

VOTE 1-3 THE JUDICIARY

CONTEXT FOR BUDGET INTERVENTION

The **Supreme Court**, composed of the Court of Civil Appeal, Court of Criminal Appeal, Bankruptcy Division, and Master and Registrar, has unlimited jurisdiction to hear and determine any civil or criminal proceedings under any law other than a disciplinary law and such jurisdiction and powers as may be conferred upon it by the Constitution or any other law. It is a superior court of record, the principal court of original civil and criminal jurisdictions and it exercises general powers of supervision over all District, Intermediate and Industrial Courts and other special courts.

The Supreme Court is also a Court of Equity vested with powers, authority, and jurisdiction to administer justice and to do all acts for the due execution of such equitable jurisdiction, in all cases where no legal remedy is provided by any enactment. Section 83 of the Constitution provides that the Supreme Court has original jurisdiction in the interpretation of the Constitution. And where a question as to the interpretation of the Constitution arises in any Court established for Mauritius (other than the Court of Appeal, the Supreme Court, or a Court Martial) and the Court is of the opinion that the question involved a substantial question of law, the Court shall refer the matter to the Supreme Court. (Section 84 of the Constitution).

The **Intermediate Court** is a court of record which has civil and criminal jurisdiction in all districts in such cases and matters and to such extent as provided by the Courts Act. The **Industrial Court** has exclusive civil and criminal jurisdiction to try any matter arising out of the enactments set out in the 1st schedule of the Industrial Court Act. The **District Court** is a court of record having limited jurisdiction in civil and criminal matters. It may sit in several divisions as directed by the Chief Justice. The **Court of Rodrigues** is governed by the Court of Rodrigues Jurisdiction Act and has within Rodrigues the same powers and jurisdiction as are conferred on every District Magistrate in Mauritius. The **Bail Court** is fitted with computers and allows Video link with the prisons where the accused person is remanded pending the decision of the Director of Public Prosecution. The Bail Court is further linked with the Court of Rodrigues and facilities are provided to receive evidence of witnesses through video link.

SUMMARY OF BUDGET

	2007/08 Estimates	2008/09 Estimates	2009/10 Estimates
A Expenditure by Programme (Rs)			
1 Judiciary Affairs	203,861,000	234,500,000	240,000,000
Total	203,861,000	234,500,000	240,000,000
B Expenditure by Economic Categories (Rs)			
1 Recurrent Expenditure	191,361,000	206,500,000	214,000,000
1.1 Personal Emoluments	120,021,000	125,301,000	131,121,000
1.2 Other Staff Costs	28,435,000	29,515,000	30,190,000
1.3 Other Goods and Services	38,155,000	46,929,000	47,914,000
1.4 Subsidies and other Current Transfers	4,750,000	4,755,000	4,775,000
2 Capital Expenditure	12,500,000	28,000,000	26,000,000
2.1 Acquisition of Fixed Capital Assets	12,500,000	28,000,000	26,000,000
2.2 Purchase of Land/Intangible Assets	-	-	-
2.3 Capital Transfers	-	-	-
Total	203,861,000	234,500,000	240,000,000
C Staffing - funded positions			
1 Managerial positions	1	1	1
2 Technical positions	405	405	405
3 Support positions	221	219	222
Total	627	625	628

VOTE 1-3 - The Judiciary - PBB - 2007/08 - 2009/10

MAIN ACTIVITIES (A)	SPECIFIC OBJECTIVES (SO)	OUTPUTS (O)	PERFORMANCE INDICATORS (P)
PROGRAMME 1 - JUDICIARY AFFAIRS			
Outcome: To provide judicial services that command public respect and confidence.			
A1: Judicial services.	SO: Dispensing speedy justice.	O1: Reducing delay in attending to court cases so as to accommodate 5% increase in throughput of cases.	P1: The backlog of cases outstanding at the beginning of 2007/08 to reduce by at least 25% by June 2008.
		O2: Minimisation of delay in the delivery of judgment.	P1: The disposal of civil cases in the district courts to reduce from 18 months in 2005/06 to 12 months in 2007/08 and that of criminal cases from 24 months to 18 months.
			P2: The disposal of civil cases in the intermediate courts to reduce from 18 months in 2005/06 to 12 months in 2007/08 and that of criminal cases from 24 months to 18 months.
			P3: The disposal of divorce and matrimonial cases in the supreme court to reduce from 12 months in 2005/06 to 9 months in 2007/08, other civil litigations from 48 months to 36 months and that of criminal cases from 18 months to 12 months.
			P4: Disposal of cases related to judicial review, administrative law and constitution handled at the supreme court to reduce from 12 months in 2005/06 to 9 months in 2007/08.
	P5: Appeals pending in the supreme court to be disposed of from 12 months in 2005/06 to 9 months in 2007/08.		

Programme 1: Judiciary Affairs

	2007/08 Estimates	2008/09 Estimates	2009/10 Estimates
1 Recurrent Expenditure (Rs)	191,361,000	206,500,000	214,000,000
1.1 Personal Emoluments	120,021,000	125,301,000	131,121,000
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2 Capital Expenditure (Rs)	12,500,000	28,000,000	26,000,000
2.1 Acquisition of Fixed Capital Assets	12,500,000	28,000,000	26,000,000
2.2 Purchase of Land/Intangible Assets	-	-	-
2.3 Capital Transfers	-	-	-
Total	203,861,000	234,500,000	240,000,000
Recurrent Expenditure	191,361,000		
Personal Emoluments	120,021,000		
Other Staff Costs	28,435,000		
Wages	1,050,000		
Travelling and transport	26,450,000		
Staff welfare	35,000		
Overtime	900,000		
Other Goods and Services	38,155,000		
Office expenses and incidentals	1,400,000		
Telephone bills	3,000,000		
Rent	2,084,000		
Maintenance and running of vehicles	1,000,000		
Office equipment and furniture	1,000,000		
Maintenance of buildings, grounds, plant and equipment	2,800,000		
Training of staff	600,000		
I.T. facilities	5,800,000		
Electricity charges	6,400,000		
Water rates	900,000		
Publications	2,000,000		
Uniforms	330,000		
Fees to witnesses	5,000,000		
Security Services	934,990		
Expenses in civil and criminal cases	1,700,000		
Postage	906,000		
Printing and stationery	1,500,000		
Other operating expenses	800,000		
Family Court	10		
Subsidies and other Current Transfers	4,750,000		
Contribution to Council of Legal Education	2,000,000		
Legal assistance in "in forma pauperis"	2,500,000		
Contribution to International Organisation(s)	250,000		
Capital Expenditure	12,500,000	28,000,000	26,000,000
Construction/Renovation of District Courts	12,500,000	28,000,000	26,000,000
Staffing - funded positions			
Managerial positions	1	1	1
Technical positions	405	405	405
Support positions	221	219	222
Total	627	625	628