

NATIONAL ASSEMBLY

QUESTION FOR WRITTEN REPLY

QUESTION NUMBER: 131

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Mr S B Farrow (DA) to ask the Minister of Finance:

- (1) How many legal matters were dealt with by the National Treasury (a) in the (i) 2009-10, (ii) 2010-11, (iii) 2011-12 financial years and (b) during the period 1 April 2012 up to the latest specified date for which information is available;
- (2) (a) how many of the specified legal matters were dealt with by (i) the State Attorney and (ii) private attorneys during the specified periods and (b) what are the reasons why National Treasury was not represented by the State Attorney in each specified case;
- (3) what total amounts were paid by National Treasury to (a) the State Attorney and (b) private attorneys during the specified periods?

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REPLY:

- (1) (a)(i) 249
(ii) 311
(iii) 208

(b) 346
- (2) (a)(i) The State Attorney dealt with 126 matters during the 2009/2010 financial year, 139 matters during the 2010/2011 financial year, 165 matters during the 2011/2012 financial year and 165 matters during the period 1 April 2012 until 15 February 2013.

(ii) Private Firms dealt with 11 matters during the 2009/2010 financial year, 5 matters during the 2010/2011 financial year, 3 matters during the 2011/2012 financial year and 1 matter during the period 1 April 2012 until 15 February 2013.

- (b) Eight of the cases in the 2009/2010 financial year required commercial law expertise and one required labour law expertise which were not available from the Office of the State Attorney. In one matter the State Attorney's mandate was terminated because of unsatisfactory services and one was a litigation matter which was utilised as a test case to determine the impact on legal costs if the services of the Office of the State Attorney were to be dispensed with.

Two of the cases in the 2010/2011 financial year are a continuation of the litigation cases from the previous year and three matters required commercial expertise which was not available from the Office of the State Attorney.

Two of the cases in the 2011/2012 financial year are a continuation of the litigation cases from the previous year and one matter required commercial expertise which was not available at the Office of the State Attorney

The one case for the period 1 April 2012 to 15 February 2013 requires commercial expertise which is not available from the Office of the State Attorney.

(3) (a) State Attorney:

- R5,752,926.78 during the 2009/2010 financial year;
- R3,939,554.31 during the 2010/2011 financial year;
- R6,371,311.45 during the 2011/2012 financial year;
- R6,090,873.07 during the period 1 April 2012 to 15 February 2013.

(b) Private Firms:

- R1,869,952.56 during the 2009/2010 financial year;
R2,403,572.18 during 2010/2011 financial year ;
- R109,729.88 during the 2011/2012 financial;
- R128,653.20 for the period 1 April 2012 to 15 February 2013.