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



Statistical release P0041

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MORE DEBT CASES ISSUED THAN A YEAR AGO

The total number of civil summonses issued for debt for the three months up to August 1997 is 14,1% (48 305 civil summonses) higher than a year ago. However, the seasonally adjusted total number of civil summonses for debt for the three months up to August 1997 compared with the previous three months shows a decrease of 10,2% due to an exceptionally high figure for April 1997. The total number of civil judgements for debt for the three months up to August 1997 shows an increase of 4,7% (from 175 669 to 183 995) compared with the previous three months after seasonal adjustment, and is 25,3% higher than the same period for 1996.

The high number of civil summonses for debt for the three months ending August 1997 compared with the same period a year ago is due to increases in all categories of civil summonses, except goods sold and promissory notes which decreased by 8,2% and 2,8%, respectively. The categories of civil summonses for which there were fairly large increases are instalment sale transactions (61,2%), money lent (34,7%), rent (33,4%) and "other services" (25,2%).

The increase of 4,7% in civil judgements for debt can be attributed to considerable increases in civil judgements for cases regarding goods sold, "other services", rent, money lent, promissory notes and "other debt".

The total amount of money involved in respect of civil judgements for debt issued during August 1997 was R453 million, and was 8,2% lower than the July figure. However, money lent continues to constitute the largest portion (R200 million or 44%) of the amount involved in civil judgements for debt. It is interesting to note that the average amount per judgement (regarding money lent) decreased over time from R21 400 for August 1996 to R16 533 for August 1997.

Period	Number		Percentage change	
	Summonses for debt	Civil judgements for debt	Summonses for debt	Civil judgements for debt
Actual figures:				
Jun. 1997 - Aug. 1997	390 283	195 474	+14,1	+25,3
Jun. 1996 - Aug. 1996	341 978	155 995		
Seasonally adjusted figures:				
Jun. 1997 - Aug. 1997	360 513	183 995	-10,2	+4,7
Mar. 1997 - May 1997	401 599	175 669		


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

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

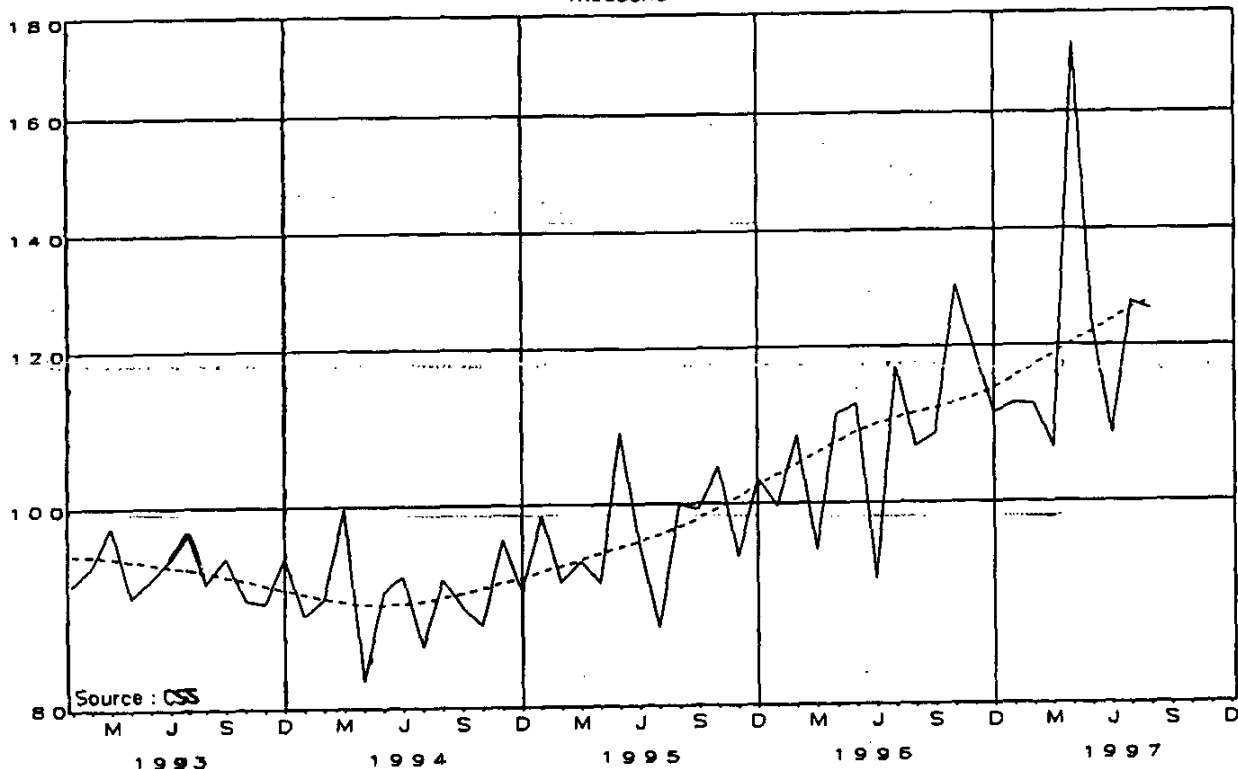
COMPARABILITY

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.

