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## **PART A: OVERVIEW OF DEPARTMENT**

### **I. STRATEGIC NOTE**

#### **1. Major Achievements for 2010**

- 60 Bills were published.
- 170 Government Notices (subsidiary legislations) were published.
- 4,972 requests for legal advice/legal opinions were dealt with. Most requests for advice were tendered within five weeks and urgent advice within five days.
- 2,905 requests for representation before Courts have been dealt with.
- Nine papers and reports were produced by the Law Reform Commission. These included:
  - Issue paper on Evidence of Reluctant/Intimidated Witness in Criminal Proceedings;
  - Issue paper on Criminal Investigation: Reform of Police Procedures and Practices;
  - Progress Report on 'Review/Reform of Aspects of Consumer Laws';
  - Background Paper on 'Evolution of Codes & Reform Prospects';
  - Review Papers on aspects of the 'Code Civil Mauricien';
  - Draft Issue paper on 'Reform of Code de Procedure Civile';
  - Draft Issue paper on 'Reform of Code de Commerce';
  - Draft Issue paper on 'Restriction on Vexatious Litigation and Protection to Judicial and Law Officers against Abuse of Judicial Process by Vexatious Litigants'; and
  - Draft Issue Paper on 'Constitutional Protection of Fundamental Rights: Proposal for Reform'.

#### **2. Major Services to be provided for 2011-2013**

##### Programme 561: Policy and Management for Legal and Drafting Services

- Quality legal advice to Ministries and Departments on domestic, regional, international and constitutional issues, on draft legislation and interpretation of legal documents.

##### Programme 562: Legal Advisory and Representation

- Clear and simple drafting of legislative texts.
- Publication of laws on a regular basis.
- Laws reviewed and reform proposals formulated.

#### **3. Major Constraints and Challenges and how they are being addressed**

- Retention of staff and lack of professional staff, made more acute by the separation of the Office of the Director of Public Prosecutions.
  - Additional professional staff will be recruited.
- Specific skills.
  - Training and capacity building adapted to our needs.
- Additional responsibility imposed by new legislation.
  - Recruitment and Training of staff.

## II. LIST OF PROGRAMMES, SUB-PROGRAMMES AND PRIORITY OBJECTIVES

### Programme 561: Policy and Management for Legal and Drafting Services

- Formulate policies and ensure implementation thereof.

### Programme 562: Legal Advisory and Representation

#### Sub-Programme 56201: Civil Advisory and Litigation

- Strengthen the capacity of the unit in the delivery of legal advice and service for the good governance of the Republic.

#### Sub-Programme 56202: Legislative Drafting and Law Revision

- Ensure policy set out by Government is effectively translated in legal text.

### Programme 563: Law Reform and Development

- Ensure laws of Mauritius are in conformity with constitutional and human rights standards.
- Ensure laws of Mauritius are responsive to the needs of society, in the light of the exigencies of globalisation, reflect best international practices and are in conformity with our international obligations.

## III. SUMMARY OF FINANCIAL RESOURCES BY PROGRAMMES AND SUB-PROGRAMMES

Code	Programmes and Sub-Programmes	Rs	Rs	Rs	Rs
		2010 Estimates	2011 Estimates	2012 Planned	2013 Planned
561	<b>Policy and Management for Legal and Drafting Services</b>	<b>29,381,000</b>	<b>29,892,000</b>	<b>27,857,540</b>	<b>28,262,700</b>
562	<b>Legal Advisory and Representation</b>	<b>91,375,000</b>	<b>87,938,000</b>	<b>85,917,460</b>	<b>87,392,300</b>
56201	Civil Advisory and Litigation	78,292,000	74,245,000	73,364,700	74,687,300
56202	Legislative Drafting and Law Revision	13,083,000	13,693,000	12,552,760	12,705,000
563	<b>Law Reform and Development</b>	<b>8,900,000</b>	<b>8,900,000</b>	<b>8,900,000</b>	<b>8,900,000</b>
	<b>Total</b>	<b>129,656,000</b>	<b>126,730,000</b>	<b>122,675,000</b>	<b>124,555,000</b>

