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



Statistical release P0041

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MORE CIVIL DEBT CASES IN 1997

The total number of civil summonses for debt for 1997 showed an increase of 12,7% (from 1 309 573 to 1 476 165) compared with 1996. The total number of civil judgements for debt increased by 21,9% (from 603 846 to 736 264) for the same period.

The largest contributors to the 12,7% increase in civil summonses for debt were civil summonses pertaining to "other services" (+22,9%) and money lent (+32,8%).

The Johannesburg magistrate's office recorded the largest increases between 1996 and 1997 (+27 921 cases), followed by Port Elizabeth magistrate's office (+24 918 cases). During 1997 the Cape Peninsula recorded the largest number of cases (180 497 cases).

Regarding civil judgements for debt, the total amount involved during 1997 was R5 295,9 million. Of this amount, 43,9% (or R2 325,5 million) was for civil judgements relating to money lent while 10,0% (or R528,0 million) was for civil 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:				
Oct. 1997 - Dec. 1997	363 271	193 893	+3,5	+21,1
Oct. 1996 - Dec. 1996	351 144	160 068		
Seasonally adjusted figures:				
Oct. 1997 - Dec. 1997	368 835	196 257	-0,7	+1,8
Jul. 1997 - Sept. 1997	371 485	192 789		


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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.

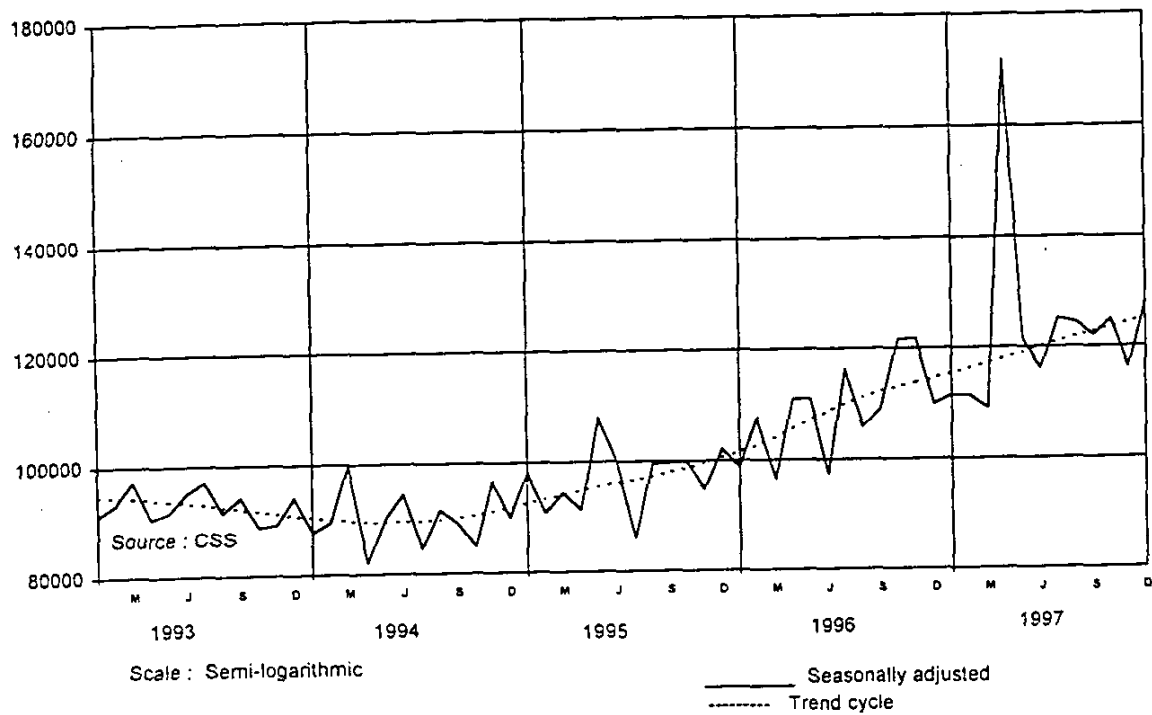
COMPARABILITY

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.

