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**Statistics of civil cases
for debt
April 1998**



Statistical release P0041

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Embargo: 09:30

Date: 25 June 1998

Published by the
Central Statistical Service
Private Bag X44
PRETORIA
0001
Tel. (012) 310-8911

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CIVIL DEBT CASES INCREASE

The total number of civil summonses for debt recorded for the three months up to April 1998 increased by 1,9% compared with the corresponding period of a year ago and was 7,1% higher, after seasonal adjustment, than the previous three months. The total number of civil judgements for debt increased by 19,8% compared with the corresponding period of a year ago, and was 4,2% higher, after seasonal adjustment, compared with the preceding three months.

The increase of 1,9% in civil summonses for debt can mainly be attributed to more civil summonses issued in respect of money lent (+19,1%) and "other services" (+0,9%). During April 1998, 47 824 or 35,4% of the total civil summonses for debt issued were for civil summonses relating to "other services", while 19 984 or 14,8% were regarding money lent.

During April 1998, 63 685 civil judgements for debt were issued which involved R458,5 million. The major contributor was civil judgements for debt relating to money lent (R183,4 million), followed by promissory notes, bills, R/D cheques, credit cards and other acknowledgments of debt (R50,8million).

Period	Number		Percentage change	
	Summonses for debt	Civil judgements for debt	Summonses for debt	Civil judgements for debt
Actual figures:				
Feb. 1998 - Apr. 1998	385 910	200 162	+1,9	+19,8
Feb. 1997 - Apr. 1997	378 899	167 120		
Seasonally adjusted figures:				
Feb. 1998 - Apr. 1998	394 844	207 946	+7,1	+4,2
Nov. 1997 - Jan. 1998	368 558	199 480		


 pp
 Dr F M Orkin
 Head: Central Statistical Service

ENQUIRIES:

Tel. (012) 310-8095/310-8040
 (012) 310-8351/310-8390
 (012) 310-8109 (technical enquiries)
 Private Bag X44, Pretoria, 0001
 Fax: 310-8664
 E-mail: info @ css.pwv.gov.za
 Internet: http://www.css.gov.za

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, ejectment orders and other non-debt cases are excluded.

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

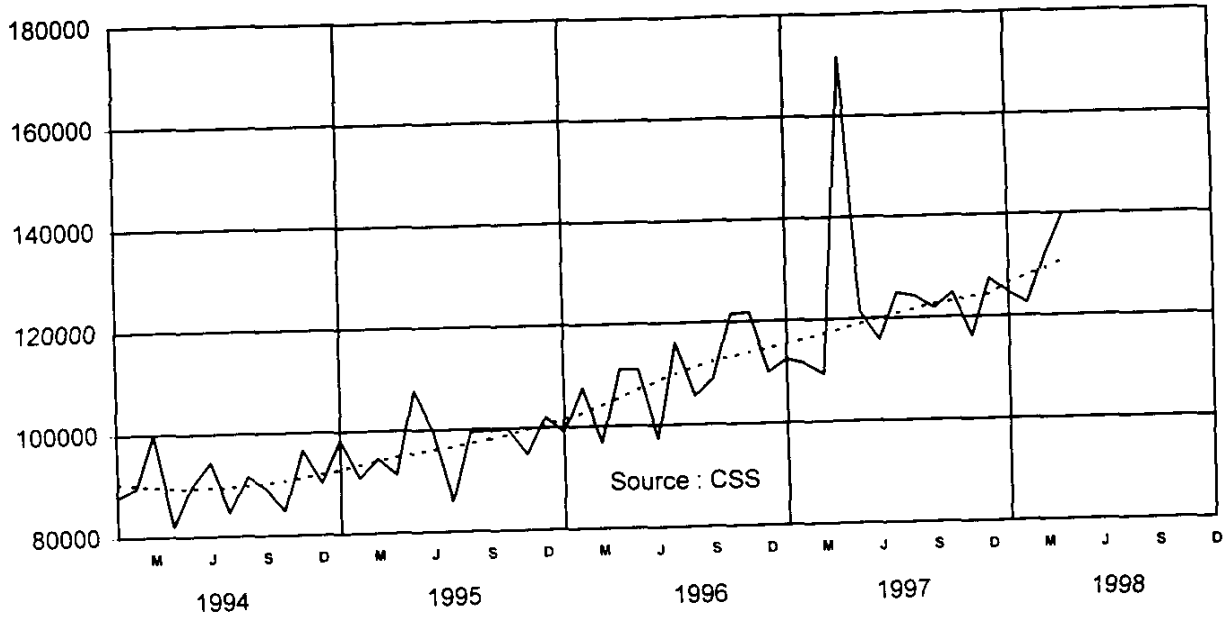
COMPARABILITY

The jurisdiction limit for civil cases handled by Magistrate's 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.