## IV. SUMMARY OF STAFFING POSITIONS BY PROGRAMMES AND SUB-PROGRAMMES

Code	Programmes	Total		% Distribution	
		In Post 2010	Funded 2011	2010	2011
561	<b>Policy and Management for Legal and Drafting Services</b>	22	28	17.6%	18.7%
562	<b>Legal Advisory and Representation</b>	103	122	82.4%	81.3%
56201	Civil Advisory and Litigation	96	114	76.8%	76.0%
56202	Legislative Drafting and Law Revision	7	8	5.6%	5.3%
563	<b>Law Reform and Development</b>	-	-	0%	0%
	<b>Total</b>	<b>125</b>	<b>150</b>	<b>100%</b>	<b>100%</b>

**PART B: SERVICES TO BE PROVIDED AND PERFORMANCE INFORMATION**

DELIVERY UNITS	SERVICES TO BE PROVIDED	PERFORMANCE				
		Service Standards (Indicators)	2010 Baseline	2011 Targets	2012 Targets	2013 Targets
<p><b>PROGRAMME 561: Policy and Management for Legal and Drafting Services</b></p> <p><b>Outcome:</b> Provide essential expert support services to the Government in the maintenance and improvement of Mauritius's system of law, justice and human rights within the rule of law.</p>						
Office of the Solicitor General and Administration	O1: Policy and Management Services.	P1: Preparation and/or update of PBB Strategic Plan.	-	June	June	June
		P2: % of PBB indicators that are met.	80%	90%	90%	90%
		P3: Projects and/or Programmes completed within time and budget.	-	75%	80%	85%
		P4: Date limit set or 5 working day rule met, subject to complexity, availability of information and expertise, for following percent of requests as verified by Registry records or an alternative system.	85%	90%	95%	95%
<p><b>PROGRAMME 562: Legal Advisory and Representation</b></p> <p><b>Outcome:</b> Fair and independent legal advisory work and representation within a reasonable period of time.</p> <p><b>SUB-PROGRAMME 56201: Civil Advisory and Litigation</b></p>						
Administrative and Advisory Unit	O1: Legal advisory services to Government.	P1: Average time for tendering legal advice, subject to complexity, availability of information and expertise (days).	10	10	10	10
		P2: Number of legal advice/opinion.	5,000	5,000	5,200	5,200

**Attorney General's Office - continued**

DELIVERY UNITS	SERVICES TO BE PROVIDED	PERFORMANCE				
		Service Standards (Indicators)	2010 Baseline	2011 Targets	2012 Targets	2013 Targets
<b>SUB-PROGRAMME 56202: Legislative Drafting and Law Revision</b>						
Drafting and Law Revision Unit	O1: Drafting of legislative texts.	P1: Average time for drafting clear and simple legislations, subject to complexity, availability of information and expertise (weeks).	6	6	6	6
<b>PROGRAMME 563 : Law Reform and Development</b> <b>Outcome:</b> Laws of Mauritius made responsive to the need of the society.						
Law Reform Commission	O1: Law review and reform services	P1: Minimum number of papers and reports.	8	6	6	6
		P2: Average time (month) for preliminary assessment paper for review of any aspect of law.	1	1	1	1

**PART C: INPUTS - FINANCIAL RESOURCES**

**1. SUMMARY BY ECONOMIC CATEGORIES**

Code	Economic Categories	Rs	Rs	Rs	Rs
		2010 Estimates	2011 Estimates	2012 Planned	2013 Planned
21	Compensation of Employees	80,223,000	74,064,000	75,279,000	76,544,000
22	Goods and Services	40,183,000	42,896,000	37,626,000	38,256,000
24	Interest	-	-	-	-
25	Subsidies	-	-	-	-
26	Grants	9,250,000	9,770,000	9,770,000	9,755,000
27	Social Benefits	-	-	-	-
28	Other Expense	-	-	-	-
31	Acquisition of Non-Financial Assets	-	-	-	-
32	Acquisition of Financial Assets	-	-	-	-
	<b>Total</b>	<b>129,656,000</b>	<b>126,730,000</b>	<b>122,675,000</b>	<b>124,555,000</b>

