

# Vote 24

## Justice and Constitutional Development

### Adjusted budget summary

| 2011/12                                                |                                                            |                        |          |          |
|--------------------------------------------------------|------------------------------------------------------------|------------------------|----------|----------|
| R thousand                                             | Main appropriation                                         | Adjusted appropriation | Decrease | Increase |
| <b>Amount to be appropriated</b>                       | <b>11 413 491</b>                                          | <b>11 581 699</b>      | –        | 168 208  |
| <b>of which:</b>                                       |                                                            |                        |          |          |
| Current payments                                       | 8 916 584                                                  | 8 884 073              | (32 511) | –        |
| Transfers and subsidies                                | 1 704 019                                                  | 1 811 274              | –        | 107 255  |
| Payments for capital assets                            | 792 888                                                    | 886 352                | –        | 93 464   |
| <b>Direct charge against the National Revenue Fund</b> | <b>2 104 162</b>                                           | <b>2 104 162</b>       | –        | –        |
| Executive authority                                    | Minister of Justice and Constitutional Development         |                        |          |          |
| Accounting officer                                     | Director-General of Justice and Constitutional Development |                        |          |          |
| Website address                                        | www.justice.gov.za                                         |                        |          |          |

### Aim

*Uphold and protect the Constitution and the rule of law, and render accessible, fair, speedy and cost effective administration of justice in the interests of a safer and more secure South Africa.*

### Mid-year performance status

| Indicator                                             | Programme                         | Annual performance                                 |                                                                               |                              |
|-------------------------------------------------------|-----------------------------------|----------------------------------------------------|-------------------------------------------------------------------------------|------------------------------|
|                                                       |                                   | Projected for 2011/12 as published in the 2011 ENE | Achieved in the first six months of 2011/12 (April to September) <sup>1</sup> | Changed estimate for 2011/12 |
| As published in the 2011 ENE                          | Programme linked to the indicator |                                                    |                                                                               |                              |
| Average court hours per day                           | Court Services                    | 3.55                                               | 3.42                                                                          |                              |
| Number of case backlogs per year                      | Court Services                    | 37 796                                             | 37 220                                                                        |                              |
| Number of criminal court cases finalised per year:    | National Prosecuting Authority    |                                                    |                                                                               |                              |
| - excluding alternative dispute resolution mechanisms |                                   | 365 087                                            | 133 394                                                                       |                              |
| - through alternative dispute resolution mechanisms   |                                   | 131 117                                            | 49 645                                                                        |                              |
| Conviction rate:                                      | National Prosecuting Authority    |                                                    |                                                                               |                              |
| - high courts                                         |                                   | 87% (1 127)                                        | 85% (387)                                                                     |                              |
| - regional courts                                     |                                   | 74% (29 773)                                       | 74% (12 241)                                                                  |                              |
| - district courts                                     |                                   | 87% (292 654)                                      | 90% (104 931)                                                                 |                              |
| Asset forfeiture unit:                                | National Prosecuting Authority    |                                                    |                                                                               |                              |
| - number of new completed forfeiture cases            |                                   | 310                                                | 112                                                                           |                              |
| - number of new freezing orders                       |                                   | 330                                                | 127                                                                           |                              |
| - value of new freezing orders                        |                                   | R500m                                              | R307m                                                                         |                              |
| - success rate                                        |                                   | 90%(310)                                           | 97% (114)                                                                     |                              |
| Sexual offences and community affairs unit:           | National Prosecuting Authority    |                                                    |                                                                               |                              |
| - total number of Thuthuzela care centres             |                                   | 30                                                 | 27                                                                            |                              |
| Witness protection unit:                              | National Prosecuting Authority    |                                                    |                                                                               |                              |
| - number of witnesses harmed or threatened            |                                   | 0                                                  | 0                                                                             |                              |

1. Six-month data only available after publication of the AENE; this data covers five months until the 31 August.

### Mid-year progress

In the first five months of 2011/12, the high and lower courts finalised a total of 183 039 cases. Of these, 49 645 were finalised through alternative dispute resolution mechanisms (comprising mainly diversions and informal mediations). Courts have maintained relatively high conviction rates ranging from 74 per cent in regional courts to 90 per cent in district courts. The asset forfeiture unit completed 112 new cases, obtained

127 new freezing orders to the value of R307 million, and achieved an overall success rate of 97 per cent. There were no witnesses harmed in the first five months of 2011/12.

Under utilisation of court hours and a relatively high prosecutorial vacancy rate (15 per cent) contribute negatively to the performance of prosecution services. The department is working closely with other justice, crime prevention and security cluster partners to improve the use of alternative dispute resolution mechanisms and case flow management.

