

NATIONAL ASSEMBLY

QUESTION FOR WRITTEN REPLY

QUESTION NUMBER: 625 [NW784E]

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625. Mr T D Harris (DA) to ask the Minister of Finance:

- (1) How many claims were instituted against the National Treasury (a) in the (i) 2007-08, (ii) 2008-09, (iii) 2009-10, (iv) 2010-11 and (v) 2011-12 financial years and (b) during the period 1 April 2012 up to the latest specified date for which information is available;
- (2) in respect of each specified financial year, (a) what amount was claimed, (b) how many claims were (i) finalised in court, (ii) settled out of court and (iii) are still outstanding and (c) what amount has been paid to each plaintiff in each case that was (i) finalised in court and (ii) settled out of court?

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REPLY:

- (1) (a) For purposes of answering the question, the focus will only be on monetary claims. Claims concerning the constitutionality of legislation and the like are therefore excluded.

The number of claims instituted against the National Treasury during the specified financial years is as follows:

| (i) 2007/2008 | (ii) 2008/2009 | (iii) 2009/2010 | (iv) 2010/2011 | (iv) 2011/2012 |
|------------------|-------------------|--------------------|-------------------|-------------------|
| 4 | 8 | 4 | 14 | 5 |

- (b) 11
- (2) (a) The following amounts were claimed:
2007 / 2008 financial year
R4,039,755.00;
R189,365.00;
R35,335,606.00;
R15,840,000.00

2008 / 2009 financial year

R22,397.46;
R402,569.78;
R178,000.00;
USD103,493.75 plus R62,696.78;
USD603,500.00;
USD24,000.00;
R5,600,000.00;
R334,974.75

2009 / 2010 financial year

R1,000,000.00;
R48,431.94;
R2,400,000.00;
R1,921,222.88

2010 / 2011 financial year

R500,000.00;
R1,138,027.90;
R58,540.00;
R117,962.00;
R74,086.11;
R565,032.32;
R161,080.35;
R171,492,429.69;
USD206,000.00 plus R460,000.00;
R50,000.00;
R4,887,703.00;
R2,151,250.00;
R516,308.04;
R67,327.26

2011 / 2012 financial year

R15,595,640.00;
R760,960.00;
R11,000,000.00;
R7,392,007.00;
R140,900.00

2012 / 2013 financial year

R15,000,000.00;

R656,856.83;

R112,200.00;

R209,606.67;

R14,200.00;

R350,000.00;

R28,274.88;

R9,997,256.75;

R9,820,669.00;

R38,070.00;

R1,394,598.99

- (b) In respect of each financial year the following matters were finalised in court, settled out of court or are still outstanding:

| Financial year | (i) Finalised in court | (ii) Settled out of court | (iii) Still outstanding |
|----------------|---------------------------|------------------------------|----------------------------|
| 2007/2008 | 2 | 2 | 1 |
| 2008/2009 | 1 | 3 | 5 |
| 2009/2010 | 1 | 1 | 2 |
| 2010/2011 | 1 | 2 | 11 |
| 2011/2012 | 0 | 1 | 4 |
| 2012/2013 | 1 | 3 | 7 |

- (c) The following amounts were paid to plaintiffs in each case that was finalised in court and settled out of court:

| Financial year | (i) Finalised in court | (ii) Settled out of court |
|----------------|----------------------------------|------------------------------|
| 2007/2008 | R0 | R516,549.14 |
| 2008/2009 | R124,964,722.50 R7,324,557.19 | R0 |
| 2009/2010 | R0 | R0 |
| 2010/2011 | R0 | R0 |
| 2011/2012 | R0 | R0 |
| 2012/2013 | R0 | R0 |