**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION 808**

**DATE OF PUBLICATION OF INTERNAL QUESTION PAPER: 06/09/2019**

**INTERNAL QUESTION PAPER: 14/2019**

**808. Mrs D van der Walt (DA) to ask the Minister of Basic Education:**

Did her department incur any legal costs in the (a) 2014-15, (b) 2015-16, (c) 2016-17, (d) 2017-18 and (e) 2018-19 financial years; if not, what is the position in this regard; if so, what are the further relevant details of the costs incurred in each case?

**REPLY**

1. The Department incurred legal cost for the **2014-2015** financial year to the amount of R**2 847 339.48**. The details of each case is as follows:

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| **NO** | **NAME OF CASE** | **AMOUNT** |
| 1. | Fedsas v Minister of Basic Education | R276 581.00 |
| 2. | MEC Education v Beavallon Secondary school | R184 642.65 |
| 3. | PTY Trade 73T/A Edusolutions v MEC Education Limpopo | R519 640.00 |
| 4. | Section 27 & Others v Minister of Basic Education | R135 410.58 |
| 5. | Disciplinary hearing: Soobrayan | R164 331.00 |
| 6. | Isaac Shabangu v Minister of Basic Education | R289 971.84 |
| 7. | Pease v Minister of Basic Education and Others | R204 776.79 |
| 8. | Magna FS v Minister of Basic Education | R60 534.00 |
| 9. | Steadman and Others v Minister of Basic Education | R81 210.50 |
| 10 | Minister of Basic Education v Public Protector | R302 215.05 |
| 11. | SADTU v Minister of Basic Education | R41 969.00 |
| 12 | Minister of Basic Education v Basic Education for All | R395 308.54 |
| 13. | Trade Mark application | R1 435.00 |
| 14. | Pitsi Et Al v Minister of Basic Education | R8 208.00 |
| 15. | Aurecon v MEC Education and Others | R26 220.00 |
| 16. | Konani v Minister of Basic Education | R45 600.00 |
| 17. | Opinion (ASIDI) | R25 992.00 |
| 18. | State Attorney | R406.41 |
| 19. | Centre for Child Law v MEC Education Eastern Cape | R8 216.55 |
| 20. | State Attorney (Sherriff) | R57.57 |
| 21. | BB Mubake and7 Others v Department of Education and Others | R36 423.00 |
| 22. | Michelle Saffer v MEC Education and Others | R38 190.00 |
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|  | **TOTAL** | **R 2 847 339.48** |

1. The Department incurred legal cost for the **2015-2016** financial year to the amount of **R1 948 671.43.** The details of each case is as follows:

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| **NO** | **NAME OF CASE** | **AMOUNT** |
| 1. | Centre for Child Law vs Department of Basic Education | R9 120.00 |
| 2. | BEFA vs Minister of Basic Education | R40 000.00 |
| 3. | Clareville Primary School vs Department of Basic Education | R5 130.00 |
| 4. | Mtongana vs Department of Basic Education | R82 080.00 |
| 5 | BVCVO & others vs Minister of Education & others | R231.28 |
| 6 | Beavollon Secondary School and 36 others vs Minister of Education for Western Cape and 3 others | R 406 629.60 |
| 7. | Kgoro Sipho & others vs Minister of Education | R2 852.28 |
| 8. | PTY Trade 73T/A Edusolutions v MEC Education Limpopo | R648 642.58 |
| 9. | Securing the intellectual property of the DBESA-SAMS | R23 707.18 |
| 10. | Request for a Legal opinion on areas of intervention in the Eastern Cape Department of Education in terms of section 100(1)(b) | R32 902.50 |
| 11. | Kgoro Sipho & others vs Minister of Education | R17 831.60 |
| 12. | Steadman & others vs Minister of Education | R99 792.75 |
| 13. | Mabotja Patience Pitsi & others vs Department of Basic and others | R8 208.00 |
| 14. | CTU-SADTU & CTU-ATU vs Department of Basic Education | R273 166.57 |
| 15 | Legal Opinion | R27 787.50 |
| 16. | Aurecon Pty LTD vs Limpopo Department of Education | R73 255.26 |
| 17. | PSC Investigation into Mr Soobrayan-DG of DBE | R152 071.83 |
| 18. | Arbitration: T Khoza | R 45 262.50 |
|  | **TOTAL** | **R1 948 671.43** |

