



BUSINESS REGULATORY REVIEW AGENCY

2022 – 2026 STRATEGIC PLAN

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ACRONYMNS

8NDP	-	Eighth National Development Plan
BRRRA	-	Business Regulatory Review Agency
BSC	-	Balanced Scorecard
COVID-19	-	Coronavirus Disease of 2019
IA	-	Institutional Assessment
M&E	-	Monitoring and Evaluation
MDD	-	Management Development Division
MCTI	-	Ministry of Commerce Trade and Industry
OD	-	Organisational Development
PESTEL	-	Political, Economic, Social, Technological, Environmental and Legal
RIA	-	Regulatory Impact Assessment
SI	-	Statutory Instrument
SMART	-	Specific, Measurable, Attainable, Realistic and Time-bound
SWOT	-	Strengths, Weaknesses, Opportunities and Threats

WORKING DEFINITIONS

Balanced Scorecard	A planning and performance management tool aimed at translating an organisation's strategic results into a set of organisational performance objectives that in turn are monitored and measured.
Monitoring and Evaluation	Tracking progress and matching performance against set targets to institute timely corrective action as well as determining impact being made.
Strategic Planning	A process through which an organisation determines its strategic direction (vision), identifies strategic goals (strategic results) and objectives in view of its operating environment.
Strategic Plan	An operational framework providing strategic direction used to communicate within the organisation the goals and actions needed to achieve those goals and all the other critical elements developed during the planning exercise.
Literature Review	The gathering and evaluation of available information on a given subject or a chosen topic area.
Performance Assessment	A systematic process of evaluating an organisation to ascertain its achievements against the set targets in the Strategic Plan or any operational framework being used to execute its mandate within a prescribed period.
Government Institution	A Government ministry, department, agency or organ, a statutory body, commission, and a local Agency.
Stakeholder Analysis	A technique used for identifying all stakeholders (primary and secondary) based on their needs and expectations.
Strategic Issues	Major challenges faced by an organisation and are required to be resolved for its survival, prosperity, and effectiveness.

Core Values	Beliefs or norms that govern the behaviour and conduct of staff in the performance of their duties and form the organisational work culture.
Strategic Theme	Key area of focus or pillar of excellence that the organisation must work on to effectively fulfil its mandate during the strategic plan period.
Strategic objective	Statement of intent describing continuous improvements an organisation must undertake to achieve the strategic results or goals.
Strategic result	A statement describing the desired outcome of a particular strategic theme having undertaken the planned interventions.
Measures	Key performance indicators intended to assess progress towards the achievement of results.
Strategy Map	A graphical representation that shows a logical cause-and-effect relationship among strategic objectives.

FOREWORD

(Insert Picture)

I am pleased to present to you the Strategic Plan for the Business Regulatory Review Agency (BRRA) for the period 2022 – 2026. Through this Strategy, we have charted out the direction that the Agency should take and the vision it must pursue during the life span of this Strategic Plan.

The Agency will actively work towards improving the business regulatory and investment climate as well as creating an environment for implementation of a cost effective and accessible licensing system.

To realise this, the Agency will continue to review and approve proposed policies and laws to ensure that they are in tandem with the aspirations of Government and as espoused in the Business Regulatory Act, 2014.

The Strategic Plan has been aligned to the Eighth National Development Plan (8NDP). This will ensure that implementation of the Strategic Plan will translate into achieving the objectives of the 8NDP.

While progress has been made in improving the business environment, much more needs to be done in the area of business reforms. Let me therefore, reiterate that the Agency will intensify its efforts of promoting a conducive business regulatory environment by ensuring that only high quality business regulations are put in place and appropriate interventions to reduce regulatory burden on businesses are implemented for sustainable economic growth and development.

To achieve the objectives of the 2022 – 2026 Strategic Plan, the Agency will forge strategic partnerships with some institutions to achieve impactful results. We have a challenging task that cuts across the whole economy which requires collaborative efforts.

I, therefore, urge all public bodies and regulatory agencies including the private sector, to keenly work with us in realising a conducive business regulatory environment and investment climate.

Dominic Kapalu (Mr.)
BOARD CHAIRPERSON

ACKNOWLEDGEMENT

The Development of this Strategic Plan was made possible with input from stakeholders. Contributions from stakeholders during consultative meetings were invaluable to the successful development of the 2022 – 2026 Strategic Plan for the Agency.

In this regard, I would like to thank the Ministry of Commerce, Trade and Industry, for the support and policy direction. I also thank the Board of the Agency for the strategic direction provided. Special thanks go to Management Development Division of Cabinet Office for the technical assistance and guidance during the entire process of developing the Strategic Plan.

Furthermore, I would like to thank all other stakeholders and clients, too numerous to mention, for their input into the process.

Lastly, my gratitude goes to management and staff of the Agency for their hard work and dedication during the development of this Strategic Plan.

Sharon C.K. Sichilongo (Mrs.)
CHIEF EXECUTIVE OFFICER

EXECUTIVE SUMMARY

The Business Regulatory Review Agency (BRRA) is a statutory body under the Ministry of Commerce, Trade and Industry established by the Business Regulatory Act No. 3 of 2014. The Agency became operational on 15th January 2015. The mandate of the Agency is to implement an efficient, cost effective and accessible business licensing system.

The development of the 2022 - 2026 Strategic Plan followed the expiry of the 2018 – 2021 Strategic Plan. The new Plan is aimed at providing strategic direction and an operational framework for the Agency. The Strategic Plan is aligned to the priorities of Government as outlined in the Eighth National Development Plan (8NDP).