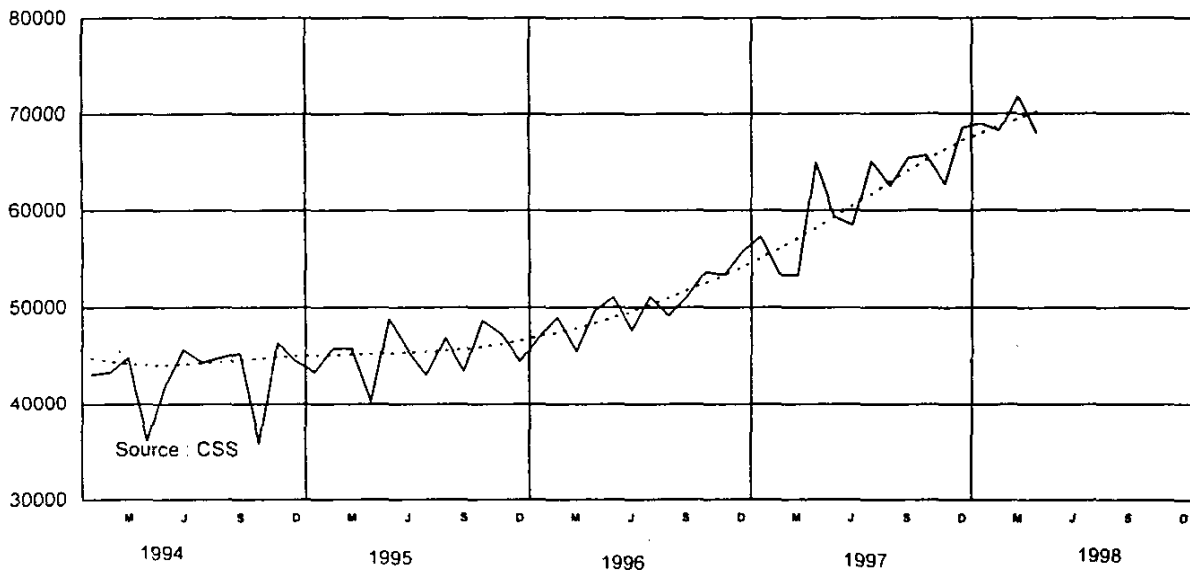
CIVIL SUMMONSES ISSUED - NUMBER



Scale : Semi-logarithmic

— Seasonally adjusted
--- Trend cycle

CIVIL JUDGEMENTS FOR DEBT - NUMBER



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					
	1998		1997		1998		1997			
	Apr.	Mar.	Apr.	Mar.	Apr.	Mar.	Apr.	Mar.		
	Number									
1. Cases recorded	1 546	465	141 059	142 674	161 489	1 374	961	127 797	130 378	145 640
1.1 Actual figures	147 120	141 170	170 521					131 119	125 532	151 563
1.2 Seasonally adjusted										
2. Civil summonses for debt	1 476	165	134 926	132 774	155 317	1 316	611	122 701	121 873	140 961
2.1 Total	140 074	132 266	163 252					125 585	118 597	146 324
2.1.1 Actual figures										
2.1.2 Seasonally adjusted										
2.2 Goods sold	260 430	19 734	24 036	24 036	24 391	224	674	16 826	21 471	20 925
2.2.1 Open account	43 813	2 870	3 110	3 110	4 672	39	060	2 482	2 741	3 860
2.2.2 Instalment sale transactions										
2.3 Services	193 793	15 163	16 095	16 095	17 946	181	433	13 952	15 274	16 494
2.3.1 Professional	418 095	47 824	33 584	33 584	61 639	381	452	44 829	30 512	58 001
2.3.2 Other										
2.4 Rent	75 350	5 496	5 656	5 656	5 886	52	385	4 497	4 856	4 250
2.5 Money lent	213 227	19 984	21 033	21 033	18 068	199	886	18 802	20 239	16 979
2.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	97 731	8 499	9 509	9 509	8 287	85	039	7 629	8 645	7 529
2.7 Other	173 726	15 356	19 751	19 751	14 428	152	682	13 684	18 135	12 923

