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

Statistical release P0041

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DEBT CASES INCREASE IN 1996

The total number of civil summonses for debt issued during 1996 increased by 12,3% (from 1 165 376 to 1 308 666) compared with 1995. Civil judgements for debt increased by 10,5% during this period. Port Elizabeth magistrates court recorded more than double the number of civil cases during 1996 than in 1995, whereas Cape Peninsula and Johannesburg with the highest numbers of cases recorded, showed little change between the two years.

The increase of 12,3% in civil summonses for debt can be attributed to more summonses issued in respect of non-professional services (+32,8%) and money lent (+16,9%).

The total amount involved in respect of civil judgements for debt during 1996 was R3 831,8 million. Of this amount, 41,3% (R1 582,9 million) was for cases relating to money lent; 10,7% (R411,4 million) for promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt and 10,1% (R386,7 million) for goods sold on open account.

PP


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P0041

Period	Number		Percentage change	
	Summonses for debt	Civil judgements for debt	Summonses for debt	Civil judgements for debt
Actual figures:				
Oct. 1996 - Dec. 1996	350 237	158 658	+20,5	+14,7
Oct. 1995 - Dec. 1995	290 741	138 288		
Seasonally adjusted figures:				
Oct. 1996 - Dec. 1996	359 818	165 091	+7,8	+9,8
Jul. 1996 - Sept. 1996	333 834	150 312		

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.

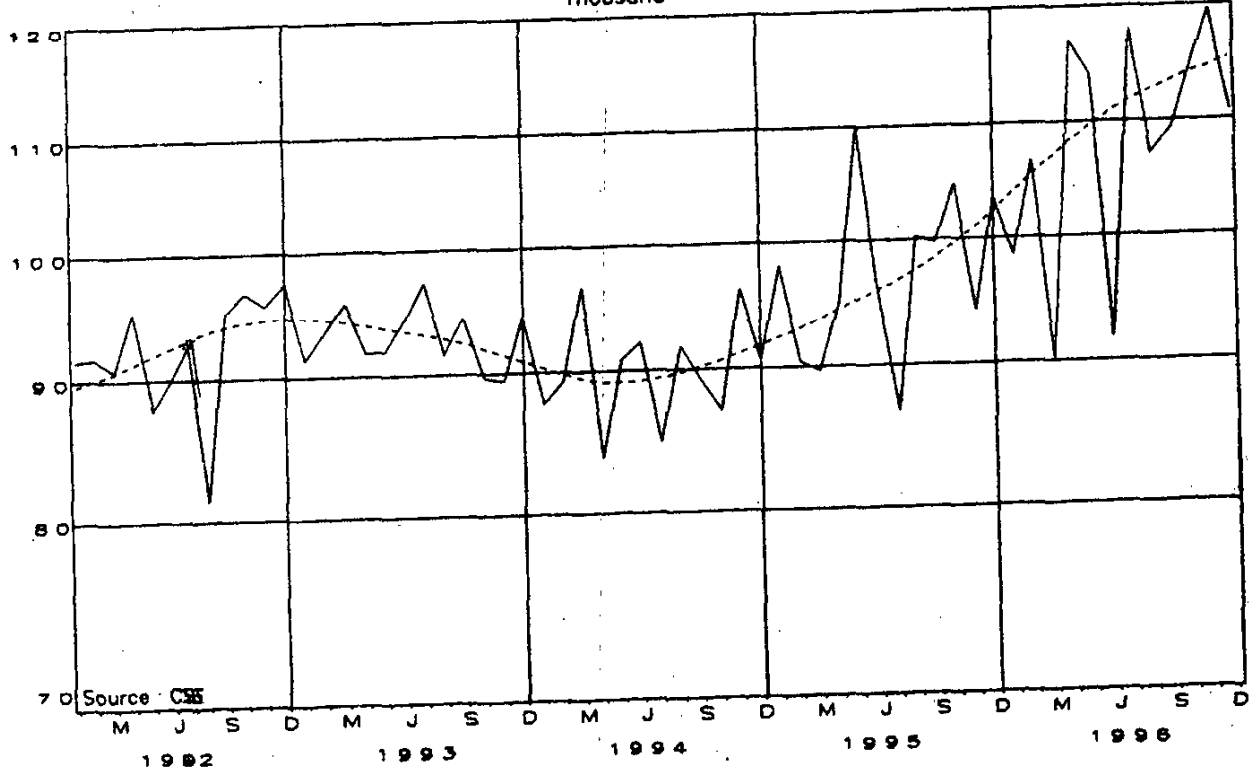
COMPARABILITY

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.