## Adjusted Estimates of National Expenditure 2011

| Programme                                              |                    | 2011/12                   |                           |                      |                   |                                 |                        |
|--------------------------------------------------------|--------------------|---------------------------|---------------------------|----------------------|-------------------|---------------------------------|------------------------|
| R thousand                                             | Main appropriation | Adjustments appropriation |                           |                      |                   | Total adjustments appropriation | Adjusted appropriation |
|                                                        |                    | Roll-overs                | Unforeseeable/unavoidable | Virements and shifts | Other adjustments |                                 |                        |
| Administration                                         | 1 625 180          | –                         | –                         | 33 000               | 28 078            | 61 078                          | 1 686 258              |
| Court Services                                         | 4 341 664          | –                         | –                         | –                    | 17 587            | 17 587                          | 4 359 251              |
| State Legal Services                                   | 750 652            | –                         | –                         | (33 000)             | 3 735             | (29 265)                        | 721 387                |
| National Prosecuting Authority                         | 2 640 257          | –                         | –                         | –                    | 11 408            | 11 408                          | 2 651 665              |
| Auxiliary and Associated Services                      | 2 055 738          | 97 400                    | 10 000                    | –                    | –                 | 107 400                         | 2 163 138              |
| <b>Total</b>                                           | <b>11 413 491</b>  | <b>97 400</b>             | <b>10 000</b>             | <b>–</b>             | <b>60 808</b>     | <b>168 208</b>                  | <b>11 581 699</b>      |
| <b>Direct charge against the National Revenue Fund</b> |                    |                           |                           |                      |                   |                                 |                        |
|                                                        | <b>2 104 162</b>   | –                         | –                         | –                    | –                 | –                               | <b>2 104 162</b>       |
| Judges' salaries                                       | 504 908            | –                         | –                         | 195 092              | –                 | 195 092                         | 700 000                |
| Magistrates' salaries                                  | 1 599 254          | –                         | –                         | (195 092)            | –                 | (195 092)                       | 1 404 162              |
| <b>Total</b>                                           | <b>13 517 653</b>  | <b>97 400</b>             | <b>10 000</b>             | <b>–</b>             | <b>60 808</b>     | <b>168 208</b>                  | <b>13 685 861</b>      |
| <b>Economic classification</b>                         |                    |                           |                           |                      |                   |                                 |                        |
| <b>Current payments</b>                                | <b>10 933 686</b>  | –                         | –                         | (93 319)             | 60 808            | (32 511)                        | <b>10 901 175</b>      |
| Compensation of employees                              | 7 631 150          | –                         | –                         | 24 521               | 60 808            | 85 329                          | 7 716 479              |
| Goods and services                                     | 3 292 956          | –                         | –                         | (127 840)            | –                 | (127 840)                       | 3 165 116              |
| Interest and rent on land                              | 9 580              | –                         | –                         | 10 000               | –                 | 10 000                          | 19 580                 |
| <b>Transfers and subsidies</b>                         | <b>1 791 079</b>   | <b>97 400</b>             | <b>10 000</b>             | <b>(145)</b>         | <b>–</b>          | <b>107 255</b>                  | <b>1 898 334</b>       |
| Provinces and municipalities                           | –                  | –                         | –                         | 255                  | –                 | 255                             | 255                    |
| Departmental agencies and accounts                     | 1 662 239          | 97 400                    | 10 000                    | 2 000                | –                 | 109 400                         | 1 771 639              |
| Foreign governments and international organisations    | 4 955              | –                         | –                         | –                    | –                 | –                               | 4 955                  |
| Households                                             | 123 885            | –                         | –                         | (2 400)              | –                 | (2 400)                         | 121 485                |
| <b>Payments for capital assets</b>                     | <b>792 888</b>     | –                         | –                         | <b>93 464</b>        | <b>–</b>          | <b>93 464</b>                   | <b>886 352</b>         |
| Buildings and other fixed structures                   | 614 308            | –                         | –                         | 84 000               | –                 | 84 000                          | 698 308                |
| Machinery and equipment                                | 178 510            | –                         | –                         | 9 366                | –                 | 9 366                           | 187 876                |
| Software and other intangible assets                   | 70                 | –                         | –                         | 98                   | –                 | 98                              | 168                    |
| <b>Total</b>                                           | <b>13 517 653</b>  | <b>97 400</b>             | <b>10 000</b>             | <b>–</b>             | <b>60 808</b>     | <b>168 208</b>                  | <b>13 685 861</b>      |

**Programme 1: Administration**

| Subprogramme                                        |                    | 2011/12                   |                           |                      |                   |                                 |                        |
|-----------------------------------------------------|--------------------|---------------------------|---------------------------|----------------------|-------------------|---------------------------------|------------------------|
|                                                     | Main appropriation | Adjustments appropriation |                           |                      |                   | Total adjustments appropriation | Adjusted appropriation |
|                                                     |                    | Roll-overs                | Unforeseeable/unavoidable | Virements and shifts | Other adjustments |                                 |                        |
| R thousand                                          |                    |                           |                           |                      |                   |                                 |                        |
| Ministry                                            | 25 804             | –                         | –                         | 6 950                | 6 575             | 13 525                          | 39 329                 |
| Management                                          | 82 554             | –                         | –                         | (5 720)              | –                 | (5 720)                         | 76 834                 |
| Corporate Services                                  | 893 160            | –                         | –                         | 31 770               | 21 503            | 53 273                          | 946 433                |
| Office Accommodation                                | 623 662            | –                         | –                         | –                    | –                 | –                               | 623 662                |
| <b>Total</b>                                        | <b>1 625 180</b>   | <b>–</b>                  | <b>–</b>                  | <b>33 000</b>        | <b>28 078</b>     | <b>61 078</b>                   | <b>1 686 258</b>       |
| <b>Economic classification</b>                      |                    |                           |                           |                      |                   |                                 |                        |
| <b>Current payments</b>                             | <b>1 538 344</b>   | <b>–</b>                  | <b>–</b>                  | <b>30 827</b>        | <b>28 178</b>     | <b>59 005</b>                   | <b>1 597 349</b>       |
| Compensation of employees                           | 346 779            | –                         | –                         | 5 000                | 8 283             | 13 283                          | 360 062                |
| Goods and services                                  | 1 191 364          | –                         | –                         | 25 827               | 19 895            | 45 722                          | 1 237 086              |
| Interest and rent on land                           | 201                | –                         | –                         | –                    | –                 | –                               | 201                    |
| <b>Transfers and subsidies</b>                      | <b>10 232</b>      | <b>–</b>                  | <b>–</b>                  | <b>15</b>            | <b>–</b>          | <b>15</b>                       | <b>10 247</b>          |
| Provinces and municipalities                        | –                  | –                         | –                         | 15                   | –                 | 15                              | 15                     |
| Departmental agencies and accounts                  | 5 072              | –                         | –                         | –                    | –                 | –                               | 5 072                  |
| Foreign governments and international organisations | 4 955              | –                         | –                         | –                    | –                 | –                               | 4 955                  |
| Households                                          | 205                | –                         | –                         | –                    | –                 | –                               | 205                    |
| <b>Payments for capital assets</b>                  | <b>76 604</b>      | <b>–</b>                  | <b>–</b>                  | <b>2 158</b>         | <b>(100)</b>      | <b>2 058</b>                    | <b>78 662</b>          |
| Machinery and equipment                             | 76 566             | –                         | –                         | 2 060                | (100)             | 1 960                           | 78 526                 |
| Software and other intangible assets                | 38                 | –                         | –                         | 98                   | –                 | 98                              | 136                    |
| <b>Total</b>                                        | <b>1 625 180</b>   | <b>–</b>                  | <b>–</b>                  | <b>33 000</b>        | <b>28 078</b>     | <b>61 078</b>                   | <b>1 686 258</b>       |