The methodology used to develop the 2022 – 2026 Strategic Plan involved a two phased process namely Institutional Assessment (IA) and Organization Development (OD). The process incorporated the principles of the Balanced Scorecard.

The Institutional Assessment involved establishing the Agency’s performance against the previous Strategic Plan, literature review of policies and legal documents with implication in the execution of the BRRA mandate. The models and tools applied included the McKinsey 7S Model, Lewin’s Simple Change Management Model, Objective and Problem Trees, Strengths, Weaknesses, Opportunities and Threats (SWOT), and Political/Policy, Economic, Social, Technological, Environment/Ecological and Legal (PESTEL) Analyses.

Further, stakeholder analysis and engagements were undertaken. During the analysis, all the stakeholders were mapped and representative samples selected for engagements. The groups were separately engaged as clients, board members, management, staff and other stakeholders (individuals/institutions not receiving a service from BRRA but may be affected by its decisions). The purpose of the engagements was to solicit for information on the current and outlook of the Agency as well as suggest areas of focus to enhance the execution of the mandate. During the 2022 – 2026 Strategic Plan period, BRRA will be guided by the following: -

Vision

“A dynamic Agency fostering a conducive business regulatory environment.”

Mission Statement

“To regulate business policies and laws in order to create a cost-effective and conducive business environment.”

Core Values

In order to accomplish the mission, BARRA has committed to observing the following six core values, namely: **Integrity, Innovation, Accountability, Transparency, Teamwork and Fairness.**

Strategic Themes and Strategic Results

The strategic focus of the Agency is broken down into three strategic themes, namely operational excellence, strategic partnerships and business regulatory excellence leading to high quality services, improved regulatory services and conducive business environment respectively.

Strategic Objectives

The following eight (8) strategic objectives will be deployed to fulfil the Agency’s mandate in the next 5 years:

1. Improve regulation of business policies and laws;
2. Improve management of Regulatory Services;
3. Enhance business Regulatory Impact Assessment processes;
4. Enhance awareness of BARRA’s mandate;
5. Improve financial resources Management;
6. Improve management systems;
7. Improve human capital; and
8. Improve office accommodation.

The Strategic Plan will be operationalised through a five year Implementation Plan. The Implementation Plan consists of costed annual activities that will be implemented by respective departments and individual staff. In order to ensure successful implementation and realisation of the desired impact, the implementation of the plan will be monitored continuously, and undertake necessary interventions. A terminal review will be undertaken at the end of the Plan period to determine the full extent of implementation and the overall impact. The terminal review will inform the preparation of the next Strategic Plan.

1.0 INTRODUCTION

1.1 Background

The Business Regulatory Review Agency (BRR) is a statutory body under the Ministry of Commerce, Trade and Industry established in accordance with the Business Regulatory Act No. 3 of 2014. The Agency became operational on 15th January 2015. The Agency was established as an outcome of the Private Sector Development Reform Programme (PSDRP) with the goal of reducing the cost of doing business and creating an environment conducive for business development and growth. As part of the work of the PSDRP, a high-level Business Licensing Reform Committee (BLRC) was constituted in 2007, which undertook a comprehensive review of the regulatory frameworks. The BLRC identified factors that were affecting the business environment such as cumbersome, bureaucratic licensing processes, which were costly for businesses. A review of business licenses revealed that there existed 520 licenses, out of which only 287 served legitimate purposes.

The study further revealed duplication of information requirements by regulatory agencies and failure to harness and fully utilise Information Communication Technology (ICT) in licensing practices. It was also found that regulatory agencies were increasingly using licenses to raise revenue as opposed to legitimate regulatory purposes. The BLRC also found that business competitiveness was being hampered by inefficient and cumbersome licensing and regulatory frameworks which negatively affected the private sector, as the business environment was not favourable. The study also revealed that, apart from Policy Analysis and Coordination (PAC) Division at Cabinet Office, which harmonises policy proposals, there was no specific mechanism to monitor regulatory transaction costs and risks, improve transparency and accountability and ensure that proposed business licenses and regulatory measures were of high quality and met criteria set for a regulatory tool.

The BLRC consequently recommended establishment of a Business Regulatory Unit with the mandate of ascertaining and vetting the quality of business licenses and regulatory measures to ensure that they meet criteria set for licensing. The BLRC further noted that there existed a discretionary and unchallenged approach to licensing, which sometimes made licenses opaque, and that there was limited networking amongst regulators. The BLRC thus recommended e-

governance to improve coordination and an e-registry for providing easy access to licensing information.

It was against this background that Government enacted the Business Regulatory Act No. 3 of 2014, which established the Business Regulatory Review Agency (BRRA).

This Act was amended through the Business Regulatory (Amendment) Act No. 14 of 2018, which established the Agency as a body corporate with perpetual succession and a common seal, capable of suing and of being sued in its corporate name. The Act also re-aligned the functions of the Agency and constituted the Board of the Agency.

1.2 Mandate

The mandate of the Agency is to ensure an efficient, cost effective and accessible business licensing system.

