 Departmental Overview

The finance and administration function encompasses financial accounting, cost and management accounting, procurement, facilities, and logistics. This team plays a pivotal role in providing essential financial management control, acting as an operational support conduit and ensuring the ongoing operational sustainability of BIPA.

The department strategically plans and manages the organization's financial resources, assets, and procurement activities. Adhering to best practices, the department strives to maintain BIPA's liquidity and solvency, optimizing operations and procurements.

Despite not being fully capacitated to the ideal scenario, the department consistently performs above standard.

Monitoring revenue, managing cash flows, controlling expenditures, implementing the procurement plan, collecting annual duties, and fostering a cohesive team of professionals have contributed to BIPA's growth and the achievement of positive EBITDA on an annual basis.

The Finance and Administration department has adopted a self-reliance funding strategy, ensuring that BIPA is not dependent on government funding. The Authority generates its own funds, deploying them to fulfill its mandate effectively.

12.7.2 Financial performance for the FY 2022/23

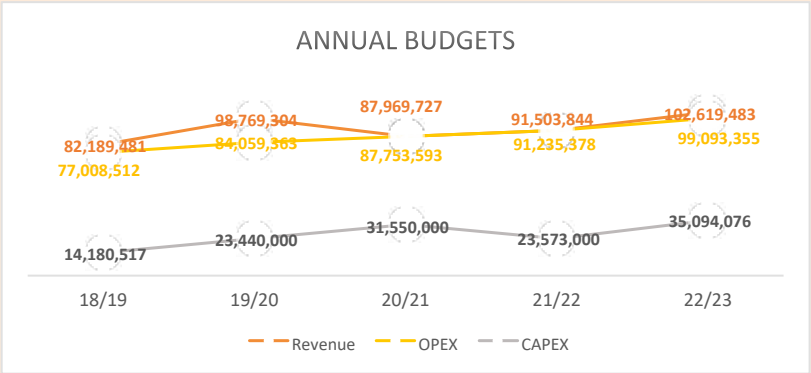
BIPA's financial performance maintains a positive upward trend, showcasing another year of above-average results in FY2022/23, consistent with previous financial periods. Notable aspects of this performance include substantial growth in actual revenue, diminished reliance on government funding, a positive EBITDA, a robust liquidity position, and sustained solvency.

The annual revenue growth for BIPA averages an impressive 15%, a commendable feat for the Authority. Management has successfully achieved an 18% return on investments, marking a notable accomplishment.

Despite the challenges posed by the recent recession and the prolonged impact of COVID–19, BIPA's annual budget continues to expand, demonstrating resilience and adaptability in the face of external adversities.

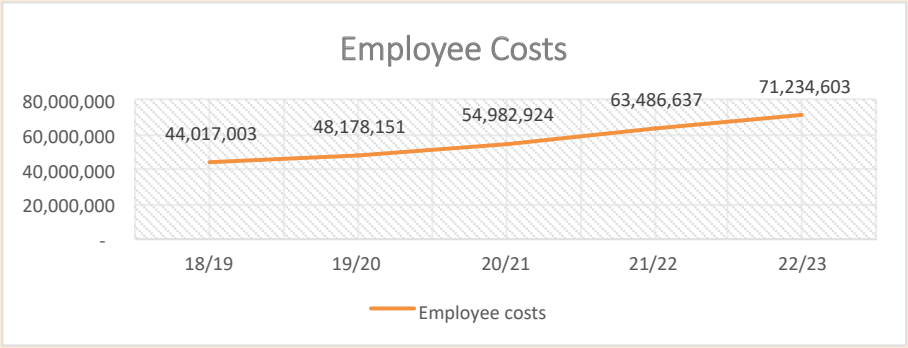
Annual budget per year (Capex vs Opex)

The annual budget for the past 5 years has gradually been increasing and this has made it possible for BIPA to expand its operations and appropriate the necessary funding to strategic and revenue making projects.

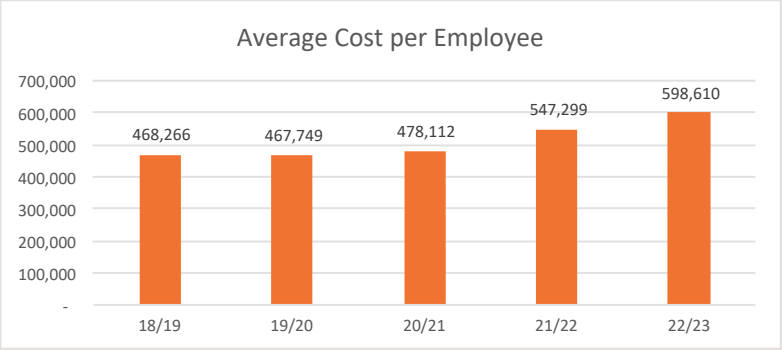


a. Employee costs per year

BIPA's human capital investment has grown steadily over the past three years, reflecting strategic recruitment aligned with our organizational goals. Employee-related costs have naturally increased alongside this expansion. However, BIPA is committed to responsible staffing practices and continuously monitors staff growth to ensure optimal resource allocation, avoiding overstaffing scenarios.

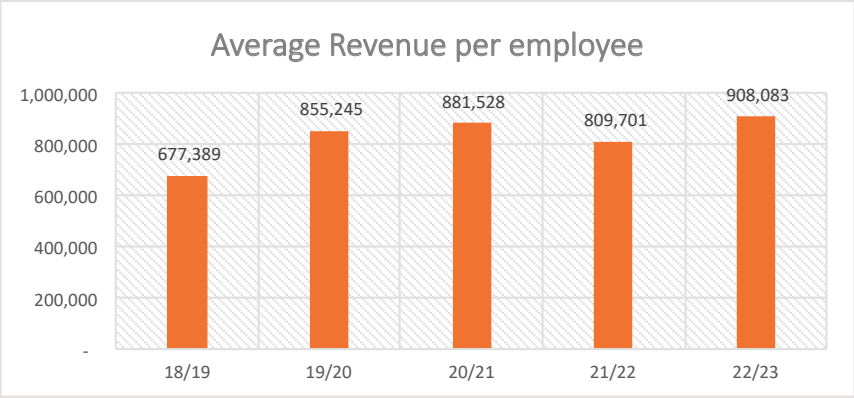


The below graph shows the average employee cost per employee.



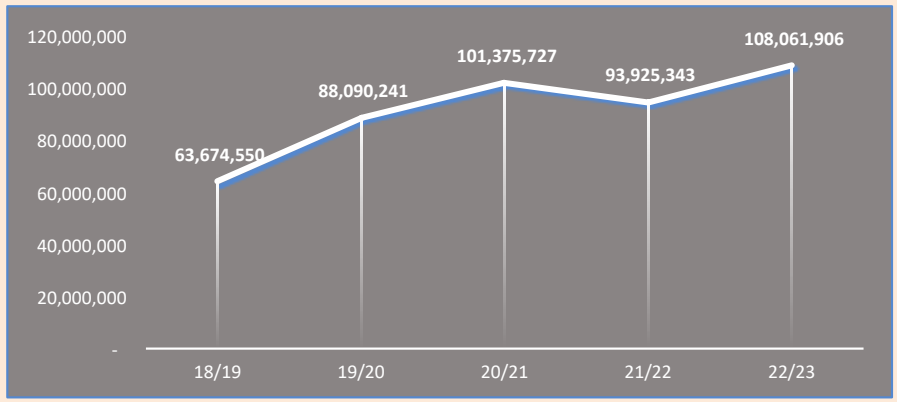
b. Revenue per year

Notably, the staff-to-revenue ratio (or the number of employees per unit of revenue generated) on average showed improvement. This indicates positive strides in resource management, suggesting that BIPA is achieving more with the talent it has on board.



With improved revenue figure on an annual basis, the data below indicates an increase in revenue over the years, with an exception to the 2021/22 financial year. BIPA remains agile in its revenue collection to ensure core revenue areas are strengthened and grown for BIPA to not only remain a going concern, but equally enhance its investments for future projects.

Revenue Table.



i. Revenue streams.

BIPA derives its revenue through diverse efforts across various departments, with a comprehensive reporting system established to monitor and account for these income streams. This approach ensures transparency and clarity in understanding the financial contributions from each department. The primary driver of BIPA's financial success is the collection of annual duties, serving as the authority's main source of revenue. This revenue stream plays a pivotal role in sustaining BIPA's financial health and supporting its operational endeavors.

Apart from annual duties, BIPA strategically cultivates additional revenue streams through the concerted efforts of its various departments such as business registration, business amendments and intellectual property registration. These diversified sources contribute to the overall financial resilience of BIPA.

The table below provides the details.

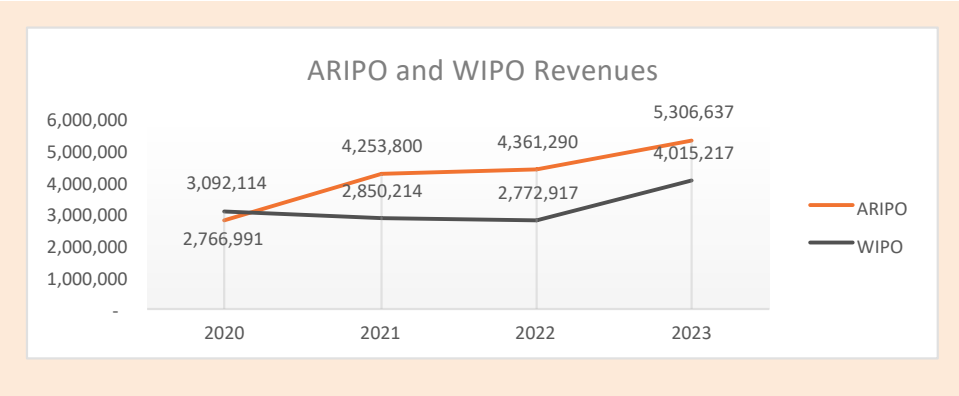
Financial Year	19/20	20/21	21/22	22/23
Annual Duties	46,152,840	64,018,118	75,640,029	83,026,585
Registration of Businesses	4,839,232	4,865,802	4,119,769	4,069,310
Intellectual Property - Local	4,370,079	3,268,409	4,729,740	3,198,659
Amendments	840,976	502,728	1,008,098	1,252,385
Others	4,528,509	2,455,125	2,754,831	6,518,113
Intellectual Property - Foreign	2,399,288	7,104,014	7,134,207	9,321,854
GRN Grants	21,500,000	17,700,000	-	675,000

ii. Revenue from ARIPO/WIPO

BIPA's revenue streams, particularly those stemming from its memberships with the African Regional Intellectual Property Organisation (ARIPO) and the World Intellectual Property Organisation (WIPO), have demonstrated notable growth, primarily attributed to the escalating number of intellectual property (IP) designations to Namibia. The ARIPO revenue stream exhibited resilience, maintaining a commendable performance even during the challenging post-COVID 19 period. Despite the global disruptions, the ARIPO-related revenue streams continued to contribute significantly to BIPA's financial well-being.

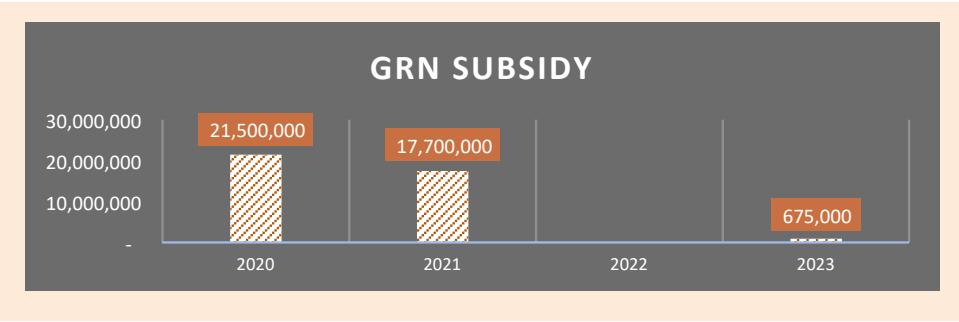
Conversely, the WIPO revenue stream encountered a temporary stagnation in growth in 2022. However, a noteworthy turnaround ensued, marked by a remarkable 45% increase in subsequent period.

The strategic engagement with international IP organizations proves pivotal in augmenting BIPA's revenue diversity and fortifying its financial resilience in the face of evolving global dynamics.