**Programme 2: Court Services**

| Subprogramme                         |                    | 2011/12                   |                           |                      |                   |                                 |                        |
|--------------------------------------|--------------------|---------------------------|---------------------------|----------------------|-------------------|---------------------------------|------------------------|
|                                      | Main appropriation | Adjustments appropriation |                           |                      |                   | Total adjustments appropriation | Adjusted appropriation |
|                                      |                    | Roll-overs                | Unforeseeable/unavoidable | Virements and shifts | Other adjustments |                                 |                        |
| R thousand                           |                    |                           |                           |                      |                   |                                 |                        |
| Constitutional Court                 | 117 061            | –                         | –                         | 5 000                | –                 | 5 000                           | 122 061                |
| Supreme Court of Appeal              | 17 165             | –                         | –                         | 7 500                | –                 | 7 500                           | 24 665                 |
| High Courts                          | 283 502            | –                         | –                         | (7 454)              | 3 629             | (3 825)                         | 279 677                |
| Specialised Courts                   | 31 136             | –                         | –                         | 100                  | –                 | 100                             | 31 236                 |
| Lower Courts                         | 2 635 408          | –                         | –                         | (26 572)             | 12 673            | (13 899)                        | 2 621 509              |
| Family Advocate                      | 112 160            | –                         | –                         | 11 500               | –                 | 11 500                          | 123 660                |
| Magistrate's Commission              | 10 599             | –                         | –                         | –                    | –                 | –                               | 10 599                 |
| Government Motor Transport           | 28 628             | –                         | –                         | 70                   | –                 | 70                              | 28 698                 |
| Facilities Management                | 759 391            | –                         | –                         | (70)                 | –                 | (70)                            | 759 321                |
| Administration of Courts             | 346 614            | –                         | –                         | 9 926                | 1 285             | 11 211                          | 357 825                |
| <b>Total</b>                         | <b>4 341 664</b>   | <b>–</b>                  | <b>–</b>                  | <b>–</b>             | <b>17 587</b>     | <b>17 587</b>                   | <b>4 359 251</b>       |
| <b>Economic classification</b>       |                    |                           |                           |                      |                   |                                 |                        |
| <b>Current payments</b>              | <b>3 683 949</b>   | <b>–</b>                  | <b>–</b>                  | <b>(87 940)</b>      | <b>17 487</b>     | <b>(70 453)</b>                 | <b>3 613 496</b>       |
| Compensation of employees            | 2 628 964          | –                         | –                         | (5 500)              | 37 382            | 31 882                          | 2 660 846              |
| Goods and services                   | 1 050 841          | –                         | –                         | (82 440)             | (19 895)          | (102 335)                       | 948 506                |
| Interest and rent on land            | 4 144              | –                         | –                         | –                    | –                 | –                               | 4 144                  |
| <b>Transfers and subsidies</b>       | <b>26 428</b>      | <b>–</b>                  | <b>–</b>                  | <b>(2 160)</b>       | <b>–</b>          | <b>(2 160)</b>                  | <b>24 268</b>          |
| Provinces and municipalities         | –                  | –                         | –                         | 240                  | –                 | 240                             | 240                    |
| Households                           | 26 428             | –                         | –                         | (2 400)              | –                 | (2 400)                         | 24 028                 |
| <b>Payments for capital assets</b>   | <b>631 287</b>     | <b>–</b>                  | <b>–</b>                  | <b>90 100</b>        | <b>100</b>        | <b>90 200</b>                   | <b>721 487</b>         |
| Buildings and other fixed structures | 598 515            | –                         | –                         | 84 000               | –                 | 84 000                          | 682 515                |
| Machinery and equipment              | 32 740             | –                         | –                         | 6 100                | 100               | 6 200                           | 38 940                 |
| Software and other intangible assets | 32                 | –                         | –                         | –                    | –                 | –                               | 32                     |
| <b>Total</b>                         | <b>4 341 664</b>   | <b>–</b>                  | <b>–</b>                  | <b>–</b>             | <b>17 587</b>     | <b>17 587</b>                   | <b>4 359 251</b>       |