1.3 Functions

The functions of the BRRA as outlined in Section 14 of the Business Regulatory (Amendment) Act No. 14 of 2018 are to:

- a) Review a matter relating to business regulation or licensing on its own initiative or on a representation from a person or business;
- b) Advise Government on matters relating to business regulation and licensing;
- c) Issue guidelines and standards for regulatory impact assessments and public consultations to be undertaken by regulatory agencies;
- d) Manage and update the e-registry;
- e) Approve regulatory frameworks submitted under the Act;
- f) Promote more accessible and systematic public consultation strategies and develop a website portal for public interventions on issues of business regulation;
- g) Advise regulatory agencies on the efficient and cost effective regulation and licensing of business activities;
- h) Monitor and report on the activities of regulatory agencies related to business regulation, quality control and compliance with this Act;
- i) Determine requests for licensing of business activities by a regulatory agency;

- j) Design an annual action plan for the implementation of regulatory services centres and a single licensing system and oversee and coordinate the implementation of the action plan; and
- k) Carry out, periodically, regulatory impact assessments on business regulation and licensing.

1.4 Operational Structure

The BRRA operates under the supervision of the Ministry of Commerce, Trade and Industry. The Minister appoints the Board of the Agency, which is responsible for overseeing the operations of the Agency.

1.5 Organisational Structure

The Agency is headed by an Executive Director who is the Chief Executive Officer and supported by the following Heads of Departments, Sections and Units:

- a) Director – Regulatory Affairs Department;
- b) Director – Business Facilitation & Engagement Department;
- c) Finance Manager, Finance Unit;
- d) Board Secretary & Legal Counsel, Legal Services Section;
- e) Manager Human Capital & Administration Section; and
- f) Audit Manager, Internal Audit Unit.

The Public Relations Officer and the Personal Assistant to the Executive Director assist the management team. Currently, there is a total of six (06) members of staff employed out of the approved organisational structure of forty-two (42). The Agency is located in Lusaka.

1.6 Strategic Operational Linkages

The operational strategic linkages relate to the interaction between the Agency and its clients and stakeholders. The Agency interacts with Government Ministries and Departments, Regulatory Agencies, Private Sector Associations and Cooperating Partners.

The main areas of interaction include among others: provision of technical support in conducting Regulatory Impact Assessments and public consultations; review and approval of proposed regulatory frameworks; monitoring and evaluating the regulatory environment; and coordination of provision of business regulatory services.

1.7 Rationale for Developing the 2022–2026 Strategic Plan

The development of the 2022 – 2026 Strategic Plan was necessitated by the need to set a new direction and establish key priorities relating to the mandate of the Agency following the expiry of the previous 2018 - 2021 Strategic Plan. The Strategic Plan will aid the Agency in formulating strategies that will enable it execute its mandate effectively.

This Strategic Plan is aligned to the Eighth National Development Plan (8NDP) in accordance with the National Planning and Budgeting Act No.1 of 2020. The alignment will ensure that the priorities of Government relating to the Agency’s mandate are effectively implemented.

1.8 Methodology

The 2022 - 2026 Strategic Plan was developed with technical support from the Management Development Division of Cabinet Office using an Integrated Strategic Planning process. The process had two phases, namely Institutional Assessment (IA) and Organisation Development (OD). The process incorporated the principles of the Balanced Scorecard.

The Institutional Assessment involved conducting an assessment of the Agency’s performance against the previous strategic plan, literature review of policies and legal documents with implication in the execution of the BRRRA mandate. An institutional capability was also conducted to examine internal and external environment to establish BRRRA’s distinctive competencies, and ascertain the external macro environment developments, which may affect the execution of the mandate. The models and tools applied included the McKinsey 7S Model, Lewin’s Simple Change Management Model, Objective and Problem Trees, Strengths, Weaknesses, Opportunities and Threats (SWOT), and Political/Policy, Economic, Social, Technological, Environment/Ecological and Legal (PESTEL) Analyses.

Further, stakeholder analysis and engagements were undertaken. During the analysis, all the stakeholders were mapped and representative samples selected for engagements. The groups were separately engaged as clients, board members, management, staff and other stakeholders (individuals/institutions not receiving a service from BRRRA but may be affected by its decisions). The purpose of the engagements was to solicit for information on the current and future outlook of the Agency as well as suggest areas of focus to enhance the execution of the mandate.

The Organisation Development involved determining the strategic direction of BRRRA for the next five years. Information collected from the IA was used to determine the strategic direction that involved formulating the Vision, Mission, Core Values, Strategic Themes, Strategic Results, Strategic Objectives, Intended Results, Measures, Targets and Strategies (Initiatives). The Strategic Plan later was validated by various stakeholders, approved by the Board, and cleared by Management Development Division at Cabinet Office.

2.0 ENVIRONMENTAL ANALYSIS

An environmental analysis was conducted to identify the internal and external factors that could affect the Agency's performance. The analysis considered the Agency's internal strengths and weaknesses and how they could affect the ability to handle external threats and opportunities.

2.1 Internal Assessment

The internal environmental analysis involved undertaking an internal capability assessment using the McKinsey 7S Model and the SWOT analysis to establish the Agency's capabilities and inadequacies and provide interventions to achieve desired outcomes. The McKinsey 7S Model relates to the seven areas of an organisation namely: Strategy, Structure, Systems, Staff, Skills, Shared Values and Style of Leadership. This model assumes that for an organisation to effectively operate, the seven areas are supposed to be adequate, and demonstrates interdependence and interconnectedness. The SWOT analysis examined the Strengths, Weaknesses, Opportunities and Threats of the Agency for the effective execution of the Strategic Plan.

Based on the internal analysis, the findings showed that the Structure and Staff were not adequate. For an organisation to operate effectively, it requires an appropriate structure with adequate, competent and committed staff. Currently, the organisational structure for the BRRRA is inadequate as some functions such as Planning are not provided for while some Departments have lean structures. Further, the organisation lacks the position of Board Secretary as provided for in the Business Regulatory (Amendment) Act, 2018 and the position of Head Procurement for the Agency to be recognised as a procuring entity.