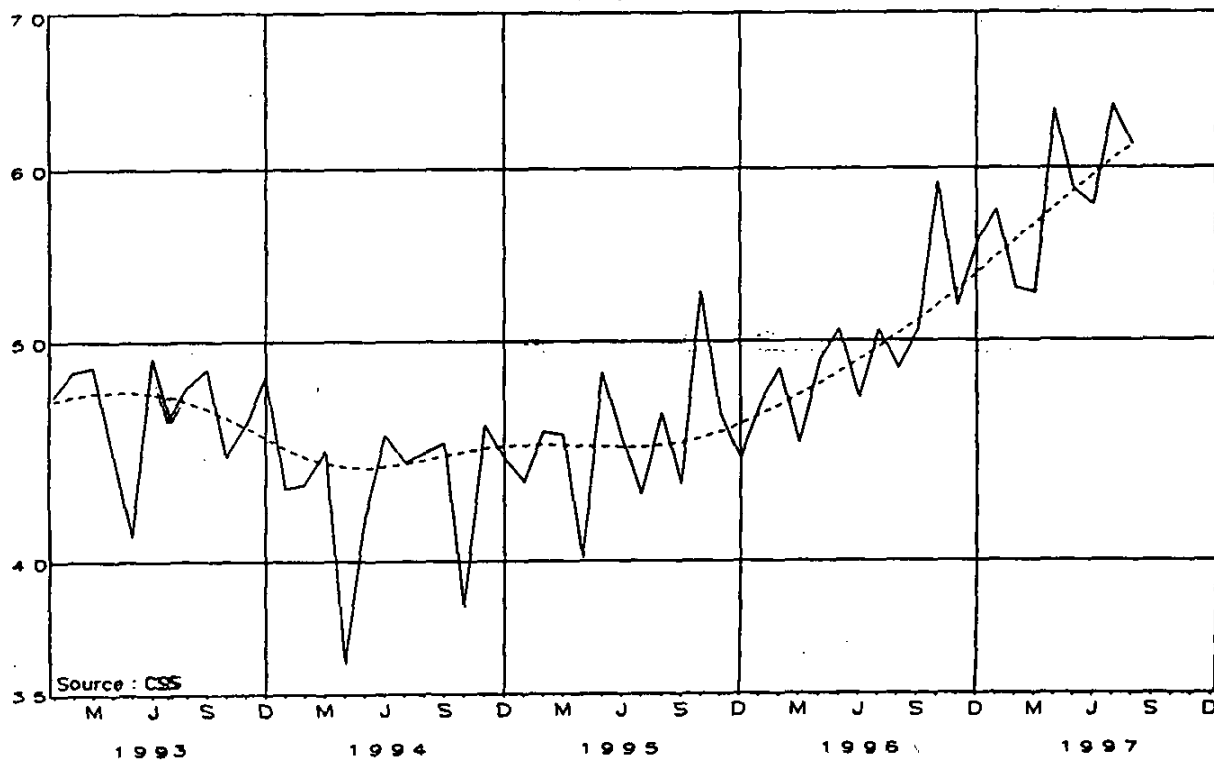
CIVIL SUMMONSES ISSUED - NUMBER Thousand



Scale: Semi-Logarithmic

Seasonally adjusted _____
Trend cycle - - - -

CIVIL JUDGEMENTS FOR DEBT - NUMBER Thousand



Scale: Semi-Logarithmic

Seasonally adjusted _____
Trend cycle - - - -

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	2 167	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
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

TABLE 3 - CIVIL DEFAULT AND CONSENT JUDGEMENTS FOR DEBT

Item	Business enterprises and private persons						Private persons					
	1996		1997		1996		1997		1996		1996	
	Aug.	Jul.	Aug.	Jul.	Aug.	Jul.	Aug.	Jul.	Aug.	Jul.	Aug.	
	Number											
1.1 Judgements												
1.1.1 Total	603 846	66 208	69 752	52 294	561 217	48 566	612 265	65 761	60 647	45 099		
1.1.1.1 Actual figures	61 735	64 367	48 653				57 990	28 038	22 785	10 888		
1.1.1.2 Seasonally adjusted												
1.2 Goods sold	134 645	12 416	12 966	12 134	122 534	11 029	11 284	14 087	13 168	152 137		
1.2.1 Open account	9 052	999	973	839	8 271	747	867	884	37 275	31 939		
1.2.2 Instalment sale transactions												
1.3 Services	93 755	7 773	8 796	8 094	90 846	7 718	7 592	8 507	13 738	8 637		
1.3.1 Professional	118 921	14 938	14 578	9 287	110 981	8 637	4 207	13 738				
1.3.2 Other												
1.4 Rent	29 958	2 503	2 159	2 241	24 070	1 885	2 084	1 885				
1.5 Money lent	82 891	12 131	13 361	7 669	80 629	7 469	1 894	13 113				
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	53 940	5 891	6 194	4 859	49 863	4 551	5 516	5 833				
1.7 Other	80 684	9 557	10 725	7 171	74 023	6 703	8 821	9 924				
	R1 000											
1.1 Judgements												
1.1.1 Total	3 829 184	453 651	494 132	352 202	3 264 045	304 928	384 210	422 914				
1.1.2 Goods sold	386 345	39 500	41 039	34 453	257 609	21 992	25 584	28 038				
1.1.2.1 Open account	142 454	22 461	27 473	11 970	128 064	10 888	18 871	22 785				
1.1.2.2 Instalment sale transactions												
1.3 Services	110 277	10 690	14 381	9 863	100 548	8 887	9 837	13 092				
1.3.1 Professional	244 902	31 889	35 885	19 632	195 332	15 062	26 275	29 201				
1.3.2 Other												
1.4 Rent	170 205	17 628	19 531	13 713	124 007	9 778	13 168	14 087				
1.5 Money lent	1 583 121	200 571	216 247	164 113	1 495 704	152 137	138 393	202 709				
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	410 055	45 845	52 169	34 880	362 485	31 939	37 275	46 493				
1.7 Other	781 825	85 067	87 407	63 578	600 296	54 245	64 807	66 509				

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