**2. SUMMARY FOR YEAR 2011**

Code	Programmes	Rs	Rs	Rs	Rs
		Compensation of Employees [code 21]	Goods and Services [code 22]	Subsidies/ Grants [codes 25-28]	Acquisition of Assets [codes 31- 32]
561	Policy and Management for Legal and Drafting Services	21,117,000	8,775,000	-	-
562	Legal Advisory and Representation	52,947,000	34,121,000	870,000	-
563	Law Reform and Development	-	-	8,900,000	-
	<b>Total</b>	<b>74,064,000</b>	<b>42,896,000</b>	<b>9,770,000</b>	<b>-</b>

**Programme 561: Policy and Management for Legal and Drafting Services**

Item No	Details	Rs	Rs	Rs	Rs
		2010 Estimates	2011 Estimates	2012 Planned	2013 Planned
<b>21</b>	<b>Compensation of Employees</b>	<b>23,284,000</b>	<b>21,117,000</b>	<b>21,412,540</b>	<b>21,717,691</b>
21110	Personal Emoluments	21,184,000	19,117,000	19,412,540	19,717,691
21111	Other Staff Costs	2,100,000	2,000,000	2,000,000	2,000,000
<b>22</b>	<b>Goods and Services</b>	<b>6,097,000</b>	<b>8,775,000</b>	<b>6,445,000</b>	<b>6,545,000</b>
22010	Cost of Utilities	625,000	625,000	625,000	625,000
22030	Rent	1,625,000	1,750,000	1,850,000	1,950,000
22040	Office Equipment and Furniture	200,000	1,500,000	220,000	220,000
22050	Office Expenses	200,000	100,000	100,000	100,000
22060	Maintenance	780,000	1,850,000	700,000	700,000
22100	Publications and Stationery	567,000	600,000	600,000	600,000
22120	Fees	750,000	1,000,000	1,000,000	1,000,000
22900	Other Goods and Services	1,250,000	1,250,000	1,250,000	1,250,000
	<b>Total</b>	<b>29,381,000</b>	<b>29,892,000</b>	<b>27,857,540</b>	<b>28,262,691</b>

**Attorney General's Office - continued**

Item No	Details	Rs	Rs	Rs	Rs
		2010 Estimates	2011 Estimates	2012 Planned	2013 Planned
<b>Programme 562: Legal Advisory and Representation</b>					
<b>Sub- Programme 56201: Civil Advisory and Litigation</b>					
<b>21</b>	<b>Compensation of Employees</b>	<b>49,446,000</b>	<b>47,194,000</b>	<b>48,013,700</b>	<b>48,872,294</b>
21110	Personal Emoluments	42,201,000	40,660,000	41,479,700	42,338,294
21111	Other Staff Costs	7,245,000	6,534,000	6,534,000	6,534,000
<b>22</b>	<b>Goods and Services</b>	<b>28,496,000</b>	<b>26,181,000</b>	<b>24,481,000</b>	<b>24,961,000</b>
22010	Cost of Utilities	1,255,000	1,650,000	1,650,000	1,650,000
22020	Fuel and Oil	120,000	120,000	120,000	120,000
22030	Rent	12,110,000	12,585,000	12,585,000	13,065,000
22040	Office Equipment and Furniture	400,000	1,000,000	400,000	400,000
22050	Office Expenses	335,000	325,000	325,000	325,000
22060	Maintenance	2,300,000	2,100,000	1,300,000	1,300,000
22070	Cleaning Services	100,000	150,000	150,000	150,000
22100	Publications and Stationery	1,625,000	2,225,000	1,925,000	1,925,000
22120	Fees	9,525,000	5,300,000	5,300,000	5,300,000
	<i>of which</i>				
22120011	<i>Fees icw Privy Council Cases</i>	<i>9,250,000</i>	<i>5,000,000</i>	<i>5,000,000</i>	<i>5,000,000</i>
22160	Overseas Training	200,000	200,000	200,000	200,000
22900	Other Goods and Services	526,000	526,000	526,000	526,000
<b>26</b>	<b>Grants</b>	<b>350,000</b>	<b>870,000</b>	<b>870,000</b>	<b>855,000</b>
26210	Current Grant to International Organisations	350,000	870,000	870,000	855,000
	<i>of which</i>				
26210066	<i>Contribution to Hague Conference on Private International Law</i>	<i>-</i>	<i>275,000</i>	<i>275,000</i>	<i>260,000</i>
26210101	<i>Contribution to Asian-African Legal Consultative Organisation</i>	<i>182,000</i>	<i>400,000</i>	<i>400,000</i>	<i>400,000</i>
26210102	<i>Contribution to International Tribunal for the Law of the Sea</i>	<i>60,000</i>	<i>75,000</i>	<i>75,000</i>	<i>75,000</i>
26210103	<i>Contribution to Commonwealth Legal Advisory Service</i>	<i>60,000</i>	<i>60,000</i>	<i>60,000</i>	<i>60,000</i>
26210105	<i>Contribution to Permanent Court of Arbitration</i>	<i>48,000</i>	<i>60,000</i>	<i>60,000</i>	<i>60,000</i>
<b>31</b>	<b>Acquisition of Non-Financial Assets</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
31121	Transport Equipment	-	-	-	-
31121801	Acquisition of Vehicles	-	-	-	-
	<b>Total</b>	<b>78,292,000</b>	<b>74,245,000</b>	<b>73,364,700</b>	<b>74,688,294</b>