As regards the systems, most of the systems are unintegrated while some systems are manual affecting the effective and efficient implementation of programmes. Further, skills are an important element in an organisation to enhance high quality performance among members of staff. Some of the key skills required among staff include M&E and ICT. Accordingly, there is need for continuous skills development for competent and skilled staff.

Further, shared values are the beliefs and norms that regulate the conduct and behaviour of staff in the execution of their roles and responsibilities. To ensure a positive organisation

culture among all members of staff, the Agency will continue conducting cultural remodelling programmes. An analysis identified situational leadership as the predominantly applied style of leadership and supervision, which is suitable for the organisation to operate effectively.

2.2 Performance Assessment

2.2.1 Performance criteria

A performance assessment of the Agency was undertaken to evaluate the Institution's performance against its 2018 – 2021 Strategic Plan. The exercise involved conducting an internal self-assessment and performance rating. The assessment of the Agency's performance against its 2018 – 2021 Strategic Plan was based on the evaluation of each of the six Strategic Objectives in terms of the extent to which the targets were met. The performance was rated using a three level rating criteria as follows:

- a) *Code 1 - Red* (0% to 49%) for Below Average Performance.
- b) *Code 2 - Yellow* (50% to 79%) for Average Performance
- c) *Code 3 - Green* (80%-100%) for Above Average Performance

2.2.2 Performance Record

The overall performance for the Agency against its 2018 -2021 Strategic Plan was **70.8%** with a rating of 2 representing average performance. Generally, most of the targets were attained. The performance on the Core Objectives was 63.76 % while the support Objectives was 75.4%.

During the strategic plan period, the Agency recorded the following major achievements:

1. Single Licensing system established in 2 sectors;
2. Four (4) Regulatory Services Centres (RSC) established and operationalised in three provinces namely Copperbelt, Central and Eastern;
3. 64.3 % of business licences uploaded and accessible on the e-Registry;
4. 52.2 % compliance to the Business Regulatory Act;
5. Issuance of Regulatory Impact Assessment (RIA) Standards and Guidelines;

6. Review of fifty-one (51) RIA reports submitted by public bodies and regulatory agencies on proposed regulatory frameworks that affect business activity;
7. Sensitisation and training of three hundred and ninety-six (396) Principal Officers from Government Ministries, Regulatory Agencies, Local Authorities and Members of Parliament on the Business Regulatory Act and RIA;
8. Issuance of RIA Standards and Guidelines to guide public bodies and regulatory agencies when undertaking RIAs.

Notwithstanding the above, the performance of the Agency still faces the following strategic issues:

- i. Non – compliance by some Regulatory Agencies;
- ii. Issuing of business regulations without prior assessment by BRRA;
- iii. Lack of policy on business regulation;
- iv. Inadequate awareness about provisions of the Business Regulatory Act, 2014;
- v. Inadequate awareness about the role BRRA plays in promoting a conducive business environment;
- vi. Duplication and overlapping business regulations;
- vii. Delays in conducting RIAs to effect regulations;
- viii. Inadequate capacities of most clients to conduct RIA as required by the Business Regulatory Act;
- ix. Poor quality of Regulatory Impact Assessments submitted to the Agency by most clients;
- x. Resistance to regulatory reforms;
- xi. Inadequate organisational structure and low staffing levels;
- xii. Inadequate financial resources; and
- xiii. Inadequate operating equipment, tools and office accommodation.

The 2022 to 2026 Strategic Plan has provided innovative strategies that will ensure that the above challenges are adequately addressed to ensure effective execution of the Agency's mandate.

2.3 External Analysis

An analysis of the external environment using PESTEL factors identified a number of developments that affected BARRA during the previous strategic plan period. Furthermore, the analysis identified developments that could affect the operations of the Agency during implementation of the 2022 – 2026 Strategic Plan. The following developments were identified:

2.3.1 Political/Policy Developments

2.3.1.1 Political Goodwill

The change of the party in Government from the Patriotic Front to the United Party for National Development following the Presidential and General Elections of 12th August, 2021 saw increased political will to improve the business environment and more government support and commitment to the Agency. Furthermore, there has been more interest in public private dialogue from various stakeholders on the business environment motivated by the need to reduce the cost of doing business in the country and attract more investments. The Agency will, therefore, leverage on the political will and engage MCTI for support to enhance implementation of business reforms. The Agency will also strengthen strategic linkages with stakeholders.

2.3.1.2 Re-organisation and re-alignment of Government institutions

The Government Gazette Notice No. 1123 of 2021 facilitated the reorganisation of institutions. Under the Ministry of Commerce, Trade and Industry, the Department of Technical Regulations was created and the Agency now reports to the Ministry through this Department. There is need, therefore, to strengthen collaboration with the Ministry on implementation of policies related to business regulations.

2.3.1.3 Approval and Launch of the Eighth National Development Plan (8NDP)

The 8NDP is a blue print for national development for the next five (05) years from 2022 – 2026. It has four strategic developmental focus areas namely Economic Transformation and Job Creation, Human and Social Development, Environmental Sustainability and Good Governance Environment. Under Economic Transformation and Job Creation, the 8NDP provides a framework for economic transformation through improvement of business processes and citizen participation. The Agency has aligned its institutional Strategic Plan to the 8NDP. The Agency will, therefore, implement the following

strategies: a) Promote integration of digital technologies into business licensing processes; b) Promote formalisation of local business enterprises through increasing access to regulatory services; c) Implement business reforms to reduce the cost of doing business; and d) improve the business regulatory environment.

