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REPUBLIC OF SOUTH AFRICA

**Statistics of civil cases
for debt
April 1997**



Statistical release P0041

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SUMMONSES AND JUDGEMENTS FOR DEBT INCREASE SHARPLY

The total number of civil summonses for debt recorded for the three months up to April 1997 shows an increase of 13,8% (from 342 267 to 389 641) after seasonal adjustment compared with the previous three months. The total number of civil judgements for debt increased by 2,6% (from 165 029 to 169 283) after seasonal adjustment during the same period.

The increase of 13,8% in civil summonses for debt can mainly be attributed to more civil summonses issued in respect of goods sold on open account (+16,8%); non-professional services (+30,4%) and money lent (+22,1%). During April 1997, 155 317 summonses for debt were issued, 36,3% more than for March 1997. Of the 155 317 summonses, 39,7% were summonses relating to non-professional services, and 15,7% were for summonses relating to goods sold on open account, while 11,6% were summonses in respect of money lent.

The total amount involved in respect of civil judgements for debt issued during April 1997 was R428,2 million. Of this amount, R177,3 million was for cases relating to money lent and R64,8 million for cases relating to goods sold, while R53,0 million was for judgements in respect of promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt.

Period	Number		Percentage change	
	Summonses for debt	Civil judgements for debt	Summonses for debt	Civil judgements for debt
Actual figures:				
Feb. 1997 - Apr. 1997	378 899	167 120	+23,1	+18,7
Feb. 1996 - Apr. 1996	307 841	140 783		
Seasonally adjusted figures:				
Feb. 1997 - Apr. 1997	389 641	169 283	+13,8	+2,6
Nov. 1996 - Jan. 1997	342 267	165 029		


 PP
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NOTES

The particulars refer to all civil cases for debt recorded by Magistrate's Offices.

Except for cases recorded, all other information relates to debt cases only; i.e. claims for damages, ejection orders and other non-debt cases are excluded.

Default and consent judgements relate to judgements given in respect of undefended debt cases only.

