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REPUBLIC OF SOUTH AFRICA



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

**Statistical release P0041**

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**TOTAL NUMBER OF DEBT CASES INCREASES**

*The total number of civil summonses for debt issued during the three months up to February 1997 (289 882 summonses) increased by 7,5% (or 20 252) compared with the three months up to February 1996. The total number of civil judgements for debt increased even more (18,2% or 22 530 judgements) during the same period.*

The increase of 7,5% in civil summonses for debt can mainly be attributed to more summonses issued in respect of money lent (+26,5%); non-professional services (+4,8%) and goods sold on open account (+3,7%). During February 1997 109 594 civil summonses for debt were issued. Of these, 22,1% were summonses in respect of non-professional services and 20,6% for goods sold on open account.

The total number of civil judgements for debt issued during February 1997 was 51 320, which involved R382,9 million. The largest amounts were recorded in respect of civil judgements regarding money lent (R171,3 million) and promissory notes; bills, R/D cheques, credit cards and other acknowledgements of debt (R42,1 million), constituting 44,7% and 11,0% of the total debt respectively.

PP

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Period	Number		Percentage change	
	Summonses for debt	Civil judgements for debt	Summonses for debt	Civil judgements for debt
<b>Actual figures:</b>				
Dec. 1996 - Feb. 1997	289 882	146 620	+7.5	+18.2
Dec. 1995 - Feb. 1996	269 630	124 090		
<b>Seasonally adjusted figures:</b>				
Dec. 1996 - Feb. 1997	333 424	166 218	-6.8	+3.2
Sept. 1996 - Nov. 1996	357 695	161 057		

## 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.

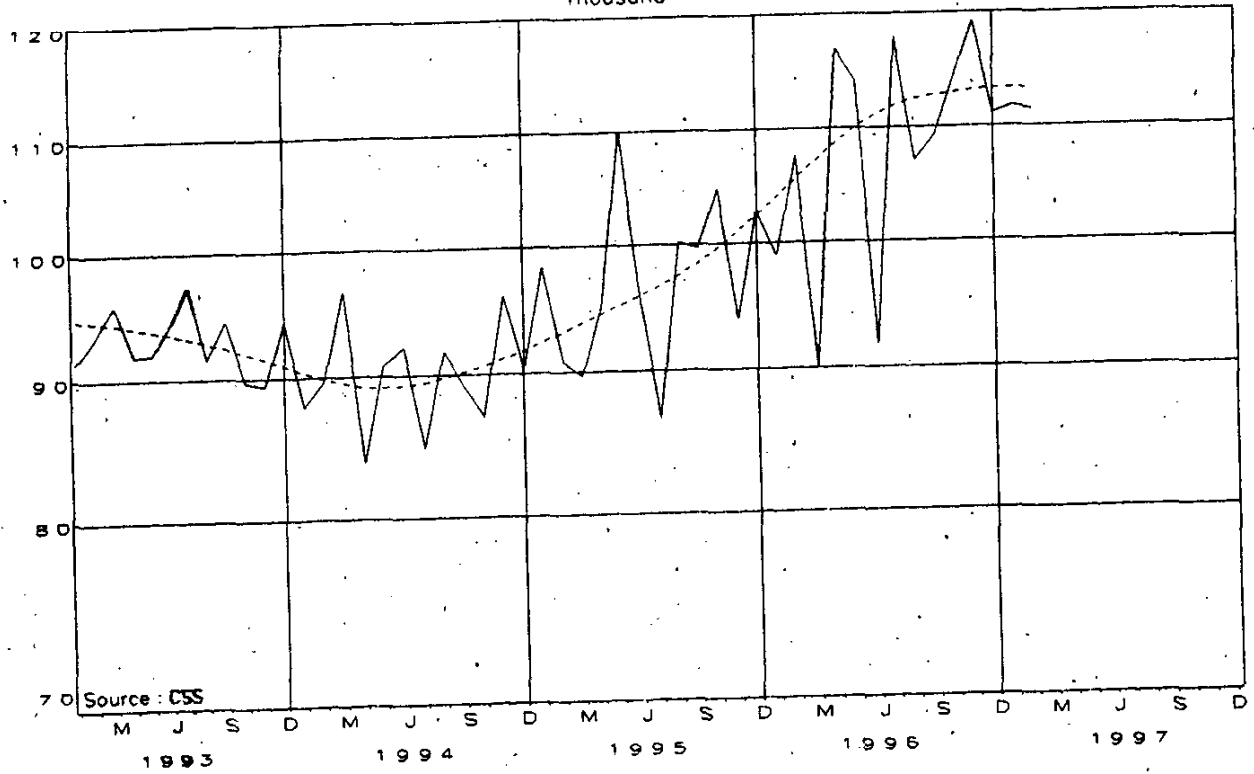
## COMPARABILITY

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.

