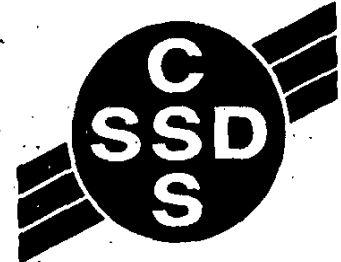




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**Statistics of civil cases
for debt
August 1996**

Statistical release P0041

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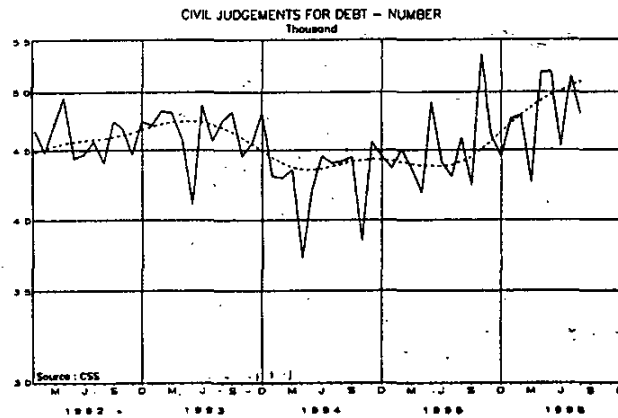
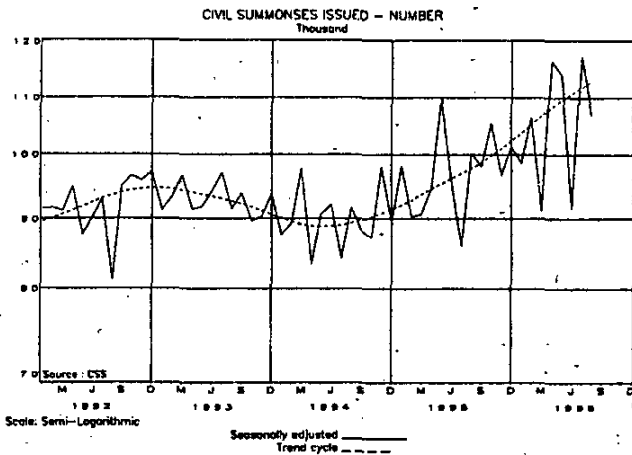
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MORE CIVIL SUMMONSES AND JUDGEMENTS FOR DEBT

Despite fluctuations in the total number of civil summonses and judgements for debt, the seasonally adjusted figures are showing an upward trend (see graphs). The total number of civil summonses and judgements for debt for the last three months ended August 1996 showed increases of 11,8% and 8,9% compared with the corresponding three months of 1995.

A total number of 112 163 summonses for debt were issued for August 1996 of which 21,9% was in respect of goods sold on open account and 13,3% in respect of money lent, whereas 15,6% and 23,8% were in respect of professional and non-professional services respectively.

The total number of judgements for debt was 52 294 for August 1996, which involved R352,2 million. The largest amounts were recorded in respect of money lent (R164,1 million or 46,6%) and goods sold (R46,4 million or 13,2%).



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SUMMARY - CIVIL SUMMONSES AND JUDGEMENTS FOR DEBT

Period	Number		Percentage change	
	Summonses for debt	Civil judgements for debt	Summonses for debt	Civil judgements for debt
Actual figures:				
Jun. 1996 - Aug. 1996	341 978	155 995	+11,8	+8,9
Jun. 1995 - Aug. 1995	305 857	143 270		
Seasonally adjusted figures:				
Jun. 1996 - Aug. 1996	315 800	145 304	-1,8	-0,9
Mar. 1996 - May 1996	321 528	146 599		

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.

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

Item	Business enterprises and private persons						private persons											
	1995			1996			1995			1996			1995					
	Aug.	Jul.	Aug.	Aug.	Jul.	Aug.	Aug.	Jul.	Aug.	Aug.	Jul.	Aug.	Jul.	Aug.				
Number																		
1. Cases recorded	1	206	468	116	289	129	380	109	228	1	078	110	104	793	118	200	98	043
1.1 Actual figures				109	777	120	865	103	064				98	255	109	895		
1.2 Seasonally adjusted																		
2. Civil summonses for debt	1	165	376	112	163	125	578	105	350	1	044	114	101	174	115	256	94	838
2.1 Total				106	662	117	360	100	112				95	514	107	713	89	589
2.1.1 Actual figures																		
2.1.2 Seasonally adjusted																		
2.2 Goods sold	270	161		24	525	25	621	26	625	241	789	22	601	23	946			
2.2.1 Open account	28	649		2	468	2	449	2	333	26	179	2	141	2	145			
2.2.2 Instalment sale transactions																		
2.3 Services	186	798		17	516	18	295	17	311	177	421	16	615	17	537	16	658	
2.3.1 Professional	255	337		26	678	33	049	20	967	219	829	24	162	31	011	18	339	
2.3.2 Other																		
2.4 Rent	57	443		5	541	6	507	4	970	44	505	4	156	5	237	3	417	
2.5 Money lent	137	350		14	917	15	399	13	530	130	076	14	140	14	751	12	901	
2.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	95	678		8	605	8	710	8	432	86	064	7	790	7	870	7	617	
2.7 Other	133	960		11	913	15	548	11	182	118	251	10	545	14	108	9	815	