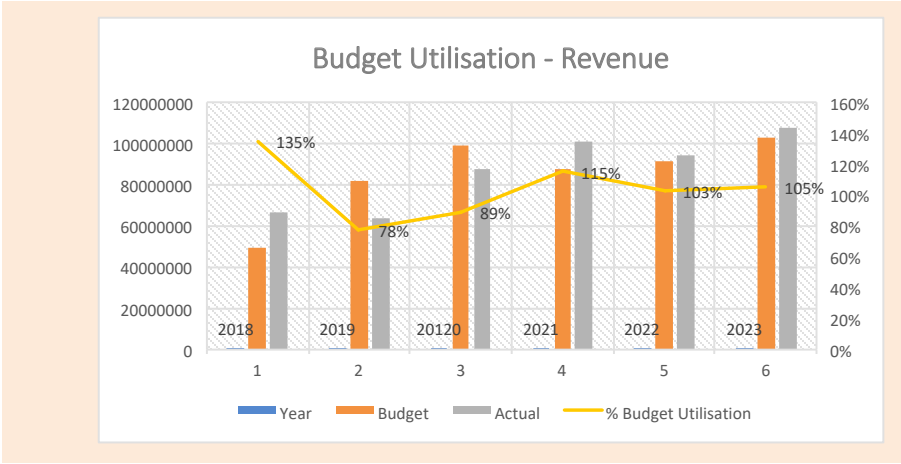
C. Annual subsidy per year /Government grants

The annual government subsidies to BIPA have experienced a notable decline since its establishment, particularly when compared to the levels observed in 2020 and subsequent years. In the year 2022, BIPA did not receive any financial support from the government, and a minimal amount of funding was allocated in 2023. In response to this reduced government assistance, BIPA took on the responsibility of self-funding its programmes from 2022 to 2023, with a predominant focus on meeting operational needs.

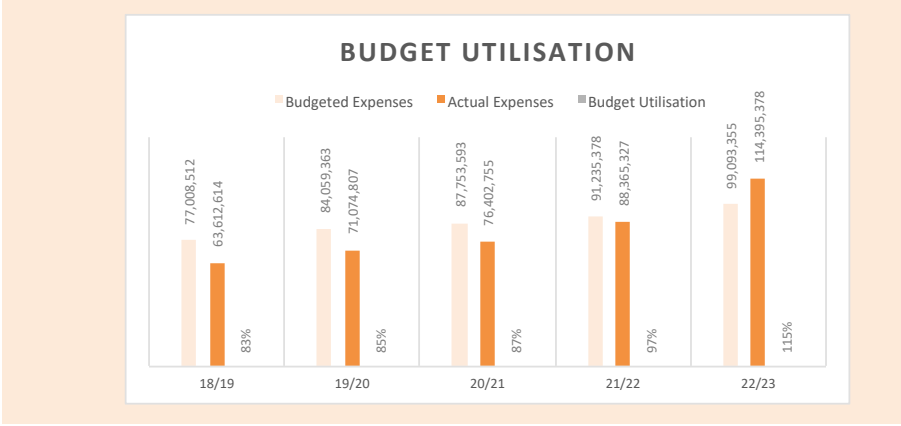


D. Budget execution rate per year

BIPA has demonstrated a remarkable financial performance by consistently executing the revenue budget at an impressive average of 104%. This signifies that, on average, BIPA has surpassed its anticipated revenues, showcasing a proactive and effective financial management approach. This accomplishment reflects BIPA's commitment to achieving and even surpassing its financial goals, contributing to its overall financial stability and success.



In the past 4 years, the expenditure budget has been managed well. Actual expenditures have been below the budget. In FY2022/23, a Work-in-Progress asset write-off of N$ 12.8 million led to higher expenditure that the budget.



12.7.3 Annual Duty Revenue Statistics

a. Annual duties are payable by both companies and close corporations in terms of the relevant legislative provisions. For the period under review, 14 681 companies made the statutory payment towards their annual duties, while 40 181 close corporations paid for the specific year. Additional revenue has also been accounted for those entities that paid payment for annual duties for previous years, and these account for arrears paid as reflected in the table below.

Type of Entity	Amount N$	No. of Entities paid up
Companies	69,391,040	14,681
Close Corporations	9,636,729	40,181
Arrears paid	3,998,492	
Total	**79,027,769**	**54,862**

b. Outstanding annual duties for 2012 – 2022

The below table reflects the amount due to BIPA on outstanding annual duties for the 2012-2022.

Outstanding Annual Duties (2012 – 2022)	
Principal Amounts	98,892,000
Penalties	275,287,500
Total	**374,179,500**

12.7.4 Projects undertaken/executed by/under F&A for FY2022/23

a. Project title: **ERP Project**

b. Project budget: **N$ 4.79 million**

c. Project deliverables: **ERP System**

d. Project timeline: **4 years**

e. Project status: **Development**

f. Impact of ERP project on the organization

The implementation of the Enterprise Resource Planning System (ERP) is poised to significantly influence BIPA's operations, primarily by enhancing operational efficiencies and minimizing redundancies. Furthermore, the ERP system is expected to contribute to improved revenue collections and the establishment of stringent internal controls. This integration will result in enhanced financial reporting capabilities for BIPA.

12.7.5 Procurement:

a. **Approved Procurement Plan 2022/23**
BIPA had an approved procurement plan for the year. The total value of the procurement plan for FY 2022/23 was N$ 48,447,766.

b. **Deviations from the procurement plan**
No deviation from the procurement plan was undertaken.

c. **Stats on canceled bids**
No bids were canceled.

d. **Stats on CAPEX vs OPEX Procurement**
Only 20% of the overall procurement plan was executed. CAPEX was executed by 6%.

e. **Stats on non-compliance**
None

f. **Total procurement figure for 2022/23**

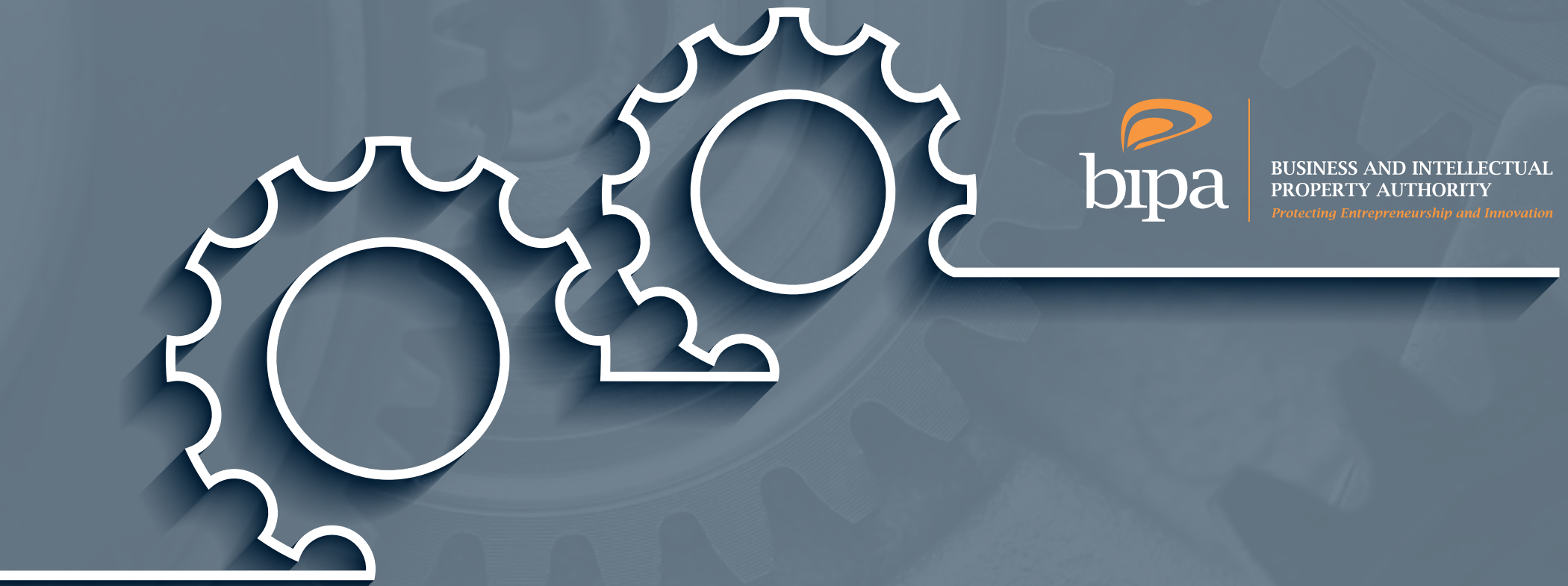
FY2022/23 Procurement Plan Implementation

Item	Budget	Q1 - Actual	Q2 - Actual	Q3 - Actual	Q4 - Actual	Totals	Budget Balance
Goods	37,154,380	380,806	1,191,225	183,690	424,028	**2,179,750**	**34,974,630**
Works	371,752	137,866	51,519	9,220	11,188	**209,793**	**161,959**
Consultancy	5,553,023	1,353,226	308,889	615,384	537,552	**2,815,052**	**2,737,971**
Non-consultancy	5,795,308	863,712	1,084,316	1,250,683	1,367,498	**4,566,210**	**1,229,098**
Totals	**48,874,463**	**2,735,610**	**2,635,949**	**2,058,978**	**2,340,267**	**9,770,804**	**39,103,659**

13 ANNUAL FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 MARCH 2023

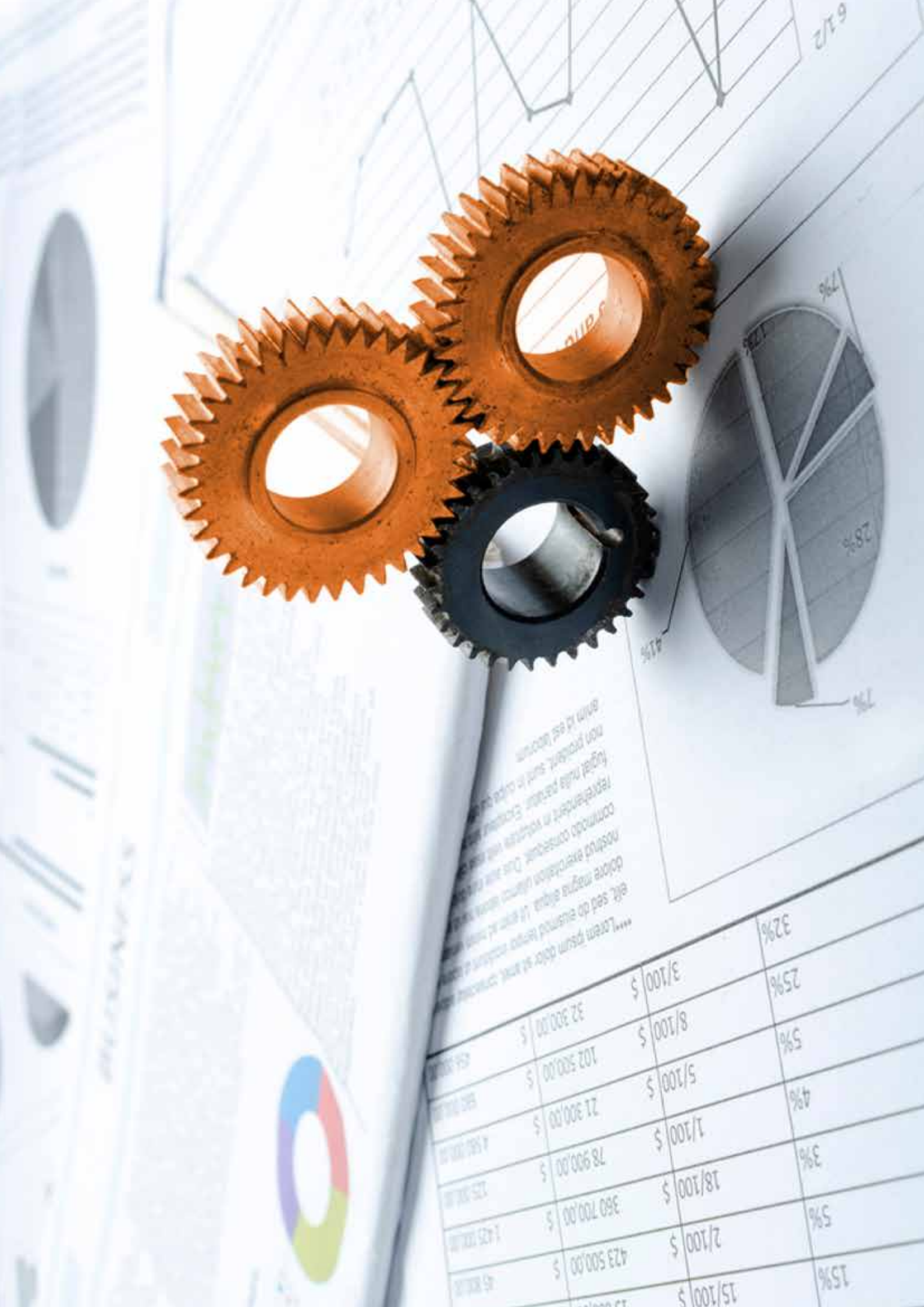
"Businesses can turn compliance demands into opportunities for innovation and resilience."



bipa

BUSINESS AND INTELLECTUAL PROPERTY AUTHORITY

Protecting Entrepreneurship and Innovation



Office of the Auditor-General

Republic of Namibia

OFFICE OF THE AUDITOR-GENERAL

Tel: (264) (061) 2838000
Fax: (264) (061) 224301

Private Bag
13299
WINDHOEK
9000

AUDIT COMPLIANCE CERTIFICATE ON THE ACCOUNTS OF THE BUSINESS AND INTELLECTUAL PROPERTY AUTHORITY FOR THE YEAR ENDED 31 MARCH 2023

The Board of Directors of the Business and Intellectual Property Authority appointed the firm, PricewaterhouseCoopers registered in terms of the Public Accountants and Auditors Act, 1951 (Act No. 51 of 1951). The said Firm compiled the audit documentation which was examined by me in terms of Section 21 (3) of the Business and Intellectual Property Authority Act, 2016 (Act No. 8 of 2016)

The firm certified that:

"The scope of our audit was sufficient to support the audit opinion being issued.

