# NATIONAL ASSEMBLY

**FOR WRITTEN REPLY**

**QUESTION NO. 3680**

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**(INTERNAL QUESTION PAPER NO. 42)**

**Ms S P Kopane (DA) to ask the Minister of Health:**

(1) With reference to his reply to question 2169 on 30 October 2017, (a) in how many cases was there non-compliance with medical negligence court orders in each province (i) in each of the past three financial years and (ii) since 1 April 2017, (b) what was the amount awarded in each case and (c) what are the reasons for non-compliance in each case;

(2) what is the total number of cases of medical negligence that are still (a) pending and/or (b) that have been instituted in each province where court orders have not been granted yet?

###### NW4111E

**REPLY:**

(1) (a) in how many cases was there non-compliance with medical negligence court orders in each province (i) each of the past three financial years

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **NAME OF THE PROVINCE** | **HOW MANY CASES WAS THERE NON-COMPLIANCE WITH MEDICAL NEGLIGENCE COURT ORDERS** | | | |
|  | (a) (i)2014-2015 Financial year | (a)(i)2015-2016 Financial year | (a)(i)2016-2017 Financial year | (ii)Since 1 April 2017 |
| Eastern Cape | None | None | None | None |
| Free State | None | None | None | None |
| Gauteng | None | None | None | 22 |
| Kwazulu- Natal | None | None | None | None |
| Limpopo | None | None | None | None |
| Mpumalanga | None | None | 1 | 2 |
| Northern Cape | None | None | None | None |
| North West | None | None | None | None |
| Western Cape | None | None | None | None |
| **TOTALS** | **None** | **None** | **1** | **24** |

(b) what was the amount awarded in each case

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **NAME OF THE PROVINCE** | **WHAT WAS THE AMOUNT AWARDED IN EACH CASE** | | | |
|  | 2014-2015 Financial year | 2015-2016 Financial year | 2016-2017 Financial year | Since 1 April 2017 |
| Eastern Cape | None | None | None | \_ |
| Free State | None | None | None | None |
| Gauteng | None | None | None | R17 000 000.00  R17 000 000.00  R25 421 538.00  R16 000 000.00  R27 000 000.00  R18 258 595.00  R17 879 453.00  R20 603 010.00  R 1 162 576.48  R 2 909 955.48  R916 066.50  R 171 465.34  R 391 014.00  R 65 000.00  R 6 115.32  R 150 000.00  R 14 000 000.00  R 50 000.00  R 21 900 208.00  R 17 879 453.00  R 18 090 501.65  R 223 000.00  R900 000.00 |
| Kwazulu- Natal | None | None | None | None |
| Limpopo | None | None | None | None |
| Mpumalanga | None | None | R4 109 273.00 | R 400 000.00  R 600 000.00 |
| Northern Cape | None | None | None | None |
| North West | None | None | None | None |
| Western Cape | None | None | None | None |
| **TOTALS** | **None** | **None** | **R4 109 273.00** | **R238 977 947.77** |

(c) what are the reasons for non-compliance in each case;

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **NAME OF THE PROVINCE** | **WHAT ARE THE REASONS FOR NON-COMPLIANCE IN EACH CASE** | | | |
|  | **2014-2015 Financial year** | **2015-2016 Financial year** | **2016-2017 Financial year** | **Since 1 April 2017** |
| Eastern Cape | None | None | None | \_ |
| Free State | None | None | None | None |
| Gauteng | None | None | None | The court orders are received late through the office of the state attorney. And that same are processed through the office of treasury. |
| Kwazulu- Natal | None | None | None | None |
| Limpopo | None | None | None | None |
| Mpumalanga | None | None | The claimant’s attorneys bank account not yet verified through Central Supplier Database as required by National Treasury, as a result they cannot obtain tax clearance from SARS | The claimant’s attorneys bank account not yet verified through Central Supplier Database as required by National Treasury, as a result they cannot obtain tax clear |
| Northern Cape | None | None | None | None |
| North West | None | None | None | None |
| Western Cape | None | None | None | None |
| **TOTALS** | **None** | **None** | **None** | **None** |

(2) The following table reflects the details in this regard

|  |  |  |
| --- | --- | --- |
| **NAME OF THE PROVINCE** | **WHAT IS THE TOTAL NUMBER OF CASES OF MEDICAL NEGLIGENCE THAT ARE STILL (A) PENDING** | **(B)THAT HAVE BEEN INSTITUTED IN EACH**  **PROVINCE WHERE COURT ORDERS HAVE NOT**  **BEEN GRANTED YET?** |
| Eastern Cape | 2289 | 2289 |
| Free State | 191 | 191 |
| Gauteng | \_ | \_ |
| Kwazulu- Natal | 2077 | 2077 |
| Limpopo | 731 | 731 |
| Mpumalanga | 418 | 418 |
| Northern Cape | 75 | 75 |
| North West | 377 | 377 |
| Western Cape | 308 | 308 |
| **TOTALS** | **6466** | **6466** |

END.