1. The Department incurred legal cost for the **2016-2017** financial year to the amount of R**2 054 327.26.** The details of each case is as follows:

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| **NO** | **NAME OF CASE** | **AMOUNT** |
| 1. | Michelle Saffer v MEC Education Western Cape and Others | R345 884.17 |
| 2. | Kgoro Sipho and Others v Minister of Basic Education | R190 286.50 |
| 3. | Van Den Heever v Minister of Basic Education | R910.50 |
| 4. | Magna FS v Minister of Basic Education | R115 398.50 |
| 5. | Muvamba Dzivhani v Minister of Basic Education | R14 700.00 |
| 6. | Minister of Basic Education v Basic Education for All | R587 871.28 |
| 7. | Konani v Minister of Basic Education | R20 292.00 |
| 8. | Minister of Basic Education v Public Protector | R9 094.00 |
| 9. | Centre for Child Law v Minister of Basic Education and Others | R197 933.31 |
| 10. | Mbulawa Zingisa v Minister of Basic Education | R27 588.00 |
| 11. | Department of Basic Education//Pinehurst Meridian | R93 907.50 |
| 12. | Gebuza v Minister of Basic Education | R31 500.00 |
| 13. | Ncedo Hoyi v Minister of Basic Education | R9 600.00 |
| 14 | Pease v Minister of Basic Education and Others | R15 366.70 |
| 15. | Aaron Mkhize v Minister of Basic Education | R11 371.50 |
| 16 | True Harvest Trading v Minister of Basic Education | R197 942.73 |
| 17. | OGOD v Randhart high School and Others | R42 663.50 |
| 18. | Equal Education v Minister of Basic Education | R5 980.00 |
| 19. | Maqhelana and Other v Minister of Basic Education | R17 100.00 |
| 20. | Samson Primary School v MEC Education and Others | R37 217.07 |
| 21. | Solidariteit Helpende Hand v Minister of Basic Education | R81 720.00  (Department won with cost) |
|  | **TOTAL** | **R 2 054 327.26** |

1. The Department incurred legal cost for the **2017-2018** financial year to the amount of R**3 895 822.26**. The details of each case is as follows:

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| **NO** | **NAME OF CASE** | **AMOUNT** |
| 1. | CTP and Others v Director-General and Others | R1 751 120.99 |
| 2. | Konani v Minister of Basic Education | R128 234.00 |
| 3. | Centre for Child Law v Minister of Basic Education | R200 640. 00 |
| 4. | Michelle Saffer v MEC Education and Others | R94 260.03 |
| 5. | OGOD v Minister of Basic Education and Others | R117 819.00 |
| 6. | Prestige Academy v Minister of Basic Education | R23 400.00 |
| 7. | Kgoro Sipho and Others v Minister of Basic Education | R85 742.24 |
| 8. | Equal Education v Minister of Basic Education | R564 016.50 |
| 9. | Ncedo Hoyi v Department of Basic Education | R143 241.00 |
| 10 | Van Der Westhuizen N.O and Others v Minister of Basic Education | R16 800.00 |
| 11. | Legal Opinion | R46 500.00 |
| 12. | Minister of Basic Education v Public Protector | R295 695.47 |
| 13. | Nhlapo v Minister of Basic Education | R28 500.00 |
| 14. | MMPA Quantity Surveyors v Minister of Basic Education | R245 913.65 |
| 15. | Centre for Child Law v Minister of Basic Education | R143 489.38 |
| 16 | Gebuza v Minister of Basic Education | R10 450.00 |
|  | **Total** | **R 3 895 822. 26** |

1. The Department incurred legal cost for the **2018-2019** financial year to the amount of **R1 458 797.07**. The details of each case is as follows:

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| **NO** | **NAME OF CASE** | **AMOUNT** |
| 1. | CTP Limited and Others v Director-General of Basic Education | R1 126 078.12 |
| 2. | Centre for Child Law v Minister of Basic Education | R248 668.95 |
| 3. | Madoda Gebuza v Minister of Basic Education | R56 000.00 |
| 4. | Munano and Others v Minister of Basic Education | R28 050.00 |
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|  | **TOTAL** | **R1 458 797.07** |