The financial statements, except as noted in the audit report.

(i) Are complete and clerically accurate;
(ii) Accord with our understanding of the client's business and industry;
(iii) Have been properly prepared in accordance with the Business and Intellectual Property Authority Act and International Financial Reporting Standards; and
(iv) Fairly present the financial position, results of operations and cash flow information for the year ended 31 March 2023"

The audit of the financial years has been carried out to my satisfaction.

WINDHOEK, February 2024

JUNIAS ETUNA KANDJEKI
AUDITOR-GENERAL

BUSINESS AND INTELLECTUAL PROPERTY AUTHORITY
bipa
Protecting Entrepreneurship & Innovation
23 APR 2024
P.O Box 185 Windhoek, Namibia
Tel: +264 61 299 4400
Fax: +264 61 401 061
Email: info@bipa.na
www.bipa.na
Office of the Chief Executive Officer

AUDITOR-GENERAL
REPUBLIC OF NAMIBIA

General Information

Country of Incorporation	The Republic of Namibia
Nature of business and principal activities	To run a legal system for business and intellectual property registration, protection and promotion thereof
Directorate	Immanuel !Hanabeb (Board Chairperson) Sara Katiti (Deputy Chairperson) Justin Strauss Ashley Tjipitua Nancy Watyoka Hilka Alberto Julius Haikali
Registered Office	3 Ruhr Street Northern Industrial Area Windhoek Namibia
Postal Address	P.O Box 185 Windhoek Namibia
Bankers	Bank Windhoek Limited First National Bank Namibia Nedbank Namibia Limited
Auditors	PricewaterhouseCoopers Registered Accountants and Auditors Chartered Accountants (Namibia)
Secretary	Vacant
Line Ministry	Ministry of Industrialization and Trade ("MIT")

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Directors Report	109 - 111
Statement of Financial Position	112
Statement of Surplus or Deficit and Other Comprehensive Income	113
Statement of Changes in Equity	114
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Notes to the Annual Financial Statements	116 - 148
The following supplementary information does not form part of the annual financial statements and is unaudited:	
Detailed Statement of Surplus or Deficit and Other Comprehensive Income	149 - 151

Director's Responsibilities and Approval

The Directors are required by the BIPA Act, 2016, (Act No.8 of 2016), to maintain adequate accounting records and are responsible for the content and integrity of the annual financial statements and related financial information included in this report. It is their responsibility to ensure that the annual financial statements fairly present the state of affairs of the company as at the end of the financial year and the results of its operations and cash flows for the period then ended, in conformity with the International Financial Reporting Standards ("IFRS"). The external auditors are engaged to express an independent opinion on the annual financial statements.

The annual financial statements are prepared in accordance with the International Financial Reporting Standards ("IFRS") and are based upon appropriate accounting policies consistently applied and supported by reasonable and prudent judgements and estimates.

The Directors acknowledge that they are ultimately responsible for the system of internal financial controls established by the Authority and place considerable importance on maintaining a strong control environment. To enable the Directors to meet these responsibilities, the Board of Directors sets standards for internal control aimed at reducing the risk of error or loss in a cost effective manner. The standards include the proper delegation of responsibilities within a clearly defined framework, effective accounting procedures and adequate segregation of duties to ensure an acceptable level of risk.

These controls are monitored throughout the company and all employees are required to maintain the highest ethical standards in ensuring the company's business is conducted in a manner that, in all reasonable circumstances is above reproach. The focus of risk management in the Authority is based on identifying, assessing, managing and monitoring all known forms of risk. While operating risk cannot be fully eliminated, the Authority endeavours to minimise it by ensuring that appropriate infrastructure, controls, systems and ethical behaviour are applied and managed within predetermined procedures and constraints.

The Directors are of the opinion, based on the information and explanations given by management, that the system of internal control provides reasonable assurance that the financial records may be relied on for the preparation of the annual financial statements.

However, any system of internal financial control can provide only reasonable, and not absolute, assurance against material misstatement or loss.

The directors have reviewed the Authority's cash flow forecast for the year to 31 March 2023 and, in light of this review and the current financial position, they are satisfied that the Authority has or had access to adequate resources to continue in operational existence for the foreseeable future.

The external Auditors are responsible for independently auditing and reporting on the Authority's annual financial statements. The annual financial statements have been examined by the Authority's external Auditors and their report is presented on page 107 to 108.

The annual financial statements set out on pages 109 to 148, which have been prepared on the going concern basis, were approved by the Board of Directors and were signed on its behalf by:

Immanuel !Hanabeb
(Board Chairperson)

Sara Katiti (Chairperson:
Finance, Risk and Audit Committee)

Windhoek

Date: 29 January 2024

Date: 29 January 2024

Independent auditor's report

pwc

To the Members of Business and Intellectual Property Authority

Our opinion

In our opinion, the financial statements present fairly, in all material respects, the financial position of Business and Intellectual Property Authority (the Authority) as at 31 March 2023, and its financial performance and cash flows for the year then ended in accordance with International Financial Reporting Standards ("IFRS") and the requirements of the BIPA Act, 2016 (Act No.8 of 2016).

What we have audited

Business and Intellectual Property Authority's annual financial statements set out on pages 7 to 33 comprise:

- The directors report for the year ended 31 March 2023;
- the statement of financial position as at 31 March 2023;
- the statement of surplus or deficit and other comprehensive income for the year then ended;
- the statement of changes in equity for the year then ended;
- the statement of cash flows for the year then ended; and
- the notes to the financial statements, which include a summary of significant accounting policies.

Basis of opinion

We conducted our audit in accordance with International Standards on Auditing (ISAs). Our responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of our report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for unqualified opinion.

Independence

We are independent of the Authority in accordance with the International Ethics Standards Board for Accountants Code of Ethics for Professional Accountants (Parts A & B) and other independence requirements applicable to performing audits of financial statements in Namibia. We have fulfilled our other ethical responsibilities in accordance with this and in accordance with other ethical requirements applicable to performing audits in Namibia.

Other information

The directors are responsible for the other information. The other information comprises the information included in the Business and Intellectual Property Authority Annual Financial Statements for the year ended 31 March 2023. Other information does not include the Annual Financial Statements and our auditor's report thereon.

Our opinion on the Annual Financial Statements does not cover the other information and we do not express an audit opinion or any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information identified above and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit, or otherwise appears to be materially misstated. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Responsibilities of the directors for the financial statements

The directors are responsible for the preparation and fair presentation of the financial statements in accordance with International Financial Reporting Standards and the requirements of the BIPA Act, 2016 (Act No. 8 of 2016), and for such internal control as the directors determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the directors are responsible for assessing the Authority's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the Authority's or to cease operations or have no realistic alternative but to do so.

Independent auditor's report (Continued)

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with ISAs, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional, omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the directors.

- Conclude on the appropriateness of the directors use of the going concern basis of accounting and based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the company's ability to continue as a going concern.

  If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the company to cease to continue as a going concern.

- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the directors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during the audit.

PricewaterhouseCoopers

PricewaterhouseCoopers
Registered Accountants and Auditors
Chartered Accountants and Auditors

Per: Samuel N Ndahangwapo
Partner

Windhoek, Namibia

Date: 06/02/24

Director's Report

The directors have pleasure in submitting their report on the annual financial statements of Business and Intellectual Property Authority for the year ended 31 March 2023.

1. NATURE OF BUSINESS

Business and Intellectual Property Authority was incorporated in Namibia with interests in running the legal system for business and intellectual property registration, protection and promotion thereof. The Authority operates in Namibia.

2. REVIEW OF FINANCIAL RESULTS AND ACTIVITIES

The annual financial statements have been prepared in accordance with the International Financial Reporting Standards ("IFRS"). The accounting policies have been applied consistently compared to the prior year.

Full details of the financial position, results of operations and cash flows of the company are set out in these annual financial statements.

3. DIRECTORATE

The directors in office at the date of this report are as follows:

Directors	Nationality	Status
Immanuel !Hanabeb	Namibian	Appointed 1 October 2021
Sara Katiti	Namibian	Appointed 1 October 2021
Justin Strauss	Namibian	Appointed 1 October 2021
Ashley Tjipitua	Namibian	Appointed 1 October 2021
Nancy Watyoka	Namibian	Appointed 1 October 2021
Hilka Alberto	Namibian	Appointed 1 October 2021
Julius Haikali	Namibian	Appointed 1 October 2021

4. BOARD AND SUB-COMMITTEE MEETINGS

Board of Directors	Board and Special Board Meeting	Finance, Risk and Audit Committee (FRAC)	Human Resources and Remuneration Committee (HRRC)	Governance, Legal and Ethics Committee (GLEC)	Strategy, Projects & Procurement Committee (SPPC)
Immanuel !Hanabeb	7	4	5	1	
Sara Katiti	6	5			5
Justin Strauss	7	4			4
Ashley Tjipitua	5			4	4
Nancy Watyoka	7	5	5	5	
Hilka Alberto	5		5	5	4
Julius Haikali	6	5	4		5

5. EVENTS AFTER THE REPORTING PERIOD

The directors are aware of material events which occurred after the reporting date and up to the date of this report as follows:

5.1. COVID-19 Pandemic

The impact of COVID-19 has been an evolving situation since the late 2019. Given the information available at 31 March 2023, COVID-19 would be unlikely to have had a material effect on the recognition and measurement of assets and liabilities.

The Authority's total expenditure on COVID-19 expenses during the financial year amounted to N$ 0.00, (2022: N$154,185.00).

6. GOING CONCERN

In preparing the financial statements, the directors are responsible for assessing the Authority's ability to continue as a going concern, disclosing, as applicable, matters related to going concern, and using the going concern basis of accounting unless the directors or shareholder (Government) either intend to liquidate the Authority or to cease operations or have no realistic alternative but to do so.

The going concern presumes that funds will be available to finance future operations and that the realization of assets and settlement of liabilities, contingent obligations, and commitments will occur in the ordinary course of business.

7. AUDITORS

PricewaterhouseCoopers continued in office as the auditor for the Authority for the period ended 31 March 2023.

8. SECRETARY

The Secretary of the Authority is the Chief Legal and Secretarial Services. For the period ended 31 March 2023, the position of Chief Legal and Secretarial Services is still vacant.

Business address 3 Ruhr Street
Northern Industrial Area
Windhoek
Namibia

Director's Report (Continued)

9. DIRECTORS' INTEREST AND CONTRACTS

During the financial year, no contracts were entered into with the directors or officers of the Authority, the directors or officers do not hold any interest in the Authority.

10. KATUTURA OFFICE BUILDING

Katutura Office Building situated on Erf 2780, Shire Street Wanaheda has not been included in the financial statements as its ownership is the subject of ongoing litigation before the High Court of Namibia. The matter is brought before the Civil and a Criminal (in terms of the POCA) court and the State represented by the Minister of Industrialization, Minister of Finance and Public Enterprises, are claiming back an amount of N$ 18, 000, 000. BIPA is joint to the proceedings as the third applicant claiming back N$2,160,000. All applicants are claiming from the defendants. The matter has been in litigation since 2018 and the legal process has proven to be protracted.

As such, for prudential financial reporting the Board resolved to impair the transfer duties paid of N$ 2,160,000. The trial relating to the matter above commences in February 2024 and in the event that BIPA's claim is successful and the amount is received, the impairment made will be reversed and recognized as income in the statement of surplus or deficit and other comprehensive income.