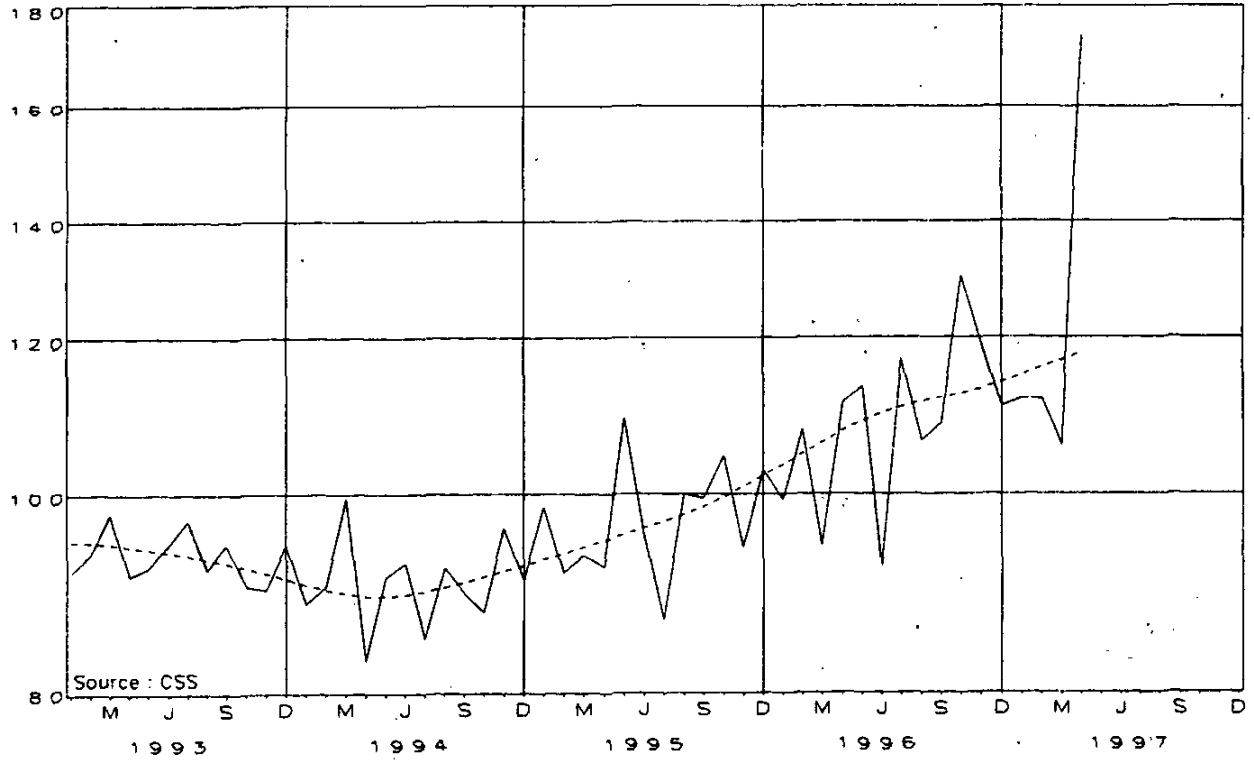
COMPARABILITY

The jurisdiction limit for civil cases handled by magistrate offices (R20 000 for liquid assets and R50 000 for non liquid assets) was increased to R100 000 as from 1 May 1995. A comparison with the period prior to May 1995 must thus be handled with circumspection.

SMALL CLAIMS COURTS

Statistics in respect of small claims courts are updated annually.

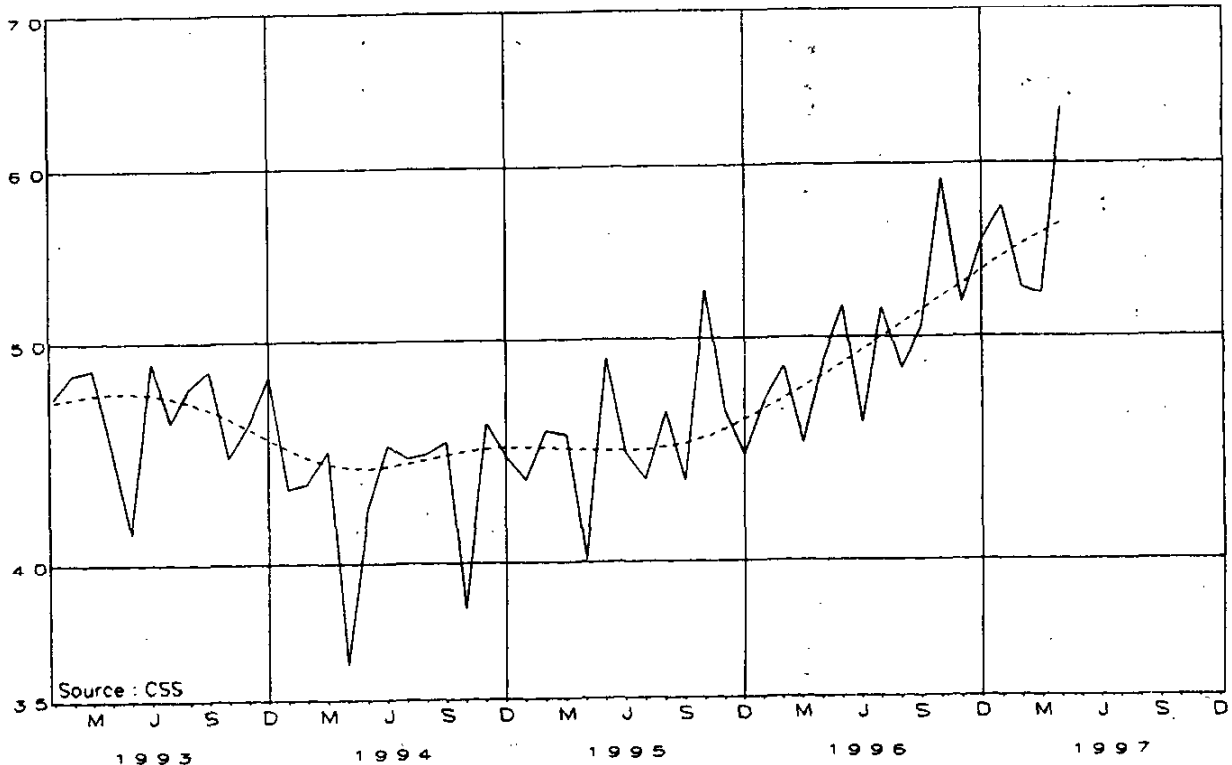
CIVIL SUMMONSES ISSUED - NUMBER Thousand