**Programme 3: State Legal Services**

| Subprogramme                           |                    | 2011/12                   |                           |                      |                   |                                 |                        |
|----------------------------------------|--------------------|---------------------------|---------------------------|----------------------|-------------------|---------------------------------|------------------------|
|                                        | Main appropriation | Adjustments appropriation |                           |                      |                   | Total adjustments appropriation | Adjusted appropriation |
|                                        |                    | Roll-overs                | Unforeseeable/unavoidable | Virements and shifts | Other adjustments |                                 |                        |
| R thousand                             |                    |                           |                           |                      |                   |                                 |                        |
| State Law Advisors                     | 48 133             | –                         | –                         | –                    | –                 | –                               | 48 133                 |
| Litigation and Legal Services          | 257 695            | –                         | –                         | –                    | 1 643             | 1 643                           | 259 338                |
| Legislative Development and Law Reform | 55 806             | –                         | –                         | (1 500)              | 1 500             | –                               | 55 806                 |
| Master of the High Court               | 324 361            | –                         | –                         | (1 500)              | 592               | (908)                           | 323 453                |
| Constitutional Development             | 64 657             | –                         | –                         | (30 000)             | –                 | (30 000)                        | 34 657                 |
| <b>Total</b>                           | <b>750 652</b>     | <b>–</b>                  | <b>–</b>                  | <b>(33 000)</b>      | <b>3 735</b>      | <b>(29 265)</b>                 | <b>721 387</b>         |
| <b>Economic classification</b>         |                    |                           |                           |                      |                   |                                 |                        |
| <b>Current payments</b>                | <b>745 093</b>     | <b>–</b>                  | <b>–</b>                  | <b>(34 206)</b>      | <b>3 735</b>      | <b>(30 471)</b>                 | <b>714 622</b>         |
| Compensation of employees              | 607 476            | –                         | –                         | (4 979)              | 3 735             | (1 244)                         | 606 232                |
| Goods and services                     | 137 043            | –                         | –                         | (29 227)             | –                 | (29 227)                        | 107 816                |
| Interest and rent on land              | 574                | –                         | –                         | –                    | –                 | –                               | 574                    |
| <b>Transfers and subsidies</b>         | <b>1 298</b>       | <b>–</b>                  | <b>–</b>                  | <b>–</b>             | <b>–</b>          | <b>–</b>                        | <b>1 298</b>           |
| Households                             | 1 298              | –                         | –                         | –                    | –                 | –                               | 1 298                  |
| <b>Payments for capital assets</b>     | <b>4 261</b>       | <b>–</b>                  | <b>–</b>                  | <b>1 206</b>         | <b>–</b>          | <b>1 206</b>                    | <b>5 467</b>           |
| Machinery and equipment                | 4 261              | –                         | –                         | 1 206                | –                 | 1 206                           | 5 467                  |
| <b>Total</b>                           | <b>750 652</b>     | <b>–</b>                  | <b>–</b>                  | <b>(33 000)</b>      | <b>3 735</b>      | <b>(29 265)</b>                 | <b>721 387</b>         |

**Programme 4: National Prosecuting Authority**

| Subprogramme                         |                    | 2011/12                   |                           |                      |                   |                                 |                        |
|--------------------------------------|--------------------|---------------------------|---------------------------|----------------------|-------------------|---------------------------------|------------------------|
|                                      | Main appropriation | Adjustments appropriation |                           |                      |                   | Total adjustments appropriation | Adjusted appropriation |
|                                      |                    | Roll-overs                | Unforeseeable/unavoidable | Virements and shifts | Other adjustments |                                 |                        |
| R thousand                           |                    |                           |                           |                      |                   |                                 |                        |
| Public Prosecutions                  | 1 900 765          | –                         | –                         | 20 990               | 11 408            | 32 398                          | 1 933 163              |
| Office for Witness Protection        | 137 842            | –                         | –                         | 10 388               | –                 | 10 388                          | 148 230                |
| Asset Forfeiture Unit                | 106 074            | –                         | –                         | 16 481               | –                 | 16 481                          | 122 555                |
| Support Services                     | 495 576            | –                         | –                         | (47 859)             | –                 | (47 859)                        | 447 717                |
| <b>Total</b>                         | <b>2 640 257</b>   | <b>–</b>                  | <b>–</b>                  | <b>–</b>             | <b>11 408</b>     | <b>11 408</b>                   | <b>2 651 665</b>       |
| <b>Economic classification</b>       |                    |                           |                           |                      |                   |                                 |                        |
| <b>Current payments</b>              | <b>2 570 406</b>   | <b>–</b>                  | <b>–</b>                  | <b>–</b>             | <b>11 408</b>     | <b>11 408</b>                   | <b>2 581 814</b>       |
| Compensation of employees            | 2 030 829          | –                         | –                         | 30 000               | 11 408            | 41 408                          | 2 072 237              |
| Goods and services                   | 534 916            | –                         | –                         | (40 000)             | –                 | (40 000)                        | 494 916                |
| Interest and rent on land            | 4 661              | –                         | –                         | 10 000               | –                 | 10 000                          | 14 661                 |
| <b>Transfers and subsidies</b>       | <b>10 447</b>      | <b>–</b>                  | <b>–</b>                  | <b>–</b>             | <b>–</b>          | <b>–</b>                        | <b>10 447</b>          |
| Departmental agencies and accounts   | 1 553              | –                         | –                         | –                    | –                 | –                               | 1 553                  |
| Households                           | 8 894              | –                         | –                         | –                    | –                 | –                               | 8 894                  |
| <b>Payments for capital assets</b>   | <b>59 404</b>      | <b>–</b>                  | <b>–</b>                  | <b>–</b>             | <b>–</b>          | <b>–</b>                        | <b>59 404</b>          |
| Buildings and other fixed structures | 15 793             | –                         | –                         | –                    | –                 | –                               | 15 793                 |
| Machinery and equipment              | 43 611             | –                         | –                         | –                    | –                 | –                               | 43 611                 |
| <b>Total</b>                         | <b>2 640 257</b>   | <b>–</b>                  | <b>–</b>                  | <b>–</b>             | <b>11 408</b>     | <b>11 408</b>                   | <b>2 651 665</b>       |