**Attorney General's Office - continued**

Item No	Details	Rs	Rs	Rs	Rs
		2010 Estimates	2011 Estimates	2012 Planned	2013 Planned
<b>Sub-Programme 56202: Legislative Drafting and Law Revision</b>					
<b>21</b>	<b>Compensation of Employees</b>	<b>7,493,000</b>	<b>5,753,000</b>	<b>5,852,760</b>	<b>5,954,015</b>
21110	Personal Emoluments	6,588,000	4,848,000	4,947,760	5,049,015
21111	Other Staff Costs	905,000	905,000	905,000	905,000
<b>22</b>	<b>Goods and Services</b>	<b>5,590,000</b>	<b>7,940,000</b>	<b>6,700,000</b>	<b>6,750,000</b>
22010	Cost of Utilities	220,000	220,000	220,000	220,000
22030	Rent	975,000	1,055,000	1,105,000	1,155,000
22040	Office Equipment and Furniture	150,000	1,800,000	1,460,000	1,460,000
22050	Office Expenses	50,000	50,000	50,000	50,000
22060	Maintenance	215,000	715,000	265,000	265,000
22100	Publications and Stationery	450,000	525,000	525,000	525,000
22120	Fees	3,455,000	3,500,000	3,000,000	3,000,000
22160	Overseas Training	75,000	75,000	75,000	75,000
	<b>Total</b>	<b>13,083,000</b>	<b>13,693,000</b>	<b>12,552,760</b>	<b>12,704,015</b>
<b>Programme 563: Law Reform and Development</b>					
<b>26</b>	<b>Grant</b>	<b>8,900,000</b>	<b>8,900,000</b>	<b>8,900,000</b>	<b>8,900,000</b>
26313	Extra- Budgetary Units	8,900,000	8,900,000	8,900,000	8,900,000
26313029	<i>Current Grant - Law Reform Commission</i>	<i>8,900,000</i>	<i>8,900,000</i>	<i>8,900,000</i>	<i>8,900,000</i>
	<b>Total</b>	<b>8,900,000</b>	<b>8,900,000</b>	<b>8,900,000</b>	<b>8,900,000</b>