2.3.2 Economic Developments

2.3.2.1 Macro-Economic Changes - Inflation and Exchange Rate.

During the period 2018-2021, the average annual inflation increased from 7.9% in 2018 to 19.2% in 2020 before dropping to 9.9% in 2022. During the same period the kwacha depreciated from K11.2 in 2018 to K21.09 in 2020 before dropping to an average of K18 in 2022. Inflation increased the prices of goods and services impacting negatively on the budgets for the Agency.

2.3.2.2 Debt burden

The external debt as of 2020 was standing at US\$13.4 billion dollars or 72% of GDP. In tandem with the increase in the fiscal deficit, the debt burden of the country increased substantially from 22% in 2016 to 119% in 2021. Limited budget allocation and reduced releases of funds for programmes and activities, compounded with high cost of goods and services such as fuel, office equipment and utilities affected the operations of the Agency. Funding to the Agency was reduced from ZMW8m in 2019 to ZMW6.2 in 2020. In addition, the Government introduced austerity measures aimed at reducing expenditure in order to contain fiscal deficit. However, the debt restructuring process that Government has embarked on promises a positive fiscal situation for the Country. The Agency will develop and implement a Resource Mobilisation Strategy and continue strengthening financial management.

2.3.3 Social Developments

2.3.3.1 Increased uptake of social media platforms

Zambia, like many other countries in the world, has experienced an increase in the use of social media platforms. This behavioural change provides an opportunity to enhance awareness on programmes and activities of the Agency. Furthermore, the use of social media has enhanced stakeholder input in the business regulatory making process. The

Agency will continue to strengthen the usage of social media platforms to reach a broad spectrum of stakeholders.

2.3.3.2 COVID-19 Pandemic

The outbreak of the COVID-19 pandemic compromised the ability of the Agency to implement programmes timely. During COVID-19, the Agency was unable to execute its mandate effectively due to physical restrictions and increased workload due to some officers affected by COVID-19. The Agency will promote the use of online platforms as alternative ways of providing services as well as strengthen adherence to Health Guidelines on prevention of diseases.

2.3.4 Technology Developments

2.3.4.1 Advancement in technology and innovation

Advancement in technology and innovation in the recent past provides an opportunity to upscale activities that are electronically driven. For instance, the use of an Integrated Electronic platform offering various Government services has improved efficiency and effectiveness in the conduct of business. The Agency will, therefore, leverage technology and the implementation of the e-Government policy to enhance provision of business regulatory services. The Agency will also promote migration of business regulatory services to the GSB and payment gateway. Furthermore, to avoid occasional systems failure, the Agency will install and upgrade security and backup systems in collaboration with stakeholders.

2.3.5 Ecological/Environmental Developments

2.3.5.1 Climate Change

There has been an increase in climate change effects and variability, which has resulted in increased shifts of weather patterns causing high temperatures, droughts and floods. The effects of climate change resulted in inadequate power generation causing load shedding of electricity power supply, thereby affecting service delivery in RSCs and the conduct of business. However, the completion of Lower Kafue Gorge Hydropower Station and increased power generation at Maamba Coal Power Station and favourable rainfall has

improved power generation. Nevertheless, the Agency will invest in standby Generators to cushion load shedding that may be inevitable due to variability in the amount of rainfall each year.

2.3.6 Legal Developments

2.3.6.1 Local Government Act No. 2 of 2019

The Local Government Act provisions were aligned to the Business Regulatory Act, 2014. Therefore, the Business licensing under local authorities are now subjected to the provisions of the Business Regulatory Act, 2014. The Agency will, therefore, strengthen collaboration with the Ministry of Local Government and Rural Development to enhance compliance to the provisions of the Business Regulatory Act by local authorities.

2.4 Stakeholder Analysis

2.4.1 Primary Stakeholders

An analysis of the primary stakeholders or clients (those that receive services from BRRA) revealed the major needs that BRRA should be addressing to their full satisfaction as presented in the Table 1 below.

Table 1: Clients and their needs

No.	Clients	Needs
1.	City Councils	<ul style="list-style-type: none"> • Approval of the Regulations and Policies • Provision of technical support in conducting RIAs • Provision of technical support in managing Notice-and-Comment consultation platform. • Operationalization of single licensing system
	Municipal Councils	
	Town Councils	
2.	All regulatory agencies that regulate business activity.	<ul style="list-style-type: none"> • Approval of the Regulations and Policies related to registration and licensing of businesses and companies. • Provision of technical support in conducting RIAs related to registration and licensing of businesses and companies. • Provision of technical support in managing Notice-and-Comment consultation platform.

		<ul style="list-style-type: none"> • Operationalisation of single licensing system for business and company registration and licensing. • Coordination and management of RSCs.
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2.4.2 Secondary Stakeholders

An analysis of secondary stakeholders (those that do not receive services from BRRA but are concerned about its operations because decisions made by the Agency may affect them) revealed the type of stakeholders and their interests as presented in Table 2 below.