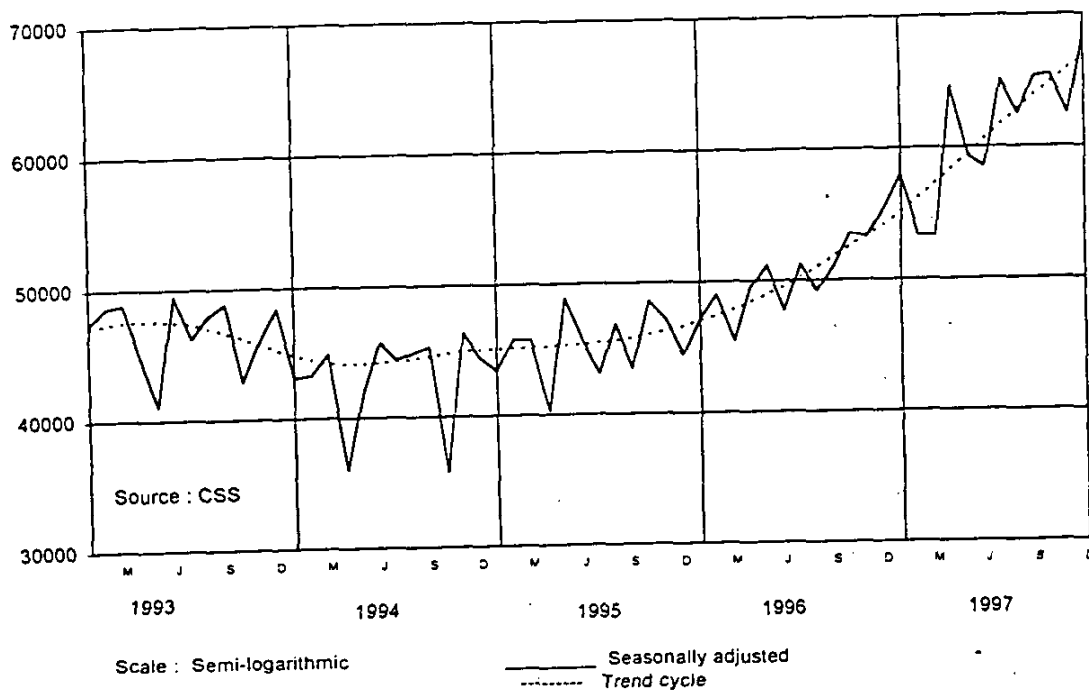
SMALL CLAIMS COURTS

Statistics in respect of small claims courts are updated annually.

CIVIL SUMMONSES ISSUED - NUMBER



CIVIL JUDGEMENTS FOR DEBT - NUMBER



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

Item	Business enterprises and private persons				Private persons			
	1997	1997	1997	1996	1997	1997	1997	1996
	Dec.	Nov.	Dec.	Dec.	Dec.	Nov.	Dec.	Dec.
	Number							
1. Cases recorded	1 546 465	103 042	135 175	86 758	1 374 961	86 775	117 610	76 996
1.1 Actual figures	135 449	123 472	113 749		116 653	107 848	102 915	
1.2 Seasonally adjusted								
2. Civil summonses for debt	1 476 165	98 104	127 577	84 720	1 316 611	82 674	111 308	75 620
2.1 Total	127 687	116 223	109 956		109 808	101 716	99 773	
2.1.1 Actual figures	260 430	16 218	21 597	16 400	224 674	12 627	18 605	14 069
2.1.2 Seasonally adjusted	43 813	2 962	2 992	2 504	39 060	2 581	2 670	1 933
2.2 Goods sold								
2.2.1 Open account	193 793	12 604	16 654	11 299	181 433	11 595	15 697	10 721
2.2.2 Instalment sale transactions	418 095	26 081	38 767	21 864	381 452	23 884	36 062	19 885
2.3 Services								
2.3.1 Professional	75 350	4 918	5 765	4 317	52 385	2 666	3 331	3 164
2.3.2 Other	213 227	14 869	18 459	11 541	199 886	13 597	16 547	10 954
2.4 Rent	97 731	6 469	8 908	5 204	85 039	4 908	6 053	4 586
2.5 Money lent								
2.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt								
2.7 Other	173 726	13 983	14 435	11 591	152 682	10 816	12 343	10 308