Statement of Financial Position as at 31 March 2023

	Note(s)	2023 N$	2022 N$
ASSETS			
Non-current assets			
Property, plant and equipment	4	34,409,958	34,328,461
Intangible assets	5	3,283,555	4,858,699
Right-of-use assets	6	4,720,905	7,233,450
Total non-current assets		**42,414,418**	**46,420,610**
Current assets			
Trade and other receivables	7	8,167,059	4,969,142
Prepayments	8	332,002	191,667
Other financial assets	9	37,391,421	31,678,807
Cash and cash equivalents	10	28,170,040	22,029,706
Total current assets		**74,060,522**	**58,869,322**
Total assets		**116,474,940**	**105,289,932**

	Note(s)	2023 N$	2022 N$
EQUITY AND LIABILITIES			
Equity		**74,272,974**	**80,361,295**
Contribution	11	34,491,766	34,491,766
Accumulated Fund		39,781,208	45,869,529
Non- Current liabilities		**4,387,778**	**7,447,758**
Deferred income	12	2,319,315	2,551,246
Lease liabilities	6	2,068,463	4,896,512
Current liabilities		**24,971,659**	**17,480,879**
Trade and other payables	13	17,557,603	14,698,729
Deferred income	12	4,202,572	231,931
Lease liabilities	6	3,211,484	2,550,219
Total Liabilities		**29,359,437**	**24,928,637**
Total equity and liabilities		**103,632,411**	**105,289,932**

Statement of Surplus or Deficit and Other Comprehensive Income for the year ended 31 March 2023

	Note(s)	2023 N$	2022 N$
Revenue	14	91,833,175	84,356,809
Other income	15	12,568,698	7,802,937
Operating expenses		(113,737,285)	(87,729,223)
Expected credit losses	7	(8,164)	(4,779)
Loss/gain on exchange differences		909,223	(338,091)
Operating surplus/ (deficit)	**16**	**(8,434,353)**	**4,087,653**
Interest received	19	2,750,810	1,765,597
Finance charges for lease liabilities	19	(649,929)	(293,234)
Surplus/ (Deficit) for the year		**(6,333,473)**	**5,560,016**
Total comprehensive income/(loss)		**(6,333,473)**	**5,560,016**
Other comprehensive income			
Items that will not be reclassified to surplus or deficit			
Revaluation surplus on Land		183,850	
Total comprehensive income/(loss) for the period		**(6,149,623)**	**5,560,016**

Statement of Changes in Equity for the year ended 31 March 2023

	Contribution N$	Accumulated Fund N$	Total equity N$
Balance at 31 March 2021	**34,491,766**	**40,214,497**	**74,706,263**
Opening balance adjustments	-	95,016	95,016
	34,491,766	**40,309,513**	**74,801,279**
Surplus for the year	-	5,560,016	5,560,016
Other comprehensive income	-	-	-
Total comprehensive income for the year	**-**	**5,560,016**	**5,560,016**
Balance at 31 March 2022	**34,491,766**	**45,869,529**	**80,361,295**
Opening balance adjustments		61,302	61,302
	34,491,766	**45,930,831**	**80,422,597**
Deficit for the year	-	(6,333,473)	(6,333,473)
Other comprehensive income	-	183,850	183,850
Total comprehensive loss for the year	**-**	**(6,149,623)**	**(6,149,623)**
Balance at 31 March 2023	**34,491,766**	**39,781,208**	**74,272,974**

Statement of Cash Flows for the year ended 31 March 2023

	Note(s)	2023 N$	2022 N$
Cash flows from operating activities			
Cash used in operations	21	7,750,636	8,304,487
Interest received	19	838,196	504,990
Net cash from operating activities		**8,588,832**	**8,809,477**
Cash flows from investing activities			
Purchase of property, plant and equipment	4	(1,568,137)	(1,253,805)
Purchase of intangible assets	5	-	(963,208)
Proceed on sale of property, plant and equipment	4	245,950	-
Purchase of other financial assets	9	(3,800,000)	-
		(5,122,187)	**(2,217,013)**

	Note(s)	2023 N$	2022 N$
Cash flows from financing activities			
Bank of Namibia grant	12	5,591,045	-
GIZ Donation	25	182,155	-
Principal elements of lease payments	6	(3,099,512)	(2,869,919)
		2,673,688	**(2,869,919)**
Net increase/(decrease) in cash and cash equivalents		6,140,334	3,722,545
Cash and cash equivalents at the beginning of the year		22,029,706	18,307,161
Cash and cash equivalents at end of year	10	**28,170,040**	**22,029,706**

Notes to the Annual Financial Statements

1. SIGNIFICANT ACCOUNTING POLICIES

The principal accounting policies applied in the preparation of these financial statements are set out below:

1.1 Presentation of Annual Financial Statements

The annual financial statements have been prepared in accordance with the International Financial Reporting Standards ("IFRS") and the International Financial Reporting Interpretation Committee ("IFRIC") Interpretations issued and effective at the time of preparing these financial statement. These annual financial statements have been prepared on the historical cost basis, except for Land and Building included in property, plant and equipment which is measured at fair value and incorporate the principal accounting policies set out below, and are presented in Namibia Dollars.

1.2. Significant judgements and sources of estimation uncertainty

The preparation of financial statements in conformity with IFRS requires management, from time to time to make judgements, estimates and assumption that affect the application of policies and reported amounts of assets, liabilities, income and expenses. These estimates and associated assumptions are based on experience and various other factors that are believed to be reasonable and under circumstances. Actual results may differ from these estimates. The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimates are revised and in any future periods affected.

1.2.1. Critical judgements in applying accounting policies

1.2.1.1. Key sources of estimation uncertainty

Management did make critical judgements in the application of accounting policies, apart from those involving estimation, which would significantly affect the financial statements and are outlined as follows:

Revenue from annual duties, penalties and fines are non-exchange transactions and accounted for using the policy developed by the Authority. All non-exchange transactions are recognised in surplus or deficit to the extent they are assets and it is probable that the future economic benefits or service potential associated with the asset will flow to the entity, and the fair value of the asset can be measured reliably.

1.2.1.1.2. Deferred income

Donations received in the form of fixed assets other than land are recognized as deferred income and written off over the useful lives of the asset.

1.2.1.1.3. Useful lives of assets

The assets are classified under property, plant and equipment and the useful lives are determined as set out in note 1.3. The useful lives of the property, plant and equipment is in line with the industry norm.

1.2.1.1.4. Trade receivables

The Authority assesses its trade receivables for impairment at the end of each reporting period. In determining whether an impairment loss should be recorded in the surplus or deficit, the Authority makes judgement as to whether there is observable data indicating a measurable decrease in the estimated future cash flows from the financial asset.

The impairment (or loss allowance) for trade receivables is calculated on a portfolio basis, except for individually significant trade receivables, which are assessed separately. The impairment test on the portfolio is based on historical loss ratios, adjusted for national and industry-specific economic conditions and other indicators present at the reporting period that correlate with defaults on the portfolio. These annual loss ratios are applied to loan balances in the portfolio and scaled to the estimated loss emergence period.

1.2.1.1.5. Impairment of non-financial assets

The Authority reviews and tests the carrying value of assets when events or changes in circumstances suggests that the carrying amount may not be recoverable. When such indicators exists, management determine the recoverable amount by performing value in use and fair value calculations. These calculations require the use of estimates and assumptions. When it is not possible to determine the recoverable amount for an individual asset, management assesses the recoverable amount for the cash generating unit to which the asset belongs.

1.2.1.1.6. Residual values and useful lives of property, plant and equipment

The residual value, useful life and depreciation method of each asset is reviewed and adjusted if appropriate at the end of each reporting period. If the expectations differ from previous estimates, the change is accounted as a change in accounting estimate.

Notes to the Annual Financial Statements

1.2. Significant judgements and sources of estimation uncertainty (continued)

1.2.1.1.7. Leases

The Authority exercises judgement in classifying leases in line with IFRS 16 (as set out in the note 1.7.)

1.2.1.1.8. Provisions

Provisions are inherently based on assumptions and estimates using the best information available. Additional disclosure of these estimates of provisions are included in note 1.11.

1.3. Property, plant and equipment

Property, plant and equipment is stated at historical cost less accumulated depreciation. Historical cost includes expenditure that is directly attributable to the acquisition of the items and impairment losses.

Cost include costs incurred initially to acquire or construct an item of property, plant and equipment and costs incurred subsequently to add to, replace part of, or service it. If a replacement cost is recognised in the carrying amount of an item of property, plant and equipment, the carrying amount of the replaced part is derecognised.

Depreciation is provided using the straight-line method to write down the cost, less estimated residual value over the useful life of the property, plant and equipment as follows:

Item	Depreciation Method	Average useful life
Buildings	Straight-line basis	50 years
Furniture and fixtures	Straight-line basis	5-10 years
Motor Vehicles	Straight-line basis	2-5 years
Office equipment	Straight-line basis	3 years
IT equipment	Straight-line basis	3 years
Leasehold improvements	Straight-line basis	8-10 years
Other Fixed Assets	Straight-line basis	2-10 years
Server	Straight-line basis	15 years
Right-of-use assets	Straight-line basis	3 years
Capital work in progress	Not depreciated	Not depreciated

Notes to the Annual Financial Statements

1.3. Property, plant and equipment (Continued)

If the major components of an item of property, plant and equipment have significantly different patterns of consumption of economic benefits, the cost of the asset is allocated to its major components and each such component is depreciated separately over its useful life.

Land and Building is being revalued at fair value at the date of revaluation less subsequent depreciation and impairment subsequent measurent.Land is not depreciated.

The residual value, depreciation method and useful life of each asset are reviewed only where there is an indication that there has been a significant change from the previous estimate.

The depreciation charge for each period is recognised in surplus or deficit unless it is included in the carrying amount of another asset.

The gain or loss arising from the derecognition of an item of property, plant and equipment is included in profit or loss when the item is derecognised. The gain or loss arising from the derecognition of an item of property, plant and equipment is determined as the difference between the net disposal proceeds, if any and the carrying amount of the item.

Capital work in progress is measured at cost less accumulated impairment.

1.4. Intangible assets

An intangible asset is recognised when:

- it is probable that the expected future economic benefits that are attributable to the asset will flow to the entity; and
- the cost of the asset can be measured reliably

Intangible assets are initially recognised at cost.

Intangible assets are carried at cost less any accumulated amortisation and any impairment losses.

An intangible asset is regarded as having an indefinite useful life when, based on all relevant factors, there is no foreseeable limit to the period over which the asset is expected to generate net cash inflows. Amortisation is not provided for the intangible assets, but they are tested for impairment annually, and whenever there is an indication that the asset may be impaired. For all other intangible assets, amortisation is provided on a straight-line basis over their useful life.

The amortisation period and the amortisation method for intangible assets are reviewed every period-end.
Reassessing the useful life of an intangible asset with finite useful life after it was classified as indefinite is an indicator that the asset may be impaired. As a result the asset may be tested for impairment and the remaining carrying amount is amortised over its useful life.

Amortisation is provided to write down the intangible assets, on a straight-line basis, to their residual value as follows:

Item	Amortisation Method	Useful life
Computer software	Straight-line	5 Years

1.5. Financial Instruments

A financial instrument is any contract that gives rise to both a financial asset of one entity and a financial liability or equity instrument of another entity.

Notes to the Annual Financial Statements

1.5. Financial Instruments (Continued)
1.5.1. Classification and measurement as cash and cash equivalents

Cash and cash equivalents includes cash on hand, deposits held at call with financial institutions, other short-term, highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value, and bank overdrafts. Bank overdrafts are shown within borrowings in current liabilities in the balance sheet. The cash and cash equivalents are therefore subsequently measured at amortised cost. Gains and losses are set out in note 1.5.7

1.5.2. Classification and measurement as other financial assets
Other financial assets consist of short-term investments invested in unit trusts. These short-term investments can be called at any given time. Financial instruments are initially measured at fair value, with changes in fair value recognised in profit or loss, as they arise, unless restrictive criteria are met for classifying and measuring the asset at either amortised cost or fair value through other comprehensive income, plus or minus transaction costs, that are directly attributable to the acquisition or issue of the financial asset or a financial liability. Gains or losses are set out in note 1.5.7.

1.5.3. Classification, recognition and measurement as trade and other receivables
Trade receivables are amounts due from customers for goods sold or services performed in the ordinary course of business. They are generally due for settlement within 30 days and therefore are all classified as current assets. Trade receivables are recognised initially at the amount of consideration that is unconditional unless they contain significant financing components, when they are recognised at fair value. The Authority holds the trade receivables with the objective to collect the contractual cash flows and therefore measures them subsequently at amortised cost using the effective interest method.

1.5.4. Impairment of financial assets
At each reporting date, the Authority assesses all financial assets, other than those at fair value through profit or loss, to determine whether there is an objective evidence that a financial asset or group of financial assets has been impaired.

1.5.5. Trade and other payables - Classification, Recognition and measurement
Trade and other payables are classified as current liabilities and subsequently measured at amortised cost. Trade and other payables are recognised when the Authority becomes a party to a contractual provisions, and are measured at initial recognition, at fair value plus transactional costs, if any, and are subsequently measured at amortised cost.

Trade and other payables expose the Authority to liquidity risk and possible to interest risk.

1.5.6. Derecognition of financial assets and liabilities
Financial assets are derecognised when the rights to receive cash flows from the financial assets have expired or have been transferred and the Authority has transferred substantially all the risks and rewards of ownership.

The Authority shall derecognise a financial liability (or a part of a financial liability) from its statement of financial position when, and only when, it is extinguished. This happens when the obligation specified in the contract is discharged or cancelled or expires.