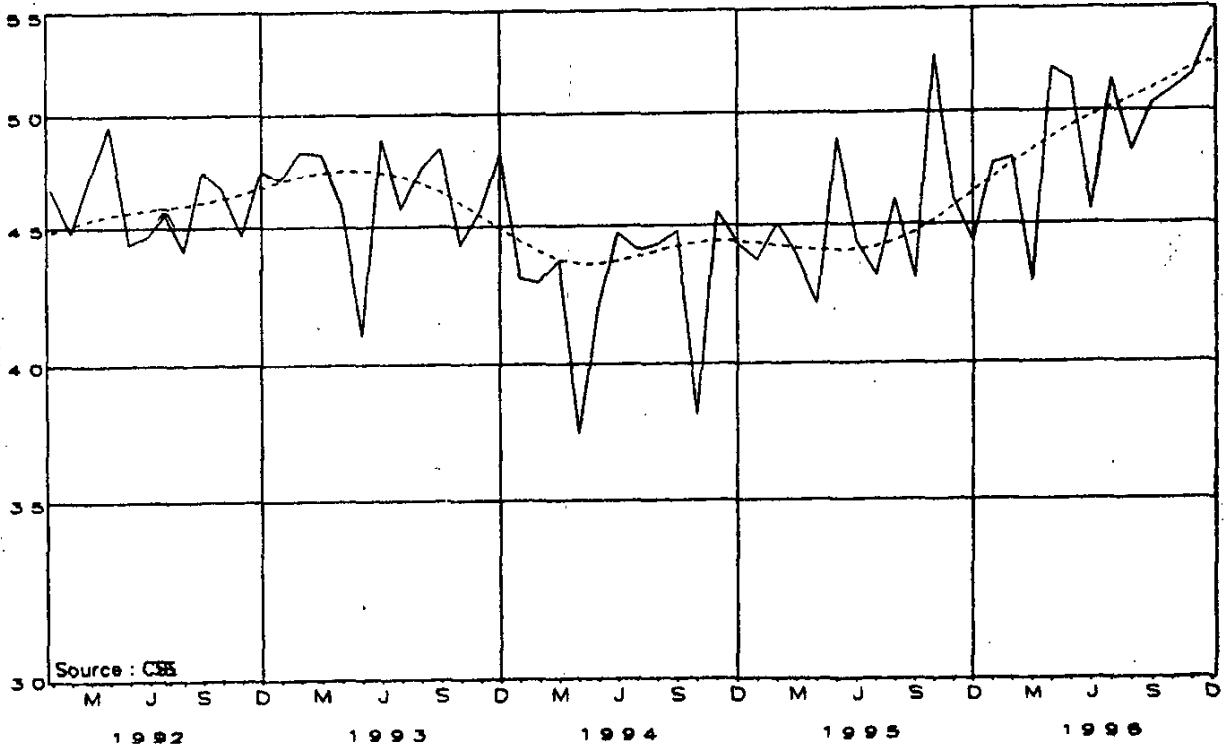
CIVIL SUMMONSES ISSUED - NUMBER Thousand



Scale: Semi-Logarithmic

Seasonally adjusted ———
Trend cycle - - - -

CIVIL JUDGEMENTS FOR DEBT - NUMBER Thousand



Scale: Semi-Logarithmic

Seasonally adjusted ———
Trend cycle - - - -

TABLE 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	109 292	18 523	8 717	31 347	80 469	143 379	84 677	31 309	107 156	24 056	25 026
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	1 625
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	4 282	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	11 362	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	5 171	984	720	2 468	4 632	8 345	5 519	1 850	6 811	1 261	1 277

TABLE 3 - CIVIL DEFAULT AND CONSENT JUDGEMENTS FOR DEBT

Item	Business enterprises and private persons				Private persons				Number
	1996		1995		1996		1995		
	Dec.	Nov.	Dec.	Nov.	Dec.	Nov.	Dec.	Nov.	
1. Judgements									
1.1 Total	602 436	54 027	54 606	36 331	559 770	40 523	50 742	33 561	
1.1.1 Actual figures		53 974	51 762	44 452		50 036	48 054	41 405	
1.1.2 Seasonally adjusted									
1.2 Goods sold	134 923	8 646	11 952	8 189	122 802	7 817	10 875	7 424	
1.2.1 Open account	9 052	682	941	611	8 271	621	876	575	
1.2.2 Instalment sale transactions									
1.3 Services	93 911	6 084	7 813	5 782	90 999	5 848	7 574	5 664	
1.3.1 Professional	117 140	8 275	11 491	7 532	109 190	7 626	10 740	5 941	
1.3.2 Other									
1.4 Rent	29 956	2 069	2 304	2 166	24 067	1 574	1 693	1 706	
1.5 Money lent	82 864	7 094	8 521	3 840	80 601	6 860	8 306	3 715	
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	53 961	4 836	4 719	3 346	49 876	4 328	4 403	3 111	
1.7 Other	80 629	6 341	6 865	4 865	73 964	5 849	6 275	4 425	
									R1 000
1. Judgements									
1.1 Total	3 831 829	295 634	343 150	201 576	3 264 997	244 080	294 472	167 193	
1.2 Goods sold									
1.2.1 Open account	386 704	26 770	34 608	24 259	257 741	17 750	23 281	15 928	
1.2.2 Instalment sale transactions	142 454	12 099	18 143	7 028	128 064	10 676	16 352	5 949	
1.3 Services									
1.3.1 Professional	110 357	7 585	9 944	5 592	100 563	6 632	8 889	5 229	
1.3.2 Other	244 690	22 733	22 644	21 484	194 717	18 526	18 004	16 380	
1.4 Rent	170 065	12 784	12 132	10 178	123 864	8 649	8 732	7 713	
1.5 Money lent	1 582 946	113 955	137 717	67 732	1 495 518	108 737	130 547	61 861	
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	411 362	31 208	35 703	23 605	363 719	25 100	31 116	20 989	
1.7 Other	783 251	68 500	72 259	41 698	600 811	48 010	57 551	33 144	

SMALL CLAIMS COURTS

NOTES

- ° Up to 30/9/95 small claims courts served 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.
- ° As from 1/10/95 the following actions are excluded from the jurisdiction of the small claims court:
 - Claims exceeding R3 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 R3 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" 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 1 - SMALL CLAIMS COURTS, LITIGANTS REFERRED, SUMMONSES ISSUED AND HEARINGS

Item	1995	1994	1993	1992	1991	1990	1989
	<i>Number</i>						
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