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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
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
M	14 672	16 374	1 427	663	2 700	9 121	12 515	11 397	3 052	8 871	5 185	1 240
M	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
J	15 543	6 233	1 721	696	2 198	6 281	20 005	11 194	3 410	11 081	6 081	2 110
A	17 160	8 794	1 422	504	2 362	9 336	10 941	7 062	3 279	10 253	3 986	1 663
S	13 845	12 731	1 751	760	3 456	11 399	16 002	7 426	3 097	13 795	8 594	2 344
O	14 830	9 963	1 617	613	2 775	9 444	15 736	8 944	3 081	10 014	6 406	1 912
N	12 960	6 749	1 648	450	2 310	7 436	11 306	6 408	2 317	6 724	1 670	1 302

TABLE 3 - CIVIL DEFAULT AND CONSENT JUDGEMENTS FOR DEBT

Item	Business enterprises and private persons				Private persons			
	1997	1997	1997	1996	1997	1997	1997	1996
	Dec.	Nov.	Dec.	Dec.	Dec.	Nov.	Dec.	Dec.
	Number							
1. Judgements	736 264	55 703	63 898	45 437	689 927	52 548	59 988	41 970
1.1 Total	68 297	62 478	55 561		64 462	58 566	51 404	
1.1.1 Actual figures								
1.1.1.2 Seasonally adjusted								
1.2 Goods sold	135 496	8 900	11 191	8 368	123 279	8 042	10 187	7 549
1.2.1 Open account	11 636	810	1 202	682	10 633	740	1 100	621
1.2.2 Instalment sale transactions								
1.3 Services	92 399	6 280	7 446	5 928	89 600	6 070	7 237	5 695
1.3.1 Professional	163 725	14 901	14 517	10 056	154 323	14 198	13 645	9 417
1.3.2 Other								
1.4 Rent	30 302	1 870	2 561	2 071	23 795	1 515	2 020	1 577
1.5 Money lent	135 704	10 951	12 786	7 121	132 805	10 718	12 569	6 888
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	65 918	4 460	5 467	4 815	61 897	4 235	5 117	4 315
1.7 Other	101 084	7 531	8 728	6 396	93 595	7 030	8 113	5 908
	R1 000							
1. Judgements	5 295 876	372 832	469 661	292 989	4 543 651	319 053	398 839	243 128
1.1 Total								
1.2 Goods sold	462 462	34 875	41 235	26 411	301 544	24 262	27 384	17 618
1.2.1 Open account	254 877	19 568	22 354	12 099	219 404	16 690	19 513	10 676
1.2.2 Instalment sale transactions								
1.3 Services	130 017	10 663	11 486	7 505	116 976	9 450	10 270	6 617
1.3.1 Professional	388 655	33 022	32 053	22 945	318 375	27 527	26 947	19 141
1.3.2 Other								
1.4 Rent	192 252	13 173	17 161	12 924	142 025	9 629	12 313	8 792
1.5 Money lent	2 325 543	155 634	186 397	114 130	2 185 360	144 062	171 127	108 923
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	528 046	38 462	47 163	29 901	466 173	35 397	41 500	23 866
1.7 Other	1 014 024	67 435	111 812	67 074	793 794	52 036	89 785	47 495

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