**PART D: HUMAN RESOURCES**

**STAFFING POSITIONS BY PROGRAMMES AND SUB-PROGRAMMES**

Salary Code	Position Titles	In Post 2010	Funded Positions		
			2011	2012	2013
<b>PROGRAMME 561: Policy and Management for Legal and Drafting Services</b>		<b>22</b>	<b>28</b>	<b>28</b>	<b>28</b>
	Attorney General	1	1	1	1
12 00 97	Solicitor General	1	1	1	1
12 00 95	Parliamentary Counsel	1	1	1	1
12 00 95	Deputy Solicitor General	1	1	1	1
12 00 93	Assistant Solicitor General	4	4	4	4
12 00 93	Chief Legal Secretary	1	1	1	1
12 72 82	Legal Secretary	-	-	-	-
12 65 77	Assistant Legal Secretary	-	1	1	1
01 48 59	Senior Financial Operations Officer	1	1	1	1
01 41 55	Financial Operations Officer	-	2	2	2
01 29 49	Assistant Financial Operations Officer	1	1	1	1
21 41 55	Procurement and Supply Officer	-	2	2	2
21 29 49	Assistant Procurement and Supply Officer	2	2	2	2
01 29 55	Internal Control Officer	-	1	1	1
08 34 55	Confidential Secretary	9	9	9	9
<b>PROGRAMME 562: Legal Advisory and Representation</b>		<b>103</b>	<b>122</b>	<b>122</b>	<b>122</b>
<b>Sub-Programme 56201: Civil Advisory and Litigation</b>		<b>96</b>	<b>114</b>	<b>114</b>	<b>114</b>
12 00 90	Assistant Parliamentary Counsel	1	1	1	1
12 72 82	Principal State Counsel	5	5	5	5
12 65 77	Senior State Counsel	8	8	8	8
12 55 71	State Counsel	11	20	20	20
12 00 93	Chief State Attorney	1	1	1	1
12 00 90	Deputy Chief State Attorney	-	1	1	1
12 72 82	Principal State Attorney	2	1	1	1
12 65 77	Senior State Attorney	4	4	4	4
12 56 71	State Attorney	6	11	11	11
12 56 71	Curator of Vacant Estates	1	1	1	1
12 48 60	Principal Legal Assistant	1	1	1	1
12 41 56	Senior Legal Assistant	-	3	3	3
12 26 52	Legal Assistant	4	1	1	1
12 18 20	Trainee Legal Assistant	2	2	2	2
05 35 58	Law Library Officer	1	1	1	1
12 55 71	Legal Research Officer	2	2	2	2
08 41 55	Higher Executive Officer	2	2	2	2
08 31 51	Senior Officer	1	1	1	1
08 29 49	Executive Officer	1	1	1	1
08 37 51	Office Supervisor	1	1	1	1
08 18 45	Officer	14	14	14	14
08 29 48	Special Clerical Officer	-	-	-	-

**STAFFING POSITIONS BY PROGRAMMES AND SUB-PROGRAMMES**

Salary Code	Position Titles	In Post 2010	Funded Positions		
			2011	2012	2013
08 18 45	Clerical Officer/Higher Clerical Officer	-	-	-	-
08 34 55	Confidential Secretary	2	5	5	5
08 27 48	Senior Word Processing Operator	1	1	1	1
08 17 44	Word Processing Operator	3	3	3	3
22 12 39	Receptionist/Telephone Operator	4	4	4	4
24 27 37	Head Office Care Attendant	3	3	3	3
24 10 30	Office Care Attendant	13	13	13	13
24 13 36	Driver	1	1	1	1
24 06 25	Handy Worker	1	2	2	2
<b>Sub-Programme 56202: Legislative Drafting and Law Revision</b>		<b>7</b>	<b>8</b>	<b>8</b>	<b>8</b>
12 00 90	Assistant Parliamentary Counsel	1	1	1	1
12 72 82	Principal State Counsel	1	1	1	1
12 55 71	State Counsel	1	2	2	2
12 59 71	Registrar (Legal Assistant Cadre)	1	1	1	1
12 53 65	Chief Legal Assistant	1	1	1	1
12 26 52	Legal Assistant	1	1	1	1
08 34 55	Confidential Secretary	1	1	1	1
08 17 44	Word Processing Operator	-	-	-	-
24 13 36	Driver	-	-	-	-
	<b>Total</b>	<b>125</b>	<b>150</b>	<b>150</b>	<b>150</b>