Table 2: Stakeholders and their Interests

No.	Stakeholders	Interests
1.	All Ministries implementing policies and laws for regulating business activity.	<ul style="list-style-type: none"> • Approval of Regulations and Policies. • Provision of technical support in conducting RIAs. • Provision of technical support in managing Notice-and-Comment consultation platform. • Operationalisation of single licensing system.
1.	All Cooperating partners and Private Sector Organisations	<ul style="list-style-type: none"> • A conducive business regulatory environment. • Quality business regulatory frameworks. • Low cost of doing business

3.0 SWOT Analysis

From the internal and external environmental analyses, a number of factors within and outside the Agency have been identified. These factors could facilitate or hinder the execution of the BRRRA’s mandate. Table 4 below shows Strengths and Weaknesses that is, positive and negative internal factors that will facilitate and hinder respectively the operations of the Agency. The Table also shows Opportunities and Threats, that is, factors outside the control of the Agency that will facilitate or hinder respectively its operations. The strategies in the Plan will enable the Agency to maximum the positive factors and mitigate the negative factors.

The identified Strengths, Weaknesses, Opportunities and Threats are presented in Table 4 below.

Table 4: SWOT Analysis Matrix.

Internal	Positive	Negative
	<p>Strengths</p> <ul style="list-style-type: none"> • Dedicated and committed staff • Supportive Leadership and management. • A legal framework to guide regulatory reforms and interventions. 	
External	Positive	Negative
	<p>Opportunities</p> <ul style="list-style-type: none"> • Availability of 8NDP • Political will to improve the business regulatory environment. 	

- Institutionalization of Public Private Dialogue structures by Government.
- Good will and support from cooperating partners.
- Presence of local authorities across the country at district level to provide regulatory services.
- Allocation for Constituency Development Fund reduces pressure on local authorities to impose levies on businesses.
- Expense sharing mechanism among the RSC participating Agencies to facilitate resource mobilisation for power-up systems.

- Lengthy approval processes for recruitment by MCTI and Emoluments Commission
- Silos in regulation.
- Resistance to regulatory reforms by some public bodies and regulatory agencies.
- Delays in provision of technical support by relevant institutions
- System failures.
- Poor ICT infrastructure in the country.
- Delays and failure to remit contributions towards the shared expenses by some RSC participating Agencies.
- Limited skills in ICTs among SMEs.

4.0 STRATEGIC DIRECTION

The Agency's 2022 - 2026 Strategic Plan is anchored on the Eighth National Development Plan (8NDP), a national blue print for national development for the next five years. The 8NDP has four strategic developmental focus areas namely Economic Transformation and Job Creation, Human and Social Development, Environmental Sustainability and Good Governance Environment. Under Economic Transformation and Job Creation, the 8NDP provides a framework for economic transformation through improvement of business processes and citizen participation. The Agency has aligned its Institutional Strategic Plan to the Eighth National Development Plan. The following strategies will be implemented: a) Promote integration of digital technologies into business processes; b) Promote formalisation of local business enterprises through increasing access to regulatory services; c) Implement business reforms to reduce the cost of doing business; and d) Strengthen the business regulatory environment. The strategic direction is aligned to the Eight National Development Plan (8NDP) in accordance with the National Planning and Budgeting Act No.1 of 2020.

4.1 Vision

The Agency's vision is *“A dynamic Agency fostering a conducive business regulatory environment”*.

Through this vision, the Agency will adapt itself to measures that will address the challenges in the business regulatory environment through necessary reforms.

4.2 Mission Statement

To realise the vision and achieve the strategic results, the Agency commits itself to the following mission statement: *“To regulate business policies and laws in order to create a cost-effective and conducive business environment”*.

This entails that the Agency will insure that all policies and laws that affect business activity comply with the provisions of the Business Regulatory Act, 2014

4.3 Core Values

The organisation culture of the Agency for the next five (05) years will be anchored on the following six core values:

1. Integrity

We discharge our duties with honesty and uphold highest ethical standards at all times.

2. Accountability

We take responsibility for the consequences of our decisions and actions.

3. Innovation

We embrace creativity and strive for efficacy by enabling the development of new products, services, and systems. We endeavour to evolve and proactively respond to the changing needs of the private sector.

4. Transparency

We are open to evidence based decision-making and communication.

5. Fairness

We are impartial in our actions and treat every client without favouritism or discrimination

6. Teamwork

We work together as members of staff for the attainment of goals regardless of ones' background. We also partner well with all stakeholders in the execution of our mandate.

4.4 Strategic Themes and Strategic Results

To realise its vision, the strategic focus of the Agency is broken down into three strategic themes and their related strategic results. These strategic themes are pillars of excellence on which the Agency will focus its resources in executing the mandate in the next five years. The strategic themes and their corresponding strategic results are presented in Table 5 below.

Table 5: Strategic Themes

	<i>Strategic Theme 1</i>	<i>Strategic Theme 2</i>	<i>Strategic Theme 3</i>
<i>Strategic Theme</i>	Business Regulatory Excellence	Strategic Partnership	Operational Excellence
<i>Strategic Result</i>	Conducive business environment	Improved Business Regulatory Services	High quality services

4.4.1 Business Regulation Excellence

The Agency will excel in business regulation by improving the quality of business regulations and delivery of business regulatory services. This will result in a conducive business regulatory environment.

4.4.2 Strategic Partnership

The Agency will collaborate with regulatory agencies that exert significant impact on the business regulatory environment. It will also create alliances with other institutions that would influence business reforms in order to realise substantial achievements in improving the business regulatory environment.

4.4.3 Operational Excellence

Under Operational Excellence, BRRRA will improve its human resource, financial resource mobilisation and management as well as its office accommodation.

Once the issues stated above are addressed, they will result in high quality services.