Scale Semi-Logarithmic

Seasonally adjusted _____
Trend cycle - - - -

CIVIL JUDGEMENTS FOR DEBT - NUMBER Thousand



Scale: Semi-Logarithmic

Seasonally adjusted _____
Trend cycle - - - -

TABLE 1 - NUMBER OF CIVIL CASES RECORDED AND SUMMONSES FOR DEBT ISSUED

Item	Business enterprises and private persons				Private persons			
	1996	1997	1997	1996	1996	1997	1997	1996
	Apr.	Mar.	Apr.	Apr.	Apr.	Mar.	Apr.	Apr.
	Number							
1. Cases recorded								
1.1 Actual figures	1 349 268	161 489	118 958	102 944	1 218 104	145 640	105 231	93 462
1.2 Seasonally adjusted	177 325	111 300	113 947		159 394	98 569	103 288	
2. Civil summonses for debt								
2.1 Total	1 309 573	155 317	113 988	99 698	1 186 256	140 961	101 083	90 656
2.1.1 Actual figures	172 098	105 768	111 220		155 157	93 833	100 672	
2.1.2 Seasonally adjusted								
2.2 Goods sold	270 368	24 391	24 057	20 746	237 863	20 925	20 529	18 524
2.2.1 Open account	28 301	4 672	4 000	2 243	24 869	3 860	3 190	2 023
2.2.2 Instalment sale transactions								
2.3 Services	193 440	17 946	17 197	16 192	183 669	16 494	15 886	15 304
2.3.1 Professional	340 067	61 639	25 346	24 101	311 831	58 001	22 396	22 401
2.3.2 Other								
2.4 Rent	68 844	5 886	5 735	5 967	53 657	4 250	4 480	4 687
2.5 Money lent	160 560	18 068	16 820	12 131	152 874	16 979	16 004	11 476
2.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	94 053	8 287	8 953	7 606	84 317	7 529	8 177	6 770
2.7 Other	153 940	14 428	11 880	10 712	137 176	12 923	10 421	9 471

TABLE 2 - THE NUMBER OF CIVIL CASES RECORDED IN SELECTED MAGISTRATES OFFICES

Year or month	Cape Peninsula	Port Elizabeth	East-London	Kimberley	Pietermaritzburg	Durban	Johannesburg	East Rand	West Rand	Pretoria	Vereeniging and Vanderbijlpark	Bloemfontein
1995	166 609	47 639	15 445	10 823	30 290	89 776	142 943	69 380	30 690	96 226	16 908	24 289
1996	170 524	110 152	18 523	8 717	31 347	80 469	143 379	84 677	31 309	107 156	24 056	25 026
1996 - J	13 286	1 298	1 605	697	2 376	5 758	9 212	6 073	2 293	7 783	1 195	1 852
F	18 773	2 009	1 794	729	2 754	6 709	10 759	7 709	2 510	9 702	2 051	1 910
M	15 367	1 710	1 685	861	2 735	6 547	14 043	7 224	2 423	8 631	2 066	2 116
A	13 498	9 747	1 103	484	3 064	7 512	11 442	5 035	2 096	8 069	1 536	1 907
M	16 019	10 406	1 444	935	2 855	9 655	10 828	5 733	3 152	9 082	2 946	2 155
J	11 973	11 382	1 448	893	2 398	6 590	10 825	6 510	2 309	7 799	2 224	2 093
J	15 822	15 841	1 648	859	3 180	6 268	12 200	8 752	3 001	10 581	2 321	2 750
A	13 984	8 300	1 831	471	2 664	6 813	14 818	5 354	2 638	9 232	2 436	2 203
S	13 712	10 134	1 925	741	2 210	5 578	12 796	6 227	2 623	8 290	1 964	2 073
O	13 526	11 777	1 707	610	2 339	6 913	15 414	10 686	3 208	10 926	1 903	2 523
N	14 029	21 517	1 349	717	2 304	7 494	12 697	9 855	3 206	10 250	2 153	2 167
D	10 535	6 031	984	720	2 468	4 632	8 345	5 519	1 850	6 811	1 261	1 277
1997 - J	13 055	5 329	1 510	714	2 341	5 205	7 547	5 830	2 723	8 084	1 921	1 237
F	13 515	9 050	1 403	649	2 760	6 369	10 279	6 224	3 173	9 206	2 278	1 401
M	13 504	9 082	1 506	706	2 763	9 675	12 361	6 596	2 963	9 659	1 840	1 137
A	20 656	31 432	1 668	606	2 900	10 135	16 215	9 058	2 563	8 147	2 403	1 552