1.5.7. Determination of gains or losses
Gains or losses are determined as the difference between the expected cash flows at the beginning of the period and the actual cash flows at the end of the period.

1.6. Prepayments
Prepayments relate to the Client Notification System. The system notify the Authority's clients when service is delivered. The Authority subscribes on an annual basis to the system. Prepayments are measured at amortised cost and are derecognised when the services to which the prepayment relate have been received.

Notes to the Annual Financial Statements

1.7. Leases - IFRS 16

Leases are recognized, measured and presented in line with IFRS 16 'Leases'.

The Authority recognises a right-of-use asset and lease liability at the commencement of the contract for all leases conveying the right to control the use of an identified assets for a period in time. The commencement date is the date on which the lessor makes an underlying asset available for use by a lessee.

The right-of-use assets are initially measured at cost, which comprise:

- the amount of the initial measurement of the lease liability
- any lease payments made at or before commencement date, less any lease incentives
- any initial direct costs incurred by the lessee
- an estimate of costs to be incurred by the lessee in dismantling and removing the underlying assets or restoring the site on which the assets are located.

After the commencement date the right-of-use assets are measured at cost less any accumulated depreciation and any impairment losses and adjusted for re-measurement of the lease liability.

If the lessor transfers ownership of the underlying asset to the Authority by the end of the lease term or if the lease agreement of the right-of-use asset reflects that the Authority will exercise a purchase option, the Authority depreciates the right-of-use asset using straight-line method from the transfer date or exercise option date to the end of the useful life of the underlying asset.

The lease liability is initially measured at the present value of the lease payments that are not paid at that date. These include:

- fixed payments, less any lease incentives receivable;
- variable lease payments that depend on an index or rate, initially measured using the index or rate as at the commencement date;
- amounts expected to be payable by the leasee under residual value guarantees;
- the exercise price of a purchase option if the leasee is reasonably certain to exercise that option; and
- payments of penalties for terminating the lease, if the lease term reflects the leasee exercising an option to terminate the lease term.

The lease payments exclude variable elements which are dependent on external factors. Variable lease payments not included in the initial measurement of the lease liability are recognised directly in surplus or deficit.

The lease payments are discounted using the Authority's incremental borrowing rate or the implicit rate in the lease contract.

The lease term determined by the Authority comprises:

- non-cancellable period of lease contracts;
- periods covered by an option to extend the lease, if the leasee is reasonably certain to exercise that option;
- periods covered by an option to terminate the lease, if the leasee is reasonably certain to exercise that option.

After the commencement the Authority measures the lease liability:

- increasing the carrying amount to reflect the interest on the lease liability
- reducing the carrying amount to reflect lease payments made, and
- remeasuring the carrying amount to reflect any reassessment or lease modifications.

1.8. Taxation

The Authority is exempt from Income Tax in terms of section 16(1)(e)(i) of the Income Tax Act No. 24 of 1981.

1.9. Impairment of assets

The Authority assesses at each end of reporting period whether there is any indication that an asset may be impaired. If any such indication exist, the Authority estimates the recoverable amount of the asset.

Notes to the Annual Financial Statements

1.9. Impairment of assets (Continued)

Irrespective of whether there is any indication of impairment, the Authority also:

- Tests intangible assets with an indefinite useful life or intangible assets not yet available for use for impairment annually by comparing its carrying amount with its recoverable amount. This impairment test is performed during the annual period and the same time every period.

If the recoverable amount of an asset is less than its carrying amount, the carrying amount of the asset is reduced to its recoverable amount. The reduction is an impairment loss.

An impairment loss of assets carried at cost less any accumulated depreciation or amortisation is recognised immediately in surplus or deficit. Any impairment loss of a revalued asset is treated as a revaluation decrease.

The Authority assesses at each reporting date whether there is any indication that an impairment loss recognised in prior periods for assets other than goodwill may no longer exist or may have decreased. If any such indication exists, the recoverable amounts of those assets are estimated.

The increased carrying amount of an asset other than goodwill to a reversal of an impairment loss does not exceed the carrying amount that would have been determined had no impairment loss been recognised for the asset in prior periods.

A reversal of an impairment loss of assets carried at cost less accumulated depreciation or amortisation other than goodwill is recognised immediately in surplus or deficit. Any reversal of an impairment loss of a revalued asset is treated as a revaluation increase.

1.10. Employee benefits

1.10.1. Short-term employee benefits

The cost of short-term employee benefits (those payable within 12 months after the service is rendered, such as leave pay and sick leave, bonuses and non-monetary benefits such as medical care), are recognised in the period in which the service is rendered and are not discounted.

The expected cost of compensated absences is recognised as an expense as the employees render services that increase their entitlement or, in the case of non-accumulating absences, when the absence occurs.

The expected cost of bonus payments is recognised as an expense when there is a legal or constructive obligation to make such payments as a result of past performance.

1.11. Provisions and contingencies

Provisions are recognised when:

- The Authority has a present obligation as a result of a past event
- It is probable that an outflow of resources embodying economic benefits will be required to settle the obligation; and
- A reliable estimate can be made of the obligation

The amount of a provision is the present value of the expenditure expected to be required to settle the obligation.

1.11.1. Provision for salary bonus

Management provide for bonus compensation beyond annual remuneration to employees as an incentive or reward for achieving certain predetermined individual targets of the Authority.

1.11.2. Provision for leave pay

Management provide for leave days payout, which are compensated absences or accumulating absences that are carried forward to the next period. Compensated absences that are earned in the current period and can be used in the following financial period are accounted for as a liability in the period in which they are earned.

However, compensated absences such as maternity, paternity, sick leave and court leave would not be included as part of the Authority's provision for leave.

Notes to the Annual Financial Statements

1.12. Government grants

Grants from the government are recognised at fair value where there is a reasonable assurance that the grant will be received and the Authority will comply with all attached conditions.

1.12.1. Deferral and presentation of government grants

Government grants relating to costs are deferred and recognised in surplus or deficit over the period necessary to match them with the costs that they are intended to compensate.

Government grants relating to the purchase of property, plant and equipment are included in non-current liabilities as deferred income and they are credited to surplus or deficit on a straight-line basis over the expected lives of the related assets.

A Government grant may take the form of a transfer of a non-monetary asset, such as land or other resources, for the use of the Authority. The land received is recognised as property, plant and equipment and measured at fair value, and the equivalent is recognised as income in the year it was received, as land is not depreciated.

1.13. Revenue

Revenue is recognised to the extent that the Authority has rendered services provided the amount of revenue can be measured reliably and it is probable that economic benefits associated with the transaction will flow to the Authority. Revenue is measured at fair value of the consideration received or receivable, excluding trade discounts and rebates.

1.13.1. Revenue from contracts with customers

Revenue from registrations, applications and amendments

Revenue from registrations and applications comprise of business and intellectual property registration fees charged upon registration. The business and intellectual property fees are charged as per the Regulation published in the Government Gazette, and the fees are recognized at the point when the Authority has a present right to receive payment of fees for the registration and application of businesses and intellectual property. Transfer of services is performed at a point in time.

Registrations of Trademarks, Patents and Industrial Designs

Revenue transactions that arise as a result of trademark and designs annual fee per class and patent maintenance fees and are charged as per the Regulation published in the Government Gazette and recognised over time when the trademark, patent and design holder file a return to the Registrar of Patents, Trademarks and Designs. These fees are raised in terms of the Regulations of the Industrial Property Act.

1.13.2. Revenue from non-exchange transactions

The following are revenues from non-exchange transactions:

- Annual duties
- Fines, penalties
- Transfers - including grants, fines. Gifts, donations and service-in-kind
- Anniversary fines

Revenue from non-exchange shall be measured at the amount of the increase in net assets recognised by the entity. The measurement shall be based initially at fair value as at the date of acquisition. When the Authority recognises an asset, it shall also recognise revenue, except to the extent that a liability is also recognised in respect of the same inflow. The asset is recognised when it is probable that future economic benefit or service potential associated with the asset will flow to the entity and that the fair value of the asset can be measured reliably.

1.13.3. Investment income

Investment income comprise of interest income received.

Interest income is accrued with reference to the principal amount outstanding, using the effective interest method.

1.14. Borrowing costs

Borrowing costs that are directly attributable to the acquisition, construction or production of a qualifying asset are capitalised as part of the cost of that asset until such time as the asset is ready for its intended use. The amount of borrowing costs eligible for capitalisation is determined as follows:

Notes to the Annual Financial Statements

1.14. Borrowing costs (Continued)

- Actual borrowing costs on funds specifically borrowed for the purpose of obtaining a qualifying asset less any temporary investment of those borrowings.
- Weighted average of the borrowing costs applicable to the entity on funds generally borrowed for the purpose of obtaining a qualifying asset. The borrowing costs capitalised do not exceed the total borrowing costs incurred.

The capitalisation of borrowing costs commences when:

- Expenditures for the asset have occurred;
- Borrowing costs have been incurred, and
- Activities that are necessary to prepare the asset for its intended use or sale are in progress.

Capitalisation is suspended during extended periods in which active development is interrupted.

Capitalisation ceases when substantially all the activities necessary to prepare the qualifying asset for its intended use or sale are complete.

All other borrowing costs are recognised as an expense in the period in which they are incurred.

1.15. Foreign Currency Translation

Foreign currency transactions are translated into functional currency using the exchange rates at the dates of the transactions. Foreign exchange gains and losses resulting from the settlement of such transactions, and from the translation of monetary assets and liabilities denominated in foreign currencies at year end exchange rates, are generally recognised in surplus or deficit. They are deferred in equity if they relate to qualifying cash flow hedges and qualifying net investment hedges or are attributable to part of the net investment in a foreign operation.

Foreign exchange gains and losses that relate to borrowings are presented in the statement of surplus or deficit, within finance costs. All other foreign exchange gains and losses are presented in the statement of surplus or deficit on a net basis within other gains/(losses).

Non-monetary items that are measured at fair value in a foreign currency are translated using the exchange rates at the date when the fair value was determined. Translation differences on assets and liabilities carried at fair value are reported as part of the fair value gain or loss. For example, translation differences on non-monetary assets and liabilities such as equities held at fair value through surplus or deficit are recognised in surplus or deficit as part of the fair value gain or loss, and translation differences on non-monetary assets such as equities classified as at fair value through other comprehensive income are recognised in other comprehensive income.

The amount of foreign exchange differences recognised in profit or loss except for those arising on financial instruments measured on fair value through profit or loss in accordance with IFRS 9.

1.16. Contribution

On 27 August 2017, the BIPA established under section 21 Registration number 21/2011/0482 ceased to exist and was subsequently replaced by BIPA established under the BIPA Act, 2016 (Act No. 8 of 2016), promulgated on 16 January 2017. All assets and liabilities belonging to the BIPA section 21 was transferred to the BIPA established by the Act.

The Net capital contribution to the BIPA established by the Act recognised in the books amounted to N$34,491,766, which is capital injected by the Government of Namibia, therefore this amount is recognised as contribution.

Notes to the Annual Financial Statements

2. NEW STANDARDS AND INTERPRETATIONS

2.1. Standards and interpretations effective and adopted in the current year

The annual financial statements were based on the following standards and interpretations and are effective for the current year and relevant to the Authority's operations:

Standard / Interpretations	Effective date: years beginning on or after	Expected Impact
Disclosure of Accounting Policies – Amendments to IAS 1 and IFRS Practice Statement 2	1-Jan-23	The impact of the standard is not material
Definition of Accounting Estimates – Amendments to IAS 8	1-Jan-23	The impact of the standard is not material
Narrow scope amendments to IAS 1 'Presentation of Financial Statements', Practice statement 2 and IAS 8 'Accounting Policies, Changes in Accounting Estimates and Errors'	1-Jan-23	The impact of the standard is not material

2.2. Standards and interpretations not yet effective

The Authority has chosen not to early adopt the following standards and interpretations, which have been published and are mandatory for the Authority's accounting periods beginning on or after 01 April 2023 or later periods.

Standard / Interpretations		Effective date: years beginning on or after	Nature and Expected Impact.
Non-current liabilities with covenants – Amendments to IAS 1		1-Jan-24	The amendments clarifies that liabilities are classified as either current or non-current, depending on the rights that exist at the end of the reporting period.
Lease liability in sale and leaseback – amendments to IFRS 16		1-Jan-24	The amendments specify that, in measuring the lease liability subsequent to the sale and leaseback, the seller-lessee determines 'lease payments' and 'revised lease payments' in a way that does not result in the seller-lessee recognising any amount of the gain or loss that relates to the right of use that it retains.

Notes to the Annual Financial Statements

3. RISK MANAGEMENT

3.1. Capital risk management

Capital risk is the potential of loss of part or all of an investment. The Authority's objectives when managing capital are to safeguard its ability to continue as a going concern in order to provide financial stability and benefits for the Government of Namibia. The Authority maintains its capital by not providing dividends. BIPA capitalizes surpluses and this has seen an increase in assets. The Authority has no major borrowing covenants. There are no capital requirements set out at the establishment of the Authority.