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
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
1997	180 497	135 070	19 317	7 862	32 125	104 135	171 300	97 837	36 152	115 062	48 943	19 908
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
M	14 672	16 374	1 427	663	2 700	9 121	12 515	11 397	3 052	8 871	5 185	1 240
J	14 992	10 831	1 881	829	2 440	10 430	16 826	8 064	2 898	9 316	3 737	2 630
J	15 765	8 502	1 763	672	3 120	9 304	21 567	9 634	3 596	9 912	4 842	1 380
A	15 543	6 233	1 721	696	2 198	6 281	20 005	11 194	3 410	11 081	6 081	2 110
S	17 160	8 794	1 422	504	2 362	9 336	10 941	7 062	3 279	10 253	3 986	1 663
O	13 845	12 731	1 751	760	3 456	11 399	16 002	7 426	3 097	13 795	8 594	2 344
N	14 830	9 963	1 617	613	2 775	9 444	15 736	8 944	3 081	10 014	6 406	1 912
D	12 960	6 749	1 648	450	2 310	7 436	11 306	6 408	2 317	6 724	1 670	1 302
1998 - J	10 414	7 305	1 749	498	2 946	6 800	11 125	5 585	3 006	8 772	2 271	2 725
F	15 957	7 851	2 117	493	2 073	8 450	10 956	7 383	3 503	8 881	3 374	1 683
M	17 248	10 074	2 290	697	2 663	10 504	11 170	8 489	3 555	10 521	3 190	2 007
A	15 936	14 132	1 880	653	2 250	9 613	18 788	8 841	3 433	9 124	3 085	2 258

TABLE 3 - CIVIL DEFAULT AND CONSENT JUDGEMENTS FOR DEBT

Item	Business enterprises and private persons				Private persons			
	1997		1998		1997		1998	
	Apr.	Mar.	Apr.	Mar.	Apr.	Mar.	Apr.	Mar.
	Number							
1. Judgements								
1.1 Total	736 264	63 685	70 932	62 150	689 927	58 147	65 589	58 127
1.1.1 Actual figures	67 971	71 777	66 372		62 925	66 586		62 935
1.1.1.2 Seasonally adjusted								
1.2 Goods sold	135 496	11 122	11 029	12 185	123 279	9 909	9 889	11 149
1.2.1 Open account	11 636	2 285	2 344	923	10 633	1 771	2 223	848
1.2.2 Instalment sale transactions								
1.3 Services	92 399	7 297	8 465	8 048	99 600	7 061	8 289	7 775
1.3.1 Professional	163 725	12 092	14 737	13 418	154 323	10 813	13 008	12 670
1.3.2 Other								
1.4 Rent	30 302	2 988	2 542	3 184	23 795	1 890	2 142	2 531
1.5 Money lent	135 704	13 536	14 139	10 647	132 805	13 304	13 839	10 433
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	65 918	4 273	6 406	5 989	61 897	3 909	5 543	5 661
1.7 Other	101 084	10 092	11 270	7 756	93 595	9 490	10 656	7 080
	R1 000							
1. Judgements								
1.1 Total	5 295 876	458 503	505 247	428 185	4 543 651	397 943	429 706	363 923
1.2 Goods sold	462 462	44 237	47 322	38 465	301 544	30 758	31 002	24 626
1.2.1 Open account	254 877	32 756	28 562	26 359	219 404	30 160	25 747	24 134
1.2.2 Instalment sale transactions								
1.3 Services	130 017	13 433	15 522	11 292	116 976	12 400	14 677	10 276
1.3.1 Professional	388 655	34 520	40 912	24 500	318 375	27 789	33 988	18 514
1.3.2 Other								
1.4 Rent	192 252	16 749	18 640	19 579	142 025	12 462	13 376	14 898
1.5 Money lent	2 325 543	183 361	183 338	177 254	2 185 360	173 861	168 186	168 746
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	528 046	50 845	70 889	53 005	466 173	45 188	65 088	45 307
1.7 Other	1 014 024	62 602	100 062	77 731	793 794	65 325	77 642	57 482

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	1997	1996	1995	1994	1993	1992	1991	1990
	Number							
Courts	143	120	113	111	109	106	103	92
Litigants referred	13 423	21 230	20 154	20 101	19 502	18 906	16 857	16 474
Summonses issued	25 417	27 463	24 905	25 112	24 929	24 942	19 520	16 551
Hearings	26 622	27 690	25 746	25 356	23 953	23 421	17 814	15 540

Source: Department of Justice