TABLE 3 - CIVIL DEFAULT AND CONSENT JUDGEMENTS FOR DEBT

Item	Business enterprises and private persons				Private persons			
	1997		1996		1997		1996	
	Apr.	Mar.	Apr.	Mar.	Apr.	Mar.	Apr.	Mar.
	Number							
1. Judgements								
1.1 Total	603 846	62 150	53 650	47 318	561 217	58 127	50 438	43 682
1.1.1 Actual figures		63 902	52 513	48 934		60 170	49 814	45 523
1.1.2 Seasonally adjusted								
1.2 Goods sold								
1.2.1 Open account	134 645	12 185	10 764	10 323	122 534	11 149	9 870	9 333
1.2.2 Instalment sale transactions	9 052	923	723	613	8 271	848	662	558
1.3 Services								
1.3.1 Professional	93 755	8 048	8 062	8 512	90 846	7 775	7 818	8 228
1.3.2 Other	118 921	13 418	9 965	10 011	110 981	12 670	9 322	9 357
1.4 Rent	29 958	3 184	1 994	2 757	24 070	2 531	1 694	2 244
1.5 Money lent	82 891	10 647	10 193	5 629	80 629	10 433	10 024	5 497
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	53 940	5 989	5 087	3 030	49 663	5 661	4 712	2 696
1.7 Other	80 684	7 756	6 862	6 443	74 023	7 060	6 336	5 769
	\$1 000							
1. Judgements								
1.1 Total	3 829 184	428 185	342 164	300 977	3 264 045	363 923	292 962	255 624
1.2 Goods sold								
1.2.1 Open account	386 345	38 465	35 360	32 742	257 609	24 626	23 032	22 093
1.2.2 Instalment sale transactions	142 454	26 359	15 453	9 508	128 064	24 134	12 598	8 314
1.3 Services								
1.3.1 Professional	110 277	11 292	8 500	8 641	100 548	10 276	7 860	8 150
1.3.2 Other	244 902	24 500	23 162	20 870	195 332	18 514	18 742	16 411
1.4 Rent	170 205	19 579	11 799	10 610	124 007	14 838	8 800	8 167
1.5 Money lent	1 583 121	177 254	157 194	118 328	1 495 704	168 746	149 084	114 342
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	410 055	53 005	37 352	38 738	362 485	45 307	33 992	35 410
1.7 Other	781 825	77 731	53 344	61 540	600 296	57 482	38 854	42 737

SMALL CLAIMS COURTS

NOTES

Small claims courts serve as a forum for the adjudication of money claims against individuals or firms. It is for use by the general public only and not for business enterprises.

Up to 30 September 1995 the following actions were excluded from the jurisdiction of small claims courts:

- Claims exceeding R2 000 in value;
- Claims against the state;
- Claims based on cession or the transfer of rights;
- Claims for damages in respect of defamation, malicious prosecution, wrongful imprisonment, wrongful arrest, seduction and breach of promise to marry;
- Claims for the dissolution of a marriage;
- Claims concerning the validity of a will;
- Claims concerning the status of a person in respect of his mental capacity; and
- Claims in which the performance in accordance with a contract is sought, without an alternative claim for payment of damages, except in the case of a claim for rendering an account or transferring movable or immovable property not exceeding R2 000 in value.

As from 1 October 1995 the jurisdiction limit of R2 000 was raised to R3 000.

COMPARABILITY

The information in respect of magistrates courts shown in this statistical release refers to debt cases only and is therefore not strictly comparable with the information shown for the small claims courts.

CONCEPTS

"Courts" relate to the total number of small claims courts at the end of the months as indicated. "Litigants referred" relates to the number of persons (plaintiffs) referred to legal assistants by clerks of the small claims court.

TABLE - SMALL CLAIMS COURTS, LITIGANTS REFERRED, SUMMONSES ISSUED AND HEARINGS

Item	1996	1995	1994	1993	1992	1991	1990
	Number						
Courts	120	113	111	109	106	103	92
Litigants referred	21 230	20 154	20 101	19 502	18 906	16 857	16 474
Summonses issued	27 463	24 905	25 112	24 929	24 942	19 520	16 551
Hearings	27 690	25 746	25 356	23 953	23 421	17 814	15 540

Source: Department of Justice