The following table summaries the capital contribution, reserves and accumulated funds and are outlined as follows:

Capital structure	2023	2022
Contribution (Note 11)	34,491,766	34,491,766
Accumulated funds	39,781,208	45,869,529
Total	**74,272,974**	**80,361,295**

3.2. Financial risk management

3.2.1. Overview

The Authority is exposed to the following financial risk from its use of financial instruments:

- Liquidity risk
- Credit risk
- Market risk (Interest rate and foreign exchange risk)

3.2.2. Liquidity risk

The Authority is exposed to liquidity risk, which is risk of failure to meet obligations as they fall through. The risk is managed through prudent cash management. The Authority's liabilities incurred and expected are aligned to the current cash available and expected cash inflows.

At the end of the reporting period the Authority held other financial assets of N$37,391,421 (2022: N$31,678,807) and cash and cash equivalents amounting to N$28,170,040 (2022: N$22,029,706) that are expected to readily generate cash inflows for managing liquidity risk.

The Authority's cash and cash equivalents and other financial assets compared to current liabilities result in a ratio of 2.94:1. In addition to cash and cash equivalents and other financial assets, the Authority has funds held in trust with ARIPO and WIPO which form part of trade and other receivables, amounting to N$7,594,848 (2022: N$4,484,068), which can be called in at any given time.

The Authority manages its cash flows through detailed annual and revised quarterly cash flow projections to ensure the Authority is afloat.

Notes to the Annual Financial Statements

3. RISK MANAGEMENT (CONTINUED)

The table below summarises the maturity profile of the entity's financial liabilities at 31 March 2023 based on contractual undiscounted payments:

At 31 March 2023	Less than 1 Year	More than 1 Year
Trade and other payables (Note 13)	17,557,603	-
Lease liabilities (Note 6)	3,211,484	-
Total current liabilities	**20,769,088**	**-**

At 31 March 2022	Less than 1 Year	More than 1 Year
Total current liabilities	**17,248,948**	**-**

3.2.3. Credit risk

Credit risk is the risk of financial loss to the Authority if a customer or counter-party to a financial instrument fails to meet contractual obligation and arises from other financial assets and trade receivables.

The Authority's credit risk consists mainly of other financial assets, cash and cash equivalents and trade receivables. The Authority only deposits cash with major banks with high quality credit standing and limits exposure to any one counter-party.

The Authority trade receivables are from WIPO and ARIPO, and are recognised each time the share of the Authority is calculated. The Authority manages the risk by calling the funds immediately when the amounts due to the authority from ARIPO and WIPO are communicated by them.

Credit loss allowances for expected credit losses are recognised for all trade and other receivables but exclude staff advances and those measured at fair value through profit or loss. The Authority's management determines whether the credit loss allowance on trade and receivables should be calculated on a 12 month basis or a lifetime expected credit loss basis.

The determination depends on whether there has been a significant increase in the credit risk since initial recognition. Management assesses if there has been a significant increase in credit risk, then the loss allowance is calculated based on lifetime expected credit losses, and if not the loss allowance is based on 12 month expected credit losses.

Financial assets exposed to credit risk at year end were as follows:

Financial Instrument	2023	2022
Trade and other receivables (Note 7)	8,175,223	4,769,517
Less: Loss allowance (Note 7)	(8,164)	(4,779)
Net trade and other receivables	**8,167,059**	**4,764,738**
Cash and cash equivalents	**28,170,040**	**22,029,706**

The Authority's exposure to credit risk is influenced mainly by individual characteristics of each customer. However management limits its exposure to credit risk from receivables with ARIPO and WIPO by frequently calling for funds to Namibia. The Authority monitors its rental deposits with landlords and requests refunds upon termination.

Notes to the Annual Financial Statements

3. RISK MANAGEMENT (CONTINUED)

3.2.4. Market risk

Market risk is a risk that changes in the market prices - such as interest rate risk and foreign exchange risk, which will affect the Authority's income or the value of its holding of financial instruments. The objective of market risk management is to manage and control market risk exposures within acceptable parameters while optimising the return.

The Authority has been established as a public enterprise under the BIPA Act, 2016 (Act No.8 of 2016), mandated to administer the registration of businesses, collect annual duties and protection of intellectual property thereof. The Authority is therefore the only entity mandated to do so.

3.2.4.1. Interest rate risk

Cash flows interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Fair value interest rate risk is the risk that the value of a financial instrument will fluctuate because of changes in market interest rates.

The Authority is exposed to various risks associated with the effect of fluctuations in the prevailing levels of market rates of interest on its cash resources and investments. The cash resources are managed to ensure that surplus funds are invested in a manner to achieve maximum returns while minimising risks. The Authority places its funds in fluctuating interest earning call deposits which are adjusted on a short term basis based on changes in the prevailing market related rates.

The Authority manages interest rate risk on short-term investments through investment guidelines for all investments and the Authority invests with major banking institutions with high quality credit standing. The interest received on cash and cash equivalents at financial institutions are minimal and therefore interest rate risk is identified as insignificant. Any interest rate achieved by the Authority is highly favourable, than keeping the funds idle.

Financial assets exposed to interest rate risk at 31 March 2023 were as follows:

Financial assets	2023	2022
Cash and cash equivalents	28,170,040	22,029,706
Other financial assets	37,391,421	31,678,807

Sensitivity analysis

The following sensitivity analysis has been prepared using a sensitivity rate which is used when reporting interest rate risk internally to key management personnel and represents management's assessment of the reasonably possible change in interest rates.

All other variables remain constant. The sensitivity analysis includes only financial instruments exposed to interest rate risk which were recognised at the reporting date. No changes were made to the methods and assumptions used in the preparation of the sensitivity analysis compared to the previous reporting period.

Increase or decrease in rate by 1%	2023 Increase	2023 Decrease	2022 Increase	2022 Decrease
Impact or profit or loss				
Cash and Cash Equivalents	281,700	(281,700)	220,297	(220,297)
Other Financial Assets	373,914	(373,914)	316,788	(316,788)
	655,614	**(655,614)**	**537,085**	**(537,085)**

Notes to the Annual Financial Statements

3. RISK MANAGEMENT (CONTINUED)

3.2.4.2. Foreign exchange risk

Foreign exchange risk refers to the losses that an international financial transaction may incur due to currency fluctuations. The Authority is exposed to foreign exchange risk, as the entity has financial assets held in foreign currency which are translated into local currency in the financial statements. These foreign transactions include accrued income from the international listing on trademarks, patents, industrial designs, utilities and copyrights.

Exchange risks are managed through preserving of foreign currency earned on said country and only bring them when exchange rates are favourable. The Authority does not hedge itself against unfavourable exchange rates, as such it uses floating exchange rates. Financial assets exposed to foreign exchange risk at year end were as follows:follows:

At 31 March 2023

Financial Instrument	Foreign Currency	Amount in Foreign Currency	Amount in Local Currency (N$)
Trade and other receivables:			
• Accrued income - African Regional Intellectual Property Organisation (ARIPO)	US Dollar	189,209	3,284,166
• Accrued income - World Intellectual Property Organisation (WIPO)	Swiss Franc	219,701	4,310,682

At 31 March 2022

Financial Instrument	Foreign Currency	Amount in Foreign Currency	Amount in Local Currency (N$)
Trade and other receivables:			
• Accrued income - African Regional Intellectual Property Organisation (ARIPO)	US Dollar	125,336	1,815,465
• Accrued income - World Intellectual Property Organisation (WIPO)	Swiss Franc	170,577	2,668,603

Sensitivity analysis

Surplus or deficit is sensitive to the gains or losses on exchange differences on receipts from international transactions as a result of changes in foreign exchange rates.

Gains or losses on exchange differences, by N$1 movement in rates.	2023 Gains (N$)	2023 Loss (N$)	2022 Gains (N$)	2022 Loss (N$)
Impact or profit or loss				
ARIPO -US$ 189,209 (2022: US$125,336)	189,209	(189,209)	125,336	(125,336)
WIPO -US$ 219,701 (2022: US$ 170,577)	219,701	(219,701)	170,577	(170,577)
	408,910	**(408,910)**	**295,913**	**(295,913)**

BIPA maintains floating exchange rates.

Notes to the Annual Financial Statements

3. RISK MANAGEMENT (CONTINUED)

3.2.5. Fair value hierarchy

Judgments and estimates made in determining the fair values of the financial instruments that are recognised at fair value in the financial statements are provided below as follows:

Recurring fair value measurements as at 31 March 2023	Level 1	Level 2	Level 3	Total
Financial assets				
Financial assets at fair value through profit or loss:				
• Trade and other receivables (excluding deposits)	-	-	-	-
• Other financial assets	-	37,391,421	-	37,391,421
• Cash and cash equivalents	-	-	28,170,040	28,170,040
Total financial assets	**-**	**37,391,421**	**28,170,040**	**65,561,461**
Financial liabilities				
• Trade and other payables	-	-	17,557,603	17,557,603
Total financial liabilities	**-**	**-**	**17,557,603**	**17,557,603**

Level 2: These are financial instruments that are not traded on an active market and their valuation is based on maximising the use of observable market data and rely as little as possible on entity-specific estimates.Level 3 is BIPA's own data, this is unobservable by market participants.

Recurring fair value measurements as at 31 March 2022	Level 1	Level 2	Level 3	Total
Financial assets				
Financial assets at fair value through profit or loss:				
• Trade and other receivables (excluding deposits)	-	-	-	-
• Other financial assets	-	31,678,807	-	31,678,807
• Cash and cash equivalents	-	-	-	-
Total financial assets	**-**	**31,678,807**	**-**	**31,678,807**
Financial liabilities				
• Trade and other payables	-	-	14,698,729	14,698,729
Total financial liabilities	**-**	**-**	**14,698,729**	**14,698,729**

Notes to the Annual Financial Statements

	2023 N$			2022 N$		
4. PROPERTY, PLANT AND EQUIPMENT						
	Cost	Accumulated Depreciation	Carrying value	Cost	Accumulated Depreciation	Carrying value
Land	10,958,850	-	10,958,850	10,775,000	-	10,775,000
Buildings	956,800	(61,875)	894,925	1,125,000	(39,375)	1,085,625
Furniture and fixtures	2,514,447	(1,165,115)	1,349,332	2,491,274	(940,162)	1,551,112
Motor vehicles	2,004,003	(1,204,543)	799,460	1,765,926	(1,547,109)	218,817
Office equipment	621,455	(423,948)	197,507	629,381	(255,964)	373,417
IT equipment	4,023,111	(2,898,944)	1,124,167	3,619,634	(2,305,837)	1,313,797
Other Fixed Assets	8,319,727	(2,076,538)	6,243,189	7,693,898	(1,525,734)	6,168,164
Capital work in progress	12,842,529	-	12,842,529	12,842,529	-	12,842,529
	42,240,921	**(7,830,963)**	**34,409,958**	**40,942,642**	**(6,614,181)**	**34,328,461**

Reconciliation of property, plant and equipment - 2023

	Opening balance	Additions	Disposal	Revaluation surplus	Impairment loss	Transfer in/ out	Accumulated Dep Reversal	Depreciation	Total
Land *	10,775,000	-	-	183,850			-	-	10,958,850
Buildings *	1,085,625	-	-		(168,200)		-	(22,500)	894,925
Furniture and fixtures	1,551,112	-	-			23,173	-	(224,953)	1,349,332
Motor vehicles	218,817	837,094	(599,017)				485,240	(142,674)	799,460
Office equipment	373,417	15,246	-			(23,173)	-	(167,984)	197,507
IT equipment	1,313,797	429,968	(26,491)				22,604	(615,711)	1,124,167
Other Fixed Assets	6,168,164	625,829	-				-	(550,804)	6,243,189
Capital work in progress	12,842,529	-			(12,842,529)		-	-	-
	34,328,461	**1,908,137**	**(625,508)**	**183,850**	**(13,010,729)**	**-**	**507,844**	**(1,724,626)**	**21,567,429**

Notes to the Annual Financial Statements

4. PROPERTY, PLANT AND EQUIPMENT (CONTINUED)

*Land and Buildings consist of a certain Erf no. 8681 (A portion of Erf 1575), Windhoek, Registered Government title No. T.3063/2020. The property was valued by RMC Property Services CC on 26 June 2023. Land valued at N$ 10,958,850 and building at N$ 894,925. Land appreciated by N$ 183,850 and Building was impaired by N$ 168,200. Land and buildings is not pledged as a security for liablities.

* Capital work in progress (WIP) was written off from the asset register during the financial 2022/23. The value of the WIP impaired was N$12,842,529. The reasons to write off the impairment were, the projected cost for the building was N$200 million which BIPA did not have and cannot afford to borrow. Furthermore, the board approved the procurement of a stand-alone building of which most of the properties on the market is close to a quarter of N$ 200 million. The Board approved the impairment on 31st May 2023.