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	Blomfontein
1994	159 827	40 173	16 363	8 215	31 228	90 646	130 635	57 110	29 569	94 627	18 864	21 885
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
1995 - J	10 246	3 617	1 265	582	2 646	6 778	12 384	4 119	2 453	9 609	990	1 488
F	15 202	3 209	1 329	510	2 803	8 377	8 179	4 895	2 146	6 988	1 819	1 986
M	14 671	4 452	1 247	836	2 711	8 474	12 938	6 350	2 007	5 197	1 715	3 261
A	13 146	2 537	1 063	537	2 120	7 172	7 567	3 830	2 407	8 437	956	3 276
M	15 555	4 512	1 417	1 248	2 728	8 500	12 110	5 390	2 559	11 899	1 273	1 940
J	17 078	3 525	1 344	2 928	2 737	8 352	13 560	5 898	2 545	8 283	1 764	1 825
J	14 713	3 809	1 107	948	2 577	7 122	9 731	5 958	2 482	7 473	1 237	1 620
A	15 393	4 593	1 507	672	2 972	8 450	11 575	7 268	2 877	8 261	1 571	1 792
S	13 259	4 232	1 380	547	2 220	6 366	12 026	7 876	2 535	8 657	1 649	1 682
O	11 979	3 887	1 545	663	2 245	6 936	16 925	7 910	2 820	7 365	1 632	2 044
N	14 276	4 095	1 363	557	2 691	7 763	15 004	5 275	3 997	8 389	1 405	1 775
D	11 091	5 171	878	795	1 840	5 486	10 944	4 611	1 862	5 668	897	1 600
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

TABLE 3 - CIVIL DEFAULT AND CONSENT JUDGEMENTS FOR DEBT

Item	Business enterprises and private persons				Private persons					
	1995		1996		1995		1996		1995	
	Aug.	Jul.	Aug.	Jul.	Aug.	Jul.	Aug.	Jul.	Aug.	
1. Judgements	Number									
1.1 Total	545 056	52 294	54 740	49 926	502 215	48 566	50 975	46 149		
1.1.1 Actual figures	48 266	51 542	46 170			44 792	48 226	42 629		
1.1.2 Seasonally adjusted										
1.2 Goods sold	142 928	12 134	11 970	12 848	131 499	11 029	10 830	11 748		
1.2.1 Open account	9 643	839	801	744	9 086	747	716	700		
1.2.2 Instalment sale transactions										
1.3 Services	92 980	8 094	9 564	8 619	90 842	7 718	9 287	8 463		
1.3.1 Professional	102 429	9 287	9 886	9 400	93 991	8 637	9 223	8 656		
1.3.2 Other										
1.4 Rent	29 044	2 241	3 107	2 919	23 139	1 712	2 508	2 447		
1.5 Money lent	55 095	7 669	6 654	5 082	53 477	7 469	6 472	4 942		
1.6 Promissory notes, bills and other acknowledgements, credit cards and other acknowledgements, of debt	43 862	4 859	5 125	3 907	39 980	4 551	4 822	3 583		
1.7 Other	69 075	7 171	7 633	6 407	60 201	6 703	7 117	5 610		
	R1 000									
1. Judgements	R1 000									
1.1 Total	2 987 064	352 202	342 425	261 666	2 400 613	304 928	299 390	208 988		
1.2 Goods sold	308 567	34 453	38 255	30 136	216 798	21 992	27 847	20 478		
1.2.1 Open account	128 521	11 970	11 894	11 394	115 351	10 888	10 503	9 763		
1.2.2 Instalment sale transactions										
1.3 Services	98 148	9 863	10 808	8 574	86 654	8 887	9 752	7 847		
1.3.1 Professional	222 129	19 632	17 849	21 759	181 312	15 062	14 265	17 329		
1.3.2 Other										
1.4 Rent	129 448	13 713	17 711	12 508	96 750	9 778	13 452	9 086		
1.5 Money lent	1 017 941	164 113	148 377	95 387	950 442	152 137	142 048	85 051		
1.6 Promissory notes, bills and other acknowledgements, credit cards and other acknowledgements, of debt	343 252	34 880	36 699	28 927	301 269	31 939	33 859	23 176		
1.7 Other	739 058	63 578	60 832	52 981	452 017	54 245	47 664	36 258		

SMALL CLAIMS COURTS

NOTES

Small claims courts serve as a forum for the adjudication of money claims of not more than R2 000 against individuals or firms. It is for use by the general public only and not for business enterprises.

The following actions are excluded from the jurisdiction of the small claims court:

- 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.
- 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.

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" relates 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 1 - SMALL CLAIMS COURTS, LITIGANTS REFERRED, SUMMONSES ISSUED AND HEARINGS

Item	1995	1994	1993	1992	1991	1990	1989
	Number						
Courts	113	111	109	106	103	92	68
Litigants referred	20 154	20 101	19 502	18 906	16 857	16 474	16 391
Summonses issued	24 905	25 112	24 929	24 942	19 520	16 551	15 660
Hearings	25 746	25 356	23 953	23 421	17 814	15 540	14 292

Source: Department of Justice