**Programme 5: Auxiliary and Associated Services**

| Subprogramme                          |                    | 2011/12                   |                           |                      |                   |                                 |                        |
|---------------------------------------|--------------------|---------------------------|---------------------------|----------------------|-------------------|---------------------------------|------------------------|
|                                       | Main appropriation | Adjustments appropriation |                           |                      |                   |                                 | Adjusted appropriation |
|                                       |                    | Roll-overs                | Unforeseeable/unavoidable | Virements and shifts | Other adjustments | Total adjustments appropriation |                        |
| R thousand                            |                    |                           |                           |                      |                   |                                 |                        |
| South African Human Rights Commission | 89 066             | –                         | –                         | –                    | –                 | –                               | 89 066                 |
| Special Investigating Unit            | 193 620            | 97 400                    | –                         | –                    | –                 | 97 400                          | 291 020                |
| Legal Aid South Africa                | 1 126 057          | –                         | –                         | 2 000                | –                 | 2 000                           | 1 128 057              |
| Office of the Public Protector        | 142 889            | –                         | 10 000                    | –                    | –                 | 10 000                          | 152 889                |
| Justice Modernisation                 | 400 124            | –                         | –                         | (2 000)              | –                 | (2 000)                         | 398 124                |
| President's Fund                      | 1                  | –                         | –                         | –                    | –                 | –                               | 1                      |
| Represented Political Parties' Fund   | 103 981            | –                         | –                         | –                    | –                 | –                               | 103 981                |
| <b>Total</b>                          | <b>2 055 738</b>   | <b>97 400</b>             | <b>10 000</b>             | <b>–</b>             | <b>–</b>          | <b>107 400</b>                  | <b>2 163 138</b>       |
| <b>Economic classification</b>        |                    |                           |                           |                      |                   |                                 |                        |
| <b>Current payments</b>               | <b>378 792</b>     | <b>–</b>                  | <b>–</b>                  | <b>(2 000)</b>       | <b>–</b>          | <b>(2 000)</b>                  | <b>376 792</b>         |
| Goods and services                    | 378 792            | –                         | –                         | (2 000)              | –                 | (2 000)                         | 376 792                |
| <b>Transfers and subsidies</b>        | <b>1 655 614</b>   | <b>97 400</b>             | <b>10 000</b>             | <b>2 000</b>         | <b>–</b>          | <b>109 400</b>                  | <b>1 765 014</b>       |
| Departmental agencies and accounts    | 1 655 614          | 97 400                    | 10 000                    | 2 000                | –                 | 109 400                         | 1 765 014              |
| <b>Payments for capital assets</b>    | <b>21 332</b>      | <b>–</b>                  | <b>–</b>                  | <b>–</b>             | <b>–</b>          | <b>–</b>                        | <b>21 332</b>          |
| Machinery and equipment               | 21 332             | –                         | –                         | –                    | –                 | –                               | 21 332                 |
| <b>Total</b>                          | <b>2 055 738</b>   | <b>97 400</b>             | <b>10 000</b>             | <b>–</b>             | <b>–</b>          | <b>107 400</b>                  | <b>2 163 138</b>       |

**Direct charges against the National Revenue Fund**

| Subprogramme                   |                    | 2011/12                   |                           |                      |                   |                                 |                        |
|--------------------------------|--------------------|---------------------------|---------------------------|----------------------|-------------------|---------------------------------|------------------------|
|                                | Main appropriation | Adjustments appropriation |                           |                      |                   |                                 | Adjusted appropriation |
|                                |                    | Roll-overs                | Unforeseeable/unavoidable | Virements and shifts | Other adjustments | Total adjustments appropriation |                        |
| R thousand                     |                    |                           |                           |                      |                   |                                 |                        |
| Judges' Salaries               | 504 908            | –                         | –                         | 195 092              | –                 | 195 092                         | 700 000                |
| Magistrates' Salaries          | 1 599 254          | –                         | –                         | (195 092)            | –                 | (195 092)                       | 1 404 162              |
| <b>Total</b>                   | <b>2 104 162</b>   | <b>–</b>                  | <b>–</b>                  | <b>–</b>             | <b>–</b>          | <b>–</b>                        | <b>2 104 162</b>       |
| <b>Economic classification</b> |                    |                           |                           |                      |                   |                                 |                        |
| <b>Current payments</b>        | <b>2 017 102</b>   | <b>–</b>                  | <b>–</b>                  | <b>–</b>             | <b>–</b>          | <b>–</b>                        | <b>2 017 102</b>       |
| Compensation of employees      | 2 017 102          | –                         | –                         | –                    | –                 | –                               | 2 017 102              |
| <b>Transfers and subsidies</b> | <b>87 060</b>      | <b>–</b>                  | <b>–</b>                  | <b>–</b>             | <b>–</b>          | <b>–</b>                        | <b>87 060</b>          |
| Households                     | 87 060             | –                         | –                         | –                    | –                 | –                               | 87 060                 |
| <b>Total</b>                   | <b>2 104 162</b>   | <b>–</b>                  | <b>–</b>                  | <b>–</b>             | <b>–</b>          | <b>–</b>                        | <b>2 104 162</b>       |

**Details of adjustments to Estimates of National Expenditure 2011****Roll-overs – R97.400 million**

Programme 5: Auxiliary and Associated Services

R97.400 million has been rolled over for the projected shortfall for the payment of investigating officers of the Special Investigating Unit.

**Unforeseeable and unavoidable expenditure – R10 million**

Programme 5: Auxiliary and Associated Services

An additional R10 million is allocated for the increased investigative capacity of the Public Protector of South Africa.

## Virements and shifts

### Programmes

1. Administration
2. Court Services
3. State Legal Services
4. National Prosecuting Authority
5. Auxiliary and Associated Services