4.5 Strategic Objectives

In the next five years, the Agency commits to pursuing the following Eight (8) Strategic Objectives presented in Table 6 below.

Table 6: Strategic Objectives

Strategic Objective	Description
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1. Improve regulation of business policies and laws	The Agency will ensure that all the business policies and laws comply with the business regulatory Act through undertaking regulatory review and constant monitoring of the business environment.
2. Improve management of Regulatory Services	The Agency will strive to improve accessibility of regulatory services by increasing the number of RSC's in all the provinces.
3. Enhance business Regulatory Impact Assessment processes	This entails capacity building of Regulatory Agencies in performing Regulatory Impact Assessments.
4. Enhance awareness of BRRRA's mandate	The Agency will undertake sensitisation programmes in order to improve awareness of its services by the public.
5. Improve management of financial resources	The Agency will strive to improve its funding sources and enhance financial management. To achieve this, BRRRA will seek to increase its financial base through implementation of the resource mobilisation strategy and, enhancing internal control systems.
6. Improve management systems	The Agency will enhance its management systems through various interventions such as upgrading its ICT infrastructure to enhance its service delivery.
7. Improve human capital	The Agency will improve its human resource capacity. To achieve this, the BRRRA will recruit more staff, review and operationalise its organisational structure, strengthen Performance Management and develop and implement a Capacity Building Programme. This intervention will result in optimal staffing and improved employee performance.
8. Improve office accommodation	The Agency will secure new office accommodation in order to have a more conducive working environment for its employees.

4.6 Strategic Performance Output

The strategic performance matrix contains a detailed Output Matrix showing the Strategic Objectives and their associated Intended Results, Measures, Targets and Strategies/Initiatives presented in Table 7 below.

Table 3: Strategic Performance Output Matrix

Strategic Objective 1: Improve regulation of business policies and laws				
Intended Results	Measures	Baseline	Targets	Strategies/Initiatives
Quality business regulations	% of regulations meeting the laid down principles in the BR Act	Not determined	100% of regulations meeting the laid down principles in BR Act annually	Enhance standards of business regulation
Reduced cost of business licensing	% business regulations targeted annually	Not determined	100 % of targeted business regulations harmonised annually	Harmonise business regulations
Strategic Objective 2: Improve management of Regulatory Services				
Intended Results	Measures	Baseline	Targets	Strategies/Initiatives
Efficient Regulatory Services	No. of days of processing business Licences	30 days	Business Licences in identified sectors processed within 3 days (72 hours) annually.	Establish single licencing system for identified sector/sub-sector
Improved access to Business Regulatory Services	No. of RSCs established and operationalized	6 RSCs	4 RSCs established and operationalised in Provincial Centres by 2026	Establish and Operationalise RSCs
Strategic Objective 3: Enhance business Regulatory Impact Assessment processes				
Intended Results	Measures	Baseline	Targets	Strategies/Initiatives
Quality Regulatory	% compliance to RIA Standards and Guidelines	Not determined	75% compliance to RIA Standards and Guidelines annually	<ul style="list-style-type: none"> Enhance RIA Standards and Guidelines

Impact Assessments				<ul style="list-style-type: none"> Strengthen stakeholder consultations Strengthen capacity of Regulatory Agencies and Public Institutions on RIA
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Strategic Objective 4: Enhance awareness of BRRM mandate

Intended Results	Measures	Baseline	Targets	Strategies/Initiatives
Increased uptake of BRRM services	% of stakeholders utilising the BRRM services	Not determined	100% of stakeholders utilising the BRRM services by 2026	Review and implement the Communication Strategy

Strategic Objective 5: Improve resource mobilisation and financial management

Intended Results	Measures	Baseline	Targets	Strategies/Initiatives
Adequate financial resources	increase in financial resources	K6.211 million	Financial resources increased to K42 million by 2026	Enhance resource mobilisation
Financial accountability	No. of Audited Financial Reports	Unqualified Audited Financial Reports	1 Unqualified Audited Financial Report annually	Strengthen internal controls
	% compliance to budgets	84%	100% compliance to annual budgets	

Strategic Objective 6: Improve operational systems and processes

Intended Results	Measures	Baseline	Targets	Strategies/Initiatives
Efficient and effective service delivery	% of services delivered within set standards	Not determined	75% of services delivered within set standards annually	<ul style="list-style-type: none"> Strengthen service delivery Strengthen management Systems
Strategic Objective 7: Enhance human capital				
Intended Results	Measures	Baseline	Targets	Strategies/Initiatives
Optimal staff	% staff against the approved organisational structure	14%	70% staff recruited against the approved organisational structure by 2025	Review and operationalise the organisational structure
High staff performance	% staff performance	95%	100% staff performance against set targets annually	<ul style="list-style-type: none"> Strengthen Performance Management Develop and implement a Capacity Building Programme
Strategic Objective 8: Improve office accommodation				
Intended Results	Measures	Baseline	Targets	Strategies/Initiatives
Conducive working environment	No. of new office accommodation secured	Rented office accommodation	1 BRRA office accommodation secured by 2026	Develop and implement an Infrastructure Development Plan

5.0 ENABLING FACTORS

The successful implementation of this Strategic Plan is dependent, largely, on a number of pre-conditions and assumptions. Pre-conditions are critical success factors within the control of the Agency that will be necessary to ensure successful implementation of the 2022 - 2026 Strategic Plan. On the other hand, assumptions are critical success factors outside the control of the Agency that are important for successful implementation of the Strategic Plan. The pre-conditions and assumptions are highlighted below.