*Assets disposed off at a value of N$ 585,950 had a non cash item value of N$ 340,000.

Reconciliation of property, plant and equipment - 2022

	Opening balance	Opening balance adjustment	Additions	Accumulated Dep Adjustment	Depreciation	Total
Land *	10,775,000	-	-	-	-	10,775,000
Buildings *	1,108,125	-	-	-	(22,500)	1,085,625
Furniture and fixtures	1,608,236	82,364	112,751	(35,971)	(216,267)	1,551,112
Motor vehicles	241,130	-	-	-	(22,313)	218,817
Office equipment	336,672	-	188,042	-	(151,296)	373,418
IT equipment	920,306	17,362	809,369	(13,266)	(419,973)	1,313,797
Other Fixed Assets	6,555,278	-	143,643	-	(530,757)	6,168,164
Capital work in progress	12,842,529	-	-	-	-	12,842,529
	34,387,276	**99,726**	**1,253,805**	**(49,237)**	**(1,363,106)**	**34,328,462**

Notes to the Annual Financial Statements

5. INTANGIBLE ASSETS

	2023			2022		
	Cost	Accumulated amortisation	Net Carrying amount	Cost	Accumulated amortisation	Net Carrying amount
Computer Software - Externally generated assets *	7,875,720	(4,592,165)	3,283,555	7,875,720	(3,017,021)	4,858,699
	7,875,720	**(4,592,165)**	**3,283,555**	**7,875,720**	**(3,017,021)**	**4,858,699**

Reconciliation of intangible assets - 2023

	Opening balance	Additions	Disposals	Amortisation	Total
Computer Software - Externally generated assets	4,858,699	-	-	(1,575,144)	3,283,555
	4,858,699	**-**	**-**	**(1,575,144)**	**3,283,555**

Reconciliation of intangible assets - 2022

	Opening balance	Additions	Disposals	Amortisation	Total
Computer Software	5,409,072	963,208	-	(1,513,581)	4,858,699
	5,409,072	**963,208**	**-**	**(1,513,581)**	**4,858,699**

5.1. INTANGIBLE ASSETS (LIST)

5.1.1. Enterprise Resource Planning System under development cost to date of N$2,990,609.63 (2022: N$2,990,609.63)

Notes to the Annual Financial Statements

	2023 N$	2022 N$

6. LEASES

6.1. Amounts recognised in the statement of financial position

The statement of financial position shows the followings relating to leases:

6.1.1. Right-of-use assets

Initial Lease FY22 (ended)

Item	Cost	Accumulated Depreciation	Carrying Value
Building	3,640,379	(3,640,379)	-
	3,640,379	**(3,640,379)**	**-**

Second Lease - 2023

Item	Cost	Accumulated Depreciation	Carrying Value
Building	8,400,134	(3,987,886)	4,412,248
	8,400,134	**(3,987,886)**	**4,412,248**

Third Lease - 2023

Item	Cost	Accumulated Depreciation	Carrying Value
Building	503,599	(194,941)	308,657
	503,599	**(194,941)**	**308,657**

Reconciliation of right-of-use assets - 2023

Item	Opening balance	Additions	Depreciation	Total
Building	7,233,450	503,599	(3,016,144)	4,720,905
Total	**7,233,450**	**503,599**	**(3,016,144)**	**4,720,905**

Notes to the Annual Financial Statements

6. LEASES (CONTINUED)

6.1.1. Right-of-use assets - 2022

Item	Cost	Accumulated Depreciation	Carrying Value
Building	12,040,513	(4,807,063)	7,233,450
	12,040,513	(4,807,063)	7,233,450

Reconciliation of right-of-use assets - 2022

Item	Opening balance	Additions	Depreciation	Total
Building	2,426,920	8,400,134	(3,593,604)	7,233,450
Total	**2,426,920**	**8,400,134**	**(3,593,604)**	**7,233,450**

6.1.2. Lease liabilities

Current	3,211,484	2,550,219
Non-Current	2,068,463	4,896,512
	5,279,947	**7,446,731**

There was an addition to the right-of-use assets, whereby the Authority (Lessee) entered into a new lease agreement with the Lessor for a period aligned with the existing lease.

6.2. Amounts recognised in the statement of surplus or deficit

The statement of comprehensive income shows the following amounts relating to leases:

Interest expense (included in finance costs)	649,929	293,234
Depreciation charge-of-right-of-use assets		
Buildings	3,016,144	3,593,604
	3,666,073	**3,593,604**

Notes to the Annual Financial Statements

6. LEASES (CONTINUED)

	2023 N$	2022 N$
6.3. Total cash outflows for leases		
Principal elements of lease payments	**3,099,512**	**2,869,919**
6.4. Operating lease - as leasee (expense)		
Expense relating to short-term leases (included in cost of goods sold and administrative expenses)	138,000	126,500
Expense relating to variable lease payments not included in lease liabilities (included in administrative expenses)	411,584	373,248

The Authority leases various equipment and office buildings. All have a fixed term lease periods of three years. The lease terms are negotiated differently and have different terms of conditions. Extensions and termination are explicitly included.

Right-of-use leases asset are depreciated at the shorter of asset's useful life and the lease term on a straight line basis. The Authority use the discount factor of 10% which is Namibia's prime rate plus credit risk.

6.5. Maturity analysis for lease liabilities

The maturity analysis for lease liabilities is as follows:

within one year	3,568,273	3,320,312
Two to five years	2,169,679	5,737,952
	5,737,952	9,058,264
Less finance charges component	(458,005)	(1,611,533)
	5,279,947	**7,446,731**
Non-current liabilities	2,068,463	5,279,947
Current laibilities	3,211,484	2,550,219
	5,279,947	**7,830,166**

6.6. Significant lease arrangements

The Authority leases a building from PZN for carrying out its mandate. The lease agreement is for a period of three (3) years, starting 1 November 2021, ending 31 October 2024 with an annual escalation of 8%.

Notes to the Annual Financial Statements

7. TRADE AND OTHER RECEIVABLES

Financial Instruments:		
Trade receivables	36,482	36,571
Less: Loss allowance (see note 7.(iii))	(8,164)	(4,779)
Non-Financial Instruments:		
Deposits	204,200	204,404
Staff Advances	339,693	248,878
Accrued income - African Regional Intellectual Property Organisation	3,284,166	1,815,465
Accrued income - World Intellectual Property Organisation	4,310,682	2,668,603
	8,167,059	**4,969,142**

(i) CLASSIFICATION OF TRADE RECEIVABLES

Trade receivables are amounts due from customers for services performed during the course of the business. They are generally due within 30 days and therefore are all classified as current. Trade receivables are recognized initially at the amount of consideration that is unconditional unless they contain significant financing conditions when they are recognized at fair value. The Authority holds trade receivables with the objective to collect the contractual cash flows and therefore measures them subsequently at amortized cost using the effective interest method. Details about the Authority's impairment policies and the calculation of the loss allowance are provided in note 1.5.3.

(ii) FAIR VALUE OF TRADE RECEIVABLES

Due to the short-term nature of the current receivables, their carrying amount is considered to be the same as their fair value.

(iii) IMPAIRMENT AND RISK EXPOSURE

Information about impairment of trade receivables and the Authority's exposure to credit risk, foreign exchange risk and interest rate risk can found in note 1.9, 3.2.3, 3.2.4.2, 3.2.4.1.

Exposure to credit risk

Trade receivables inherently expose the Authority to credit risk, being the risk that the Authority will incur financial loss if customers fail to make payments as they fall due.

Notes to the Annual Financial Statements

7. TRADE AND OTHER RECEIVABLES

	2023 N$	2022 N$

The Authority's historical credit loss experience does not show significantly different loss patterns for different customer segments. The provision for credit losses is therefore based on past due status without disaggregating into further risk profiles. The loss allowance provision is determined as follows:

	2023 Estimated gross carrying amount at default	2023 Loss allowance (Lifetime expected credit loss)	2022 Estimated gross carrying amount at default		2022 Loss allowance (Lifetime expected credit loss)
Not past due: 0.1% (2022: 0.1%)	7,799,048	(7,799)	4,688,472		(4,688)
Less than 30 days past due: 0.25% (2022:0.25%)					
31 - 60 days past due: 1% (2022:1%)	-	-	-		-
61 - 90 days past due: 1% (2022:1%)	-	-	-		-
91 - 120 days past due: 1% (2022:1%)	-	-	-		-
121 days + past due: 1% (2022:0.25%)	36,482	(365)	36,571		(91)
	7,835,530	**(8,164)**	**4,725,043**	**-**	**(4,779)**

8. PREPAYMENTS

Prepaid expenses	**332,002**	**191,667**

Prepaid expenses represent annual service level agreement on Client Notification System. The service level agreement is for a period of one year, invoiced on a monthly basis.

9. OTHER FINANCIAL ASSETS

Fair value through profit or loss (FVTPL)

• Opening balance	31,678,807	30,418,200
Movements for the year are as follows:		
• Money invested	3,800,000	-
• Money withdrawn	-	-

Notes to the Annual Financial Statements

9. OTHER FINANCIAL ASSETS (CONTINUED)	2023 N$	2022 N$
• Dividend received and reinvested	1,912,614	1,260,607
Total movement	**5,712,614**	**1,260,607**
Carrying value	**37,391,421**	**31,678,807**
Fair value	**37,391,421**	**31,678,807**

(i) CREDIT QUALITY OF OTHER FINANCIAL ASSETS

The credit quality of cash at bank and short-term deposits excluding cash on hand that are neither past due nor impaired can be assessed by reference to external credit ratings (if available) or historical information about counterparty default rates:

CREDIT RATING:

Capricorn Asset Management (Pty) Limited (A1+ Moody's credit rating)	37,391,421	31,678,807

10. CASH AND CASH EQUIVALENTS		
Current assets		
Cash in hand	326	4
Cash at bank	2,209,374	1,283,409
Deposits at call	25,960,340	20,746,293
	28,170,040	**22,029,706**

(i) RECONCILIATION TO CASH FLOW STATEMENT

The above figures reconcile to the amount of cash shown in the statement of cash flows at the end of the financial year as follows:

Balances as above	28,170,040	22,029,706
Balances as statement of cash flows	**28,170,040**	**22,029,706**

(ii) CREDIT QUALITY OF CASH AT BANK AND SHORT-TERM DEPOSITS EXCLUDING CASH IN HAND

The credit quality of cash at bank and short-term deposits excluding cash on hand that are neither past due nor impaired can be assessed by reference to external credit ratings (if available) or historical information about counterparty default rates:

CREDIT RATING:

Bank Windhoek Limited (A1+ Moody's credit rating)	3,146,702	2,746,684

Notes to the Annual Financial Statements

	2023 N$	2022 N$
9. OTHER FINANCIAL ASSETS (CONTINUED)		
CREDIT RATING:		
First National Bank Namibia (ba3 Moody's credit rating)	1,586,331	931,226
CREDIT RATING:		
Nedbank Namibia (Ba2 Moody's credit rating)	23,436,681	18,351,791
	34,491,766	**34,491,766**

11. CONTRIBUTION

The BIPA established under the BIPA Act, 2016 (Act No. 8 of 2016) took over all the assets and liabilities of the BIPA established under section 21 of the Companies Act.

RECONCILIATION		
Opening balance	**34,491,766**	**34,491,766**
	34,491,766	**34,491,766**

12. DEFERRED INCOME

Opening balance	2,783,177	3,015,108
Donation	5,591,045	-
Depreciation charge for the year	(231,931)	(231,931)
Expenses recognised	(1,620,404)	-
	6,521,887	**2,783,177**

Deferred income represents IT server equipment received as a donation from GIZ to the value of N$3,478,970.00 on 31 March 2018, Donation from Bank of Namibia of N$ 5,591,044.61 received in December 2023. Income recognition is based on the depreciation charge for the period until such asset is fully depreciated or expenses incurred for the specific year in line with the donation requirements.

Deferred income is disclosed as follows:		
Non-Current	2,319,315	2,551,246
Current	4,202,572	231,931
	6,521,887	**2,783,177**

Bank of Namibia funding comes to an end in 2023.

Notes to the Annual Financial Statements

	2023 N$	2022 N$
13. TRADE AND OTHER PAYABLES		
Financial instruments:		
Trade creditors	2,697,205	2,104,170
Association for Entrepreneurial Development	-	9,873
Sundry creditors	2,925	2,925
Accrued Liability- Travelling	114,873	-
Provision for salary bonus*	6,631,668	5,000,000
Provision for leave pay*	8,110,932	7,581,761
	17,557,603	**14,698,729**

* The nature of the provisions outlined above is described in note 1.11. Cash outflows for salary bonus are expected subsequent to year-end whereas cash outflows for accrual for leave pay is expected when the employee resigns.