| FROM:                                |                                                               |                  | TO:                                  |                                                                                                                                           |                |
|--------------------------------------|---------------------------------------------------------------|------------------|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| Programme by economic classification | Motivation                                                    | R thousand       | Programme by economic classification | Motivation                                                                                                                                | R thousand     |
| <b>Programme 1</b>                   |                                                               | <b>(971)</b>     | <b>Programme 1</b>                   |                                                                                                                                           | <b>971</b>     |
| Goods and services                   | Reduction on assets<R5000                                     | (858)            | Machinery and equipment              | To purchase computers and office furniture/equipment for the new criminal asset recovery account directorate                              | 858            |
|                                      | Reduction on travel and subsistence                           | (15)             | Provinces and municipalities         | For the municipal payment which had been budgeted under goods and services and which changed in the standard chart of accounts adjustment | 15             |
| Machinery and equipment              | Reduction on office equipment                                 | (98)             | Software and other intangible assets | To cover previous (late payment) year's expenditure                                                                                       | 98             |
| Percentage of programme budget       |                                                               | <b>0.1%</b>      |                                      |                                                                                                                                           |                |
| <b>Programme 2</b>                   |                                                               | <b>(100 840)</b> | <b>Programme 2</b>                   |                                                                                                                                           | <b>100 840</b> |
| Compensation of employees            | Reduction on salaries and wages                               | (8 000)          | Goods and services                   | To compensate for the anticipated shortfall in the operational budget for regional offices                                                | 8 000          |
| Goods and services                   | Reduction on contractors                                      | (2 500)          | Compensation of employees            | To provide funding for electoral court personnel for local government elections                                                           | 2 500          |
|                                      | Reduction on assets<R5000 and advertising and agency services | (3 700)          | Machinery and equipment              | For the anticipated shortfall in capital assets such as office equipment                                                                  | 3 700          |
|                                      | Reduction on agency services                                  | (84 000)         | Buildings and other fixed structures | For the anticipated shortfall in capital building payments to the Department of Public Works                                              | 84 000         |
|                                      | Reduction on travel and subsistence                           | (240)            | Provinces and municipalities         | For the municipal payment which had been budgeted under goods and services and which changed in the standard chart of accounts adjustment | 240            |
| Households                           | Reduction on social benefits                                  | (2 400)          | Machinery and equipment              | For the anticipated shortfall in capital assets such as office equipment                                                                  | 2 400          |
| Percentage of programme budget       |                                                               | <b>2.3%</b>      |                                      |                                                                                                                                           |                |
| <b>Programme 3</b>                   |                                                               | <b>(34 706)</b>  | <b>Programme 1</b>                   |                                                                                                                                           | <b>33 000</b>  |
| Compensation of employees            | Reduction on compensation of employees                        | (5 000)          | Compensation of employees            | For the anticipated shortfall in compensation of employees                                                                                | 5 000          |
|                                      | Reduction on compensation of employees                        | (479)            | Goods and services                   | For the anticipated shortfall in property payments                                                                                        | 479            |
| Goods and services                   | Reduction on overall goods and services                       | (26 221)         | Goods and services                   | For the anticipated shortfall in property payments and enhancement of communication services                                              | 26 221         |
|                                      | Reduction on overall goods and services                       | (1 300)          | Machinery and equipment              | For the anticipated shortfall in capital assets                                                                                           | 1 300          |
|                                      | Reduction on agency services                                  | (500)            | <b>Programme 3</b>                   |                                                                                                                                           | <b>1 706</b>   |
|                                      | Reduction on assets<R5000                                     | (1 206)          | Compensation of employees            | For an additional post within the programme                                                                                               | 500            |
|                                      |                                                               |                  | Machinery and equipment              | To purchase new laptops, computers and office furniture                                                                                   | 1 206          |
| Percentage of programme budget       |                                                               | <b>4.6%</b>      |                                      |                                                                                                                                           |                |

| FROM:                                |                                                                                                   |                  | TO:                                  |                                                                                                            |                |
|--------------------------------------|---------------------------------------------------------------------------------------------------|------------------|--------------------------------------|------------------------------------------------------------------------------------------------------------|----------------|
| Programme by economic classification | Motivation                                                                                        | R thousand       | Programme by economic classification | Motivation                                                                                                 | R thousand     |
| <b>Programme 4</b>                   |                                                                                                   | <b>(40 000)</b>  | <b>Programme 4</b>                   |                                                                                                            | <b>40 000</b>  |
| Goods and services                   | Reduction on certain goods and services such as travel and subsistence and communication services | (30 000)         | Compensation of employees            | To fund late implementation of phase 2 of the occupational specific dispensation                           | 30 000         |
|                                      | Reduction on operating leases                                                                     | (10 000)         | Interest and rent on land            | For payment of interest paid in respect of finance lease agreement                                         | 10 000         |
| Percentage of programme budget       |                                                                                                   | 1.5%             |                                      |                                                                                                            |                |
| <b>Programme 5</b>                   |                                                                                                   | <b>(2 000)</b>   | <b>Programme 5</b>                   |                                                                                                            | <b>2 000</b>   |
| Goods and services                   | Reduction on computer services                                                                    | (2 000)          | Departmental agencies and accounts   | To fund the integration of IT services between Legal Aid South Africa and the South African Police Service | 2 000          |
| Percentage of programme budget       |                                                                                                   | 0.1%             |                                      |                                                                                                            |                |
| <b>Total</b>                         |                                                                                                   | <b>(178 517)</b> |                                      |                                                                                                            | <b>178 517</b> |

### Other adjustments – R60.808 million

#### ***Adjustments due to significant and unforeseeable economic and financial events***

An additional R60.808 million is allocated for higher personnel remuneration increases than the main budget provided for, as follows:

Programme 1: Administration

R9.363 million

Programme 2: Court Services

R36.302 million

Programme 3: State Legal Services

R3.735 million

Programme 4: National Prosecuting Authority

R11.408 million

#### ***Funds shifted within a vote following function shifts within the same vote***

Programme 1: Administration

R20 million has been received from programme 2 following the shift of function from the court efficiency directorate to the information system management directorate in programme 1.

Programme 2: Court Services

R1.285 million has been received from programme 1 following the shift of the court policy and development directorate.