5.1 Preconditions

i) Adequate, qualified and committed human resource

There will be a fully operational organisational structure with staff that have relevant qualifications, skills, competencies and dedicated to duty.

ii) Positive work culture among staff

Staff of the Agency will cooperate with one another and focus on meeting the needs of clients and interests of stakeholders.

iii) Supportive Board and Management

The Board and Management of the Agency will provide strategic direction to the Agency and will be supportive and committed to realising the strategic vision of the Agency.

iv) Adequate office equipment and transport

The Agency will have sufficient office equipment and motor vehicles to facilitate its operations.

v) Ownership of the Strategic Plan by employees

All staff at the Agency will understand the contents of the Strategic Plan and align the planning, budgeting, individual work planning and programme execution to the Plan.

5.2 Assumptions

i) Adequate and timely funding

The Agency will timely receive adequate funds to fully execute its mandate.

ii) Supportive policy and legal frameworks

The policy and legal frameworks will be conducive for the Agency to effectively execute its mandate.

iii) Stakeholder buy in and support

Stakeholders will support implementation of the Strategy.

iv) Technological advancements

The available advanced technology will support implementation of the Strategy.

v) Stable socio-economic environment

Stable inflation and exchange rates will support implementation of the Strategy.

6.0 IMPLEMENTATION OF THE STRATEGIC PLAN

This Strategic Plan will be operationalised through a five year Implementation Plan. The Implementation Plan consists of costed activities that will be implemented by respective departments and individual staff annually over the period of the Strategic Plan. The Office of the Executive Director will be responsible for coordinating the implementation of programmes and activities and ensure submission of quarterly and annual reports to the Board.

7.0 RISK MANAGEMENT

To ensure successful implementation of the 2022 to 2026 Strategic Plan, the Agency will develop and implement a Risk Management Framework to address possible risks. The Agency will ensure that the Framework is in line with the Risk Management Guidelines for the Public Sector developed by the Ministry of Finance and National Planning.

8.0 MONITORING AND EVALUATION

Monitoring and Evaluation (M&E) will be vital for the effective implementation of the Strategic Plan and ascertaining its impact. The implementation of the M&E framework shall be enhanced to effectively track progress and evaluate performance against set strategic results, strategic objectives, intended results and targets as well as institute corrective measures timely. The monitoring and evaluation shall be conducted at individual, departmental and institutional levels quarterly and annually to effectively implement the Strategic Plan.

Further, a midterm review will be undertaken in June 2024 to ascertain the progress made towards attainment of the strategic results. Finally, a terminal review will be undertaken at the end of the Strategic Plan period to determine the full extent of implementation and the overall impact. The terminal review will inform preparation of the next Strategic Plan.

APPENDICES

Vision	A dynamic Agency fostering a conducive business regulatory environment		
Mission	To regulate business policies and laws in order to create a cost-effective and conducive business environment		
Core Values	Integrity: Accountability: Innovation: Transparency: Fairness: Teamwork		
Strategic Themes	Business Regulatory Excellence	Strategic Partnership	Operational Excellence
Strategic Results	Conducive business environment	Improved Business Regulatory Services	High quality services

Strategic Objectives and Strategy Map		Measures	Targets	Strategies/ Initiatives
Customer/ Client/ Stakeholder		<ul style="list-style-type: none"> • % of regulations meeting the laid down principles in the BR Act • % business regulations targeted annually • No. of days of processing business Licences • No. of RSC established and operationalized • % compliance to RIA standards and Guidelines • % of stakeholders utilising the BRRRA services 	<ul style="list-style-type: none"> • 100% of regulations meeting the laid down principles in BR Act annually • 100 % of targeted business regulations harmonised annually • Business Licences in identified sectors processed within 3 days (72 hours) annually. • 4 RSC established and operationalised in Provincial Centres by 2026 • 75% compliance to RIA standards and Guidelines annually • 100% of stakeholders utilising the BRRRA services by 2026 	<ul style="list-style-type: none"> • Enhance standards of business regulation • Harmonise business regulations • Establish single licencing system for identified sector/sub-sector • Establish and Operationalise RSC • Enhance RIA Standards and Guidelines • Strengthen stakeholder Consultations • Strengthen capacity of Regulatory Agencies and Public Institutions on RIA • Review and implement the Communication Strategy
Finance/ Stewardship		<ul style="list-style-type: none"> • Amount - financial resources • No. of Audited Financial Reports • % compliance to budgets 	<ul style="list-style-type: none"> • Financial resources increased to K42 Million by 2026 • 1 Unqualified Audited Financial Report annually • 100% compliance to annual budgets 	<ul style="list-style-type: none"> • Enhance resource mobilisation • Strengthen internal controls
Internal Processes		<ul style="list-style-type: none"> • % of services delivered within set standards 	<ul style="list-style-type: none"> • 75% of services delivered within set standards annually 	<ul style="list-style-type: none"> • Strengthen service delivery • Strengthen management Systems
Organisational Capacity		<ul style="list-style-type: none"> • % staff against the approved organisational structure • % staff performance • No. of new office accommodation secured 	<ul style="list-style-type: none"> • 70% staff recruited against the approved organisation structure by 2025 • 100% staff performance against set targets annually • 1 BRRRA office accommodation secured by 2026 	<ul style="list-style-type: none"> • Review and operationalise the organisational structure • Strengthen Performance Management • Develop and implement a Capacity Building Programme • Develop and implement an Infrastructure Development Plan

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