Notes to the Annual Financial Statements

	2023 N$	2022 N$

14. REVENUE FROM CONTRACTS WITH CUSTOMERS

14.1 Disaggregation of revenue from contract with customers

	Timing of revenue recognition - Over time	Timing of revenue recognition - At point in time	Revenue from external customers - 2023	Revenue from external customers - 2022
Income from Registrations of Companies, Close Corporation and Defensive names	-	4,069,310	4,069,310	4,119,769
Income from Amendments of Companies and Close Corporation	-	1,252,385	1,252,385	1,008,098
Registration of Trademarks, Patents and Copyrights	-	3,198,659	3,198,659	3,268,409
Other income - file request and copies	-	286,236	286,236	320,504
Total	**-**	**8,806,590**	**8,806,590**	**8,716,780**

14.2. Disaggregation of revenue from non-exchange transactions

	Revenue from non-exchange transactions - 2023	Revenue from non-exchange transactions - 2022
Income from Annual Duties and Returns	83,026,585	75,640,029
Total	**83,026,585**	**75,640,029**
14.3. Total revenue	**91,833,175**	**84,356,809**

Notes to the Annual Financial Statements

	2023 N$	2022 N$
15. OTHER INCOME		
Share of fees - African Regional Intellectual Property Organisation (ARIPO)	5,306,637	4,361,290
Sundry Income *	251,286	70,694
Share of fees - World Intellectual Property Organisation (WIPO)	4,015,217	2,772,917
Government Grants - Ministry of Industrialization and Trade ("MIT")	675,000	-
Profit on sale of property, plant and equipment	468,222	7,955
Grant received (Cash) - Deutsche Gesellschaft fur Internationale Zusammenarbeit	-	358,150
Donation received (Deferred income) - Deutsche Gesellschaft fur Internationale Zusammenarbeit	231,931	231,931
Donation received - Bank of Namibia	1,620,404	-
	12,568,698	**7,802,938**

* Included in the sundry income is an amount of N$ 182,155 received from GIZ as a refund.

	2023 N$	2022 N$
16. OPERATING SURPLUS		
Operating Surplus / (Deficit) for the year is stated after accounting for the following:		
Operating lease charges		
Premises		
• Contractual amounts - Head office (Short-term lease)	138,000	126,500
Equipment		
• Contractual amounts (Low value lease)	411,584	373,248
Depreciation on property, plant and equipment (note 4,5 & 21)	6,315,914	6,470,291
Employee costs	71,251,853	63,486,637

Notes to the Annual Financial Statements

	2023 N$	2022 N$
17. EMPLOYEE COSTS		
Basic Salaries	49,835,084	44,654,605
Pay As You Earn (PAYE)	11,844,341	10,099,633
Medical Aid	2,310,687	2,081,933
Namibia Public Workers Union (NAPWU)	161,903	152,781
Defined Pension Fund	6,840,707	6,187,533
Social Security Contribution	259,131	310,152
	71,251,853	**63,486,637**

18. TAXATION

The Authority is exempt from income tax in terms of section 16(1)(e)(i) of the Income Tax Act of Namibia, as amended.

19. INTEREST RECEIVED AND COSTS		
Interest income		
Bank	838,196	504,990
Interest on short term Investments	1,912,614	1,260,607
	2,750,810	**1,765,597**

Interest received on investment is re-invested, hence it will not appear on cash and cash equivalents, but will only appear under note 9.

Interest expenses		
Finance charges for lease liabilities	(649,929)	(293,234)
Net finance income	**2,100,881**	**1,472,363**
20. AUDITOR'S REMUNERATION		
Auditor's fees	530,809	363,113

Notes to the Annual Financial Statements

	2023 N$	2022 N$
21. CASH USED IN OPERATIONS		
Surplus/Deficit for the year	(6,333,473)	5,560,016
Adjustments for:		
Depreciation and amortisation	6,823,835	6,470,291
Loss (gain) on foreign exchange	(909,223)	338,091
Profit on sale of non-current assets	(468,222)	(7,955)
Loss on Impairment on Building	168,200	-
Finance charges for lease liabilities	649,929	293,234
Interest received	(838,196)	(1,765,597)
Interest received- Investment	(1,912,614)	-
Provision for expected credit losses	8,164	4,779
Non-cash investing and financing activities		
• Adjustment to opening balance	61,302	95,016
• Deferred income release to income statement	(1,852,335)	(231,931)
• Architectural Work in Progress Write off	12,842,530	-
• Other non-cash items	(6,498)	(40,136)
Changes in working capital:		
Decrease / (Increase) in trade and other receivables	(3,201,302)	442,065
Decrease / (Increase) in prepayments	(140,335)	(191,667)
(Decrease) / Increase in trade and other payables	2,858,874	(2,661,718)
	7,750,636	**8,304,487**

Notes to the Annual Financial Statements

	2023 N$	2022 N$

22. RELATED PARTIES

22.1. RELATIONSHIP

Related party relationship exists between the Authority and:

Entity / Organisation	Relationship
Board members and Key Management	
Ministry of Public Enterprises	State Enterprise Governance / Government
Ministry of Industrialization and Trade ("MIT")	Line Ministry / Government
Ministry of Finance	Treasury / Government
African Regional Intellectual Property Organisation (ARIPO)	Member State
World Intellectual Property Organisation (WIPO)	Member State
Corporate Registers Forum (CRF)	Member State

22.2. TRANSACTIONS

Related party transactions:

22.2.1. Key Management

	2023 N$	2022 N$
• Short-term employee benefits	7,680,911	5,837,296

Key management comprises of the Chief Executive Officer and five (5) Executives. The significant difference from prior year was due to an increase in remuneration as well as recruitments of executive within the period.

Notes to the Annual Financial Statements

	2023 N$	2022 N$
22.2.2. Other Income		
• Share of fees - African Regional Intellectual Property Organisation (ARIPO)	5,306,637	4,361,290
• Share of fees - World Intellectual Property Organisation (WIPO)	4,015,217	2,772,917
22.2.3. Government Grants		
• Ministry of Industrialization and Trade ("MIT") - Grant received	675,000	-
22.2.4. Other income		
• Donation received - Bank of Namibia	1,620,404	-
22.2.5. Operating expenses		
• ARIPO Specific Membership Contribution	810,130	512,385
• WIPO Membership Contribution	52,357	49,597
• CRF Membership Contribution	6,967	3,319
• State-Owned Enterprise CEO Forum Membership Contribution	20,000	20,000
	889,454	**585,301**
22.3. BALANCES		
Related party balances:		
22.3.1. Trade and other receivables		
• African Regional Intellectual Property Organisation (ARIPO)	3,284,166	1,813,650
• World Intellectual Property Organisation (WIPO)	4,310,682	2,665,934

Notes to the Annual Financial Statements

	2023 N$	2022 N$
22.4 BOARD MEMBERS EMOLUMENTS		
Non-Executive Directors emoluments consists of:		
• Sitting and retainer allowances	818,287	580,179
• Travelling expenses (Daily Subsistence & Travel Allowance)	60,804	361,045
	879,091	941,224
23. EXPENSE BY NATURE		
• Bar-coding retrieval file	827,347	737,963
• Consulting fees	2,967,897	1,340,353
• Depreciation and amortization	6,315,914	6,470,291
• Salaries and wages	71,251,853	63,486,637
• Silnam Support Services	2,208,000	2,024,000
• Telephone & fax	1,488,859	1,319,552
• Advertising	1,134,446	789,855
• Computer expenses	2,292,933	1,444,376
• Printing & Stationery	850,691	807,241
• Training/Capacity Building	575,541	958,249
• Travelling costs	2,838,746	1,630,608
• NTA - VET Levy	686,562	622,780
• Directors fees	818,287	580,179
• Legal expenses	359,967	530,135
• Electricity & Water	660,661	523,660
• Security	547,296	556,251
• Bank charges	709,780	516,492
• Write off- Architectural work in progress	12,842,530	4,026,704
• Other operating expenses *	5,018,068	4,026,704
	114,395,378	**92,392,031**

* Other operating expenses not separately disclosed above consists of all expenses that allows the Authority to continue with operations such as audit fees, printing and stationaries etc.

Notes to the Annual Financial Statements

	2023 N$	2022 N$

24. COMMITMENTS

24.1 Capital commitments

Capital expenditure contracted for at the end of the reporting period but not recognised as liabilities is as follows;

	2023	2022
Property, plant and equipment	1,330,552	-

Amounts contracted but not provided for in the financial statements amounted to N$ 1,330,552 (2022 N$ 0.00). This related to the procurement of two Toyota Quantum from supplier (Performance Development Centre cc).

Amounts committed but not contracted		
New Business Registration System	20,000,000	-
Document Digitization	7,000,000	-
Motor Vehicles	6,598,524	-
	33,598,524	**-**

25. Refund of payroll cost

	182,155	-

This amount pertains to a refund received from GIZ for payroll cost

Detailed Statement of Surplus or Deficit and Other Comprehensive Income

	2023 N$	2022 N$
Revenue		
Income from Registrations of Companies, Close Corporation and Defensive names	4,069,310	4,119,769
Income from Amendments of Companies and Close Corporation	1,252,385	1,008,098
Income from Annual Duties and Returns	83,026,585	75,640,029
Registration of Trademarks, Patents and Copyrights	3,198,659	3,268,409
Other income - file request and copies	286,236	320,504
	91,833,175	**84,356,809**
Other income		
Share of fees - Africa Regional Intellectual Property Organisation (ARIPO)	5,306,637	4,361,290
Sundry income	251,286	70,694
Share of fees - World Intellectual Property Organisation (WIPO)	4,015,217	2,772,917
Government Grants - Ministry of Industrialization and Trade ("MIT")	675,000	-
Grant received (Cash) - Deutsche Gesellschaft fur Internationale Zusammenarbeit (GIZ)	-	358,150
Interest received	2,750,810	1,765,597
Profit on sale of property, plant and equipment	468,222	7,955
Donation received (Deferred income) - Deutsche Gesellschaft fur Internationale Zusammenarbeit (GIZ)	231,931	231,931
Donation received - Bank of Namibia	1,620,404	-
Exchange (Gain/Loss) Interest Payable	909,223	-
	16,228,731	**9,568,534**
Expenses (Refer to page 150 & 151)	**(114,395,378)**	**(88,365,327)**
Surplus for the year	**(6,333,473)**	**5,560,016**

Detailed Statement of Surplus or Deficit and Other Comprehensive Income (Continued)

	Note(s)	2023 N$	2022 N$
Operating expenses			
ARIPO Specific contribution		810,130	512,385
Advertising		1,134,446	789,855
Auditors remuneration	19	530,809	363,113
Bank charges		709,780	516,492
Bar-coding retrieval file		827,347	737,963
Books, Journals and Manuals		5,152	7,218
Cleaning		92,512	88,011
Computer expenses		2,292,933	
Consulting fees		2,967,897	1,340,353
Courier & Postage		184,849	258,045
Corporate Gifts		-	36,106
Corporate Registers forum		6,967	-
Covid - 19 expenses		100,306	154,185
Depreciation and amortisation	4,5 & 21	6,315,914	6,470,291
Directors fees		818,287	580,179
Electricity & Water		660,661	523,660
Employee costs	16	71,251,853	63,486,637
Finance costs		649,929	293,234
Loose tools and equipment		-	5,572
Loss allowance		8,164	4,779
Loss on Impairment on Building		168,200	-
Insurance		241,650	70,653
Lease of machinery		411,584	373,248

Detailed Statement of Surplus or Deficit and Other Comprehensive Income (Continued)

	Note(s)	2023 N$	2022 N$
Legal expenses		359,967	530,135
Loss on exchange difference		-	338,091
Motor vehicle expenses		146,291	139,367
Membership fees		44,330	45,170
NTA - VET Levy		686,562	622,780
Printing & Stationery		850,691	807,241
Promotions		74,208	223,681
Rent Paid		138,000	126,500
Refreshments		181,596	92,179
Repairs & Maintenance		215,537	509,450
Retreats, Conferences and Team Building		664,132	129,492
Safety Equipment		707	1,770
Security		547,296	556,251
Silnam Support Services		2,208,000	2,024,000
Stakeholder Engagement		102,346	35,979
Telephone & fax		1,488,859	1,319,552
Training/Capacity Building		575,541	958,249
Travelling costs		2,838,746	1,630,608
WIPO Contribution		52,357	
Wellness event		128,657	97,418
World IP Day		59,655	71,462
Write off- Architectural work in progress		12,842,530	
		114,395,378	**88,365,327**

NOTES

bipa

BUSINESS AND INTELLECTUAL PROPERTY AUTHORITY

Protecting Entrepreneurship and Innovation

HEAD OFFICE

PZN Building, 3 Ruhr Street
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Windhoek, Namibia
P O Box 185, Windhoek
Tel: 061 299 4400

KATUTURA OFFICE

Erf No: 2780, Shire street
Wanaheda
Extension 2
Tel: 061 299 4452

BIPA REGIONAL OFFICE – ERONGO

Sam Nujoma Avenue
Erf No: 3147
Walvis Bay
Tel: 064 220170