# Expenditure for 2010/11 and preliminary expenditure for 2011/12

| Programme                                              | 2010/11                |                  |                             |                   |                             | 2011/12                 |                  |                             |
|--------------------------------------------------------|------------------------|------------------|-----------------------------|-------------------|-----------------------------|-------------------------|------------------|-----------------------------|
|                                                        | Expenditure outcome    |                  |                             |                   |                             | Preliminary expenditure |                  |                             |
| R thousand                                             | Adjusted appropriation | Apr 10 - Sep 10  | % of adjusted appropriation | Apr 10 - Mar 11   | % of adjusted appropriation | Adjusted appropriation  | Apr 11 - Sep 11  | % of adjusted appropriation |
| Administration                                         | 1 427 384              | 557 209          | 39.0                        | 1 692 905         | 118.6                       | 1 686 258               | 889 994          | 52.8                        |
| Court Services                                         | 3 994 167              | 1 840 057        | 46.1                        | 3 912 670         | 98.0                        | 4 359 251               | 2 304 826        | 52.9                        |
| State Legal Services                                   | 722 060                | 274 560          | 38.0                        | 670 842           | 92.9                        | 721 387                 | 336 425          | 46.6                        |
| National Prosecuting Authority                         | 2 684 263              | 1 104 750        | 41.2                        | 2 495 272         | 93.0                        | 2 651 665               | 1 247 743        | 47.1                        |
| Auxiliary and Associated Services                      | 1 959 471              | 855 531          | 43.7                        | 1 913 241         | 97.6                        | 2 163 138               | 1 053 087        | 48.7                        |
| <b>Subtotal</b>                                        | <b>10 787 345</b>      | <b>4 632 107</b> | <b>42.9</b>                 | <b>10 684 930</b> | <b>99.1</b>                 | <b>11 581 699</b>       | <b>5 832 075</b> | <b>50.4</b>                 |
| <b>Direct charge against the National Revenue Fund</b> | <b>1 929 870</b>       | <b>934 880</b>   | <b>48.4</b>                 | <b>1 910 229</b>  | <b>99.0</b>                 | <b>2 104 162</b>        | <b>989 076</b>   | <b>47.0</b>                 |
| Judges' Salaries                                       | 465 479                | 313 429          | 67.3                        | 644 080           | 138.4                       | 700 000                 | 335 788          | 48.0                        |
| Magistrates' Salaries                                  | 1 464 391              | 621 451          | 42.4                        | 1 266 149         | 86.5                        | 1 404 162               | 653 288          | 46.5                        |
| <b>Total</b>                                           | <b>12 717 215</b>      | <b>5 566 987</b> | <b>43.8</b>                 | <b>12 595 159</b> | <b>99.0</b>                 | <b>13 685 861</b>       | <b>6 821 151</b> | <b>49.8</b>                 |
| <b>Economic classification</b>                         |                        |                  |                             |                   |                             |                         |                  |                             |
| <b>Current payments</b>                                | <b>10 327 034</b>      | <b>4 475 813</b> | <b>43.3</b>                 | <b>10 182 171</b> | <b>98.6</b>                 | <b>10 901 175</b>       | <b>5 194 289</b> | <b>47.6</b>                 |
| Compensation of employees                              | 7 262 880              | 3 222 253        | 44.4                        | 6 944 867         | 95.6                        | 7 716 479               | 3 697 024        | 47.9                        |
| Goods and services                                     | 3 059 707              | 1 250 322        | 40.9                        | 3 222 361         | 105.3                       | 3 165 116               | 1 492 244        | 47.1                        |
| Interest and rent on land                              | 4 447                  | 3 238            | 72.8                        | 14 943            | 336.0                       | 19 580                  | 5 021            | 25.6                        |
| <b>Transfers and subsidies</b>                         | <b>1 706 071</b>       | <b>769 716</b>   | <b>45.1</b>                 | <b>1 654 396</b>  | <b>97.0</b>                 | <b>1 898 334</b>        | <b>928 748</b>   | <b>48.9</b>                 |
| Provinces and municipalities                           | –                      | 14               | 0.0                         | –                 | 0.0                         | 255                     | 143              | 56.1                        |
| Departmental agencies and accounts                     | 1 586 580              | 717 918          | 45.2                        | 1 575 815         | 99.3                        | 1 771 639               | 880 242          | 49.7                        |
| Foreign governments and international organisations    | 4 719                  | 599              | 12.7                        | 6 343             | 134.4                       | 4 955                   | 622              | 12.6                        |
| Households                                             | 114 772                | 51 185           | 44.6                        | 72 238            | 62.9                        | 121 485                 | 47 741           | 39.3                        |
| <b>Payments for capital assets</b>                     | <b>683 650</b>         | <b>307 156</b>   | <b>44.9</b>                 | <b>740 147</b>    | <b>108.3</b>                | <b>886 352</b>          | <b>696 475</b>   | <b>78.6</b>                 |
| Buildings and other fixed structures                   | 494 835                | 294 120          | 59.4                        | 557 216           | 112.6                       | 698 308                 | 583 104          | 83.5                        |
| Machinery and equipment                                | 188 747                | 13 036           | 6.9                         | 179 260           | 95.0                        | 187 876                 | 113 274          | 60.3                        |
| Software and other intangible assets                   | 68                     | –                | 0.0                         | 3 671             | 5398.5                      | 168                     | 97               | 57.7                        |
| <b>Payments for financial assets</b>                   | <b>460</b>             | <b>14 302</b>    | <b>3 109</b>                | <b>18 445</b>     | <b>4 010</b>                | <b>–</b>                | <b>1 639</b>     | <b>–</b>                    |
| <b>Total</b>                                           | <b>12 717 215</b>      | <b>5 566 987</b> | <b>43.8</b>                 | <b>12 595 159</b> | <b>99.0</b>                 | <b>13 685 861</b>       | <b>6 821 151</b> | <b>49.8</b>                 |

## Main expenditure trends for the first half of 2011/12

Total expenditure for 2010/11 was 99 per cent of the adjusted appropriation. Expenditure in the first six months of 2011/12 was R6.821 billion, or 49.8 per cent of the adjusted appropriation of R13.686 billion for the year as a whole. In comparison, mid-year expenditure in 2010/11 was R5.567 billion or 43.8 per cent of the 2010/11 adjusted appropriation. Expenditure in the first six months of 2011/12 increased by R1.254 billion or 22.5 per cent, compared to expenditure in the first six months of 2010/11.

The main expenditure increase compared to 2010/11 is due to the annual cost of living salary adjustment, which was paid in September (earlier than last financial year), outstanding payments for the occupational specific dispensation for legally qualified professionals, payment of 2010/11 invoices mainly to the Department of Public Works and increased transfer payments to the Special Investigating Unit.

## Departmental receipts

|                                                          | 2010/11           |                 |                                        |                 |                                        | 2011/12         |                   |                 |                                        |
|----------------------------------------------------------|-------------------|-----------------|----------------------------------------|-----------------|----------------------------------------|-----------------|-------------------|-----------------|----------------------------------------|
|                                                          | Adjusted estimate | Audited outcome |                                        |                 |                                        | Actual receipts |                   |                 |                                        |
|                                                          |                   | Apr 10 - Sep 10 | Apr 10 - Sep 10 % of adjusted estimate | Apr 10 - Mar 11 | Apr 10 - Mar 11 % of adjusted estimate | Budget estimate | Adjusted estimate | Apr 11 - Sep 11 | Apr 11 - Sep 11 % of adjusted estimate |
| R thousand                                               |                   |                 |                                        |                 |                                        |                 |                   |                 |                                        |
| <b>Departmental receipts</b>                             | <b>377 649</b>    | <b>170 391</b>  | <b>45.1</b>                            | <b>414 242</b>  | <b>109.7</b>                           | <b>399 761</b>  | <b>374 267</b>    | <b>164 346</b>  | <b>43.9</b>                            |
| Sales of goods and services produced by department       | 14 245            | 14 511          | 101.9                                  | 65 744          | 461.5                                  | 14 915          | 45 698            | 26 058          | 57.0                                   |
| Sales of scrap, waste, arms and other used current goods | –                 | 9               | –                                      | 40              | –                                      | –               | 9                 | 5               | 55.6                                   |
| Fines, penalties and forfeits                            | 315 234           | 129 872         | 41.2                                   | 306 677         | 97.3                                   | 333 833         | 305 466           | 119 142         | 39.0                                   |
| Interest, dividends and rent on land                     | 28 773            | 8 018           | 27.9                                   | 11 278          | 39.2                                   | 30 471          | 3 168             | 1 760           | 55.6                                   |
| Sales of capital assets                                  | 143               | –               | –                                      | 81              | 56.6                                   | 152             | 455               | 253             | 55.6                                   |
| Transactions in financial assets and liabilities         | 19 254            | 17 981          | 93.4                                   | 30 422          | 158.0                                  | 20 390          | 19 471            | 17 128          | 88.0                                   |
| <b>Total</b>                                             | <b>377 649</b>    | <b>170 391</b>  | <b>45.1</b>                            | <b>414 242</b>  | <b>109.7</b>                           | <b>399 761</b>  | <b>374 267</b>    | <b>164 346</b>  | <b>43.9</b>                            |

## Main departmental revenue trends for the first half of 2011/12

Departmental revenue collection in the first six months of 2011/12 was R164.346 million, or 43.9 per cent of the adjusted revenue estimate of R374.267 million for the entire year. In comparison, mid-year revenue collection in 2010/11 was R170.391 million, or 45.1 per cent of the 2010/11 adjusted estimate. Departmental revenue collection in the first six months of 2011/12 decreased by R6.045 million or 3.5 per cent, compared to revenue in the first six months of 2010/11.

The main revenue decrease compared to 2010/11 is mainly attributed to the fewer fines that were issued by the courts of law, with the collection of fines, penalties and forfeits dependent on the cases received and on judges' and magistrates' decisions.

## Changes to transfers and subsidies, including conditional grants

### Summary of changes to transfers and subsidies per programme

| 2011/12                                              |                    |                           |                           |                      |                   |                                 |                        |
|------------------------------------------------------|--------------------|---------------------------|---------------------------|----------------------|-------------------|---------------------------------|------------------------|
| R thousand                                           | Main appropriation | Adjustments appropriation |                           |                      |                   | Total adjustments appropriation | Adjusted appropriation |
|                                                      |                    | Roll-overs                | Unforeseeable/unavoidable | Virements and shifts | Other adjustments |                                 |                        |
| <b>Administration</b>                                |                    |                           |                           |                      |                   |                                 |                        |
| <b>Provinces and municipalities</b>                  |                    |                           |                           |                      |                   |                                 |                        |
| <b>Municipalities</b>                                |                    |                           |                           |                      |                   |                                 |                        |
| <b>Municipal bank accounts</b>                       |                    |                           |                           |                      |                   |                                 |                        |
| <b>Current</b>                                       | -                  | -                         | -                         | 15                   | -                 | 15                              | 15                     |
| Vehicle licences                                     | -                  | -                         | -                         | 15                   | -                 | 15                              | 15                     |
| <b>Court Services</b>                                |                    |                           |                           |                      |                   |                                 |                        |
| <b>Provinces and municipalities</b>                  |                    |                           |                           |                      |                   |                                 |                        |
| <b>Municipalities</b>                                |                    |                           |                           |                      |                   |                                 |                        |
| <b>Municipal bank accounts</b>                       |                    |                           |                           |                      |                   |                                 |                        |
| <b>Current</b>                                       | -                  | -                         | -                         | 240                  | -                 | 240                             | 240                    |
| Vehicle licences                                     | -                  | -                         | -                         | 240                  | -                 | 240                             | 240                    |
| <b>Households</b>                                    |                    |                           |                           |                      |                   |                                 |                        |
| <b>Social benefits</b>                               |                    |                           |                           |                      |                   |                                 |                        |
| <b>Current</b>                                       | 21 085             | -                         | -                         | (2 400)              | -                 | (2 400)                         | 18 685                 |
| Employee social benefits                             | 21 085             | -                         | -                         | (2 400)              | -                 | (2 400)                         | 18 685                 |
| <b>Auxiliary and Associated Services</b>             |                    |                           |                           |                      |                   |                                 |                        |
| <b>Departmental agencies and accounts</b>            |                    |                           |                           |                      |                   |                                 |                        |
| <b>Departmental agencies (non-business entities)</b> |                    |                           |                           |                      |                   |                                 |                        |
| <b>Current</b>                                       | 1 462 566          | 97 400                    | 10 000                    | 2 000                | -                 | 109 400                         | 1 571 966              |
| Special Investigating Unit                           | 193 620            | 97 400                    | -                         | -                    | -                 | 97 400                          | 291 020                |
| Legal Aid South Africa                               | 1 126 057          | -                         | -                         | 2 000                | -                 | 2 000                           | 1 128 057              |
| Office of the Public Protector                       | 142 889            | -                         | 10 000                    | -                    | -                 | 10 000                          | 152 889                |