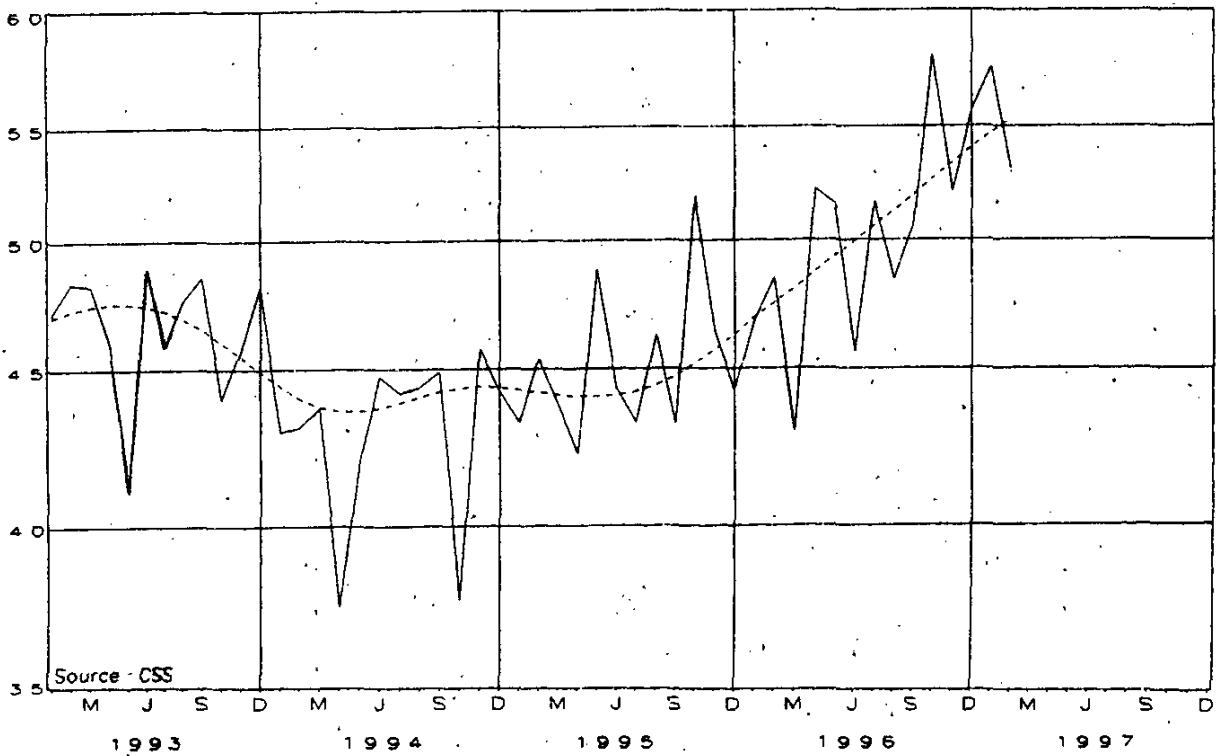
### CIVIL SUMMONSES ISSUED - NUMBER Thousand



Scale: Semi-Logarithmic

Seasonally adjusted ———  
Trend cycle - - - -

### CIVIL JUDGEMENTS FOR DEBT - NUMBER Thousand



Scale: Semi-Logarithmic

Seasonally adjusted ———  
Trend cycle - - - -

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

Item	Business enterprises and private persons						Number	
	Business enterprises			Private persons				
	1996	1997	1997	1996	1997	1997	1996	1996
	Feb.	Jan.	Feb.	Feb.	Jan.	Feb.	Jan.	Feb.
1. Cases recorded	1 349 268	113 270	97 605	110 303	1 218 104	102 680	88 699	98 863
1.1 Actual figures	113 551	114 060	110 382			102 641	104 394	98 751
1.2 Seasonally adjusted								
2. Civil summonses for debt	1 309 573	109 594	95 568	106 074	1 186 256	99 547	86 371	95 418
2.1 Total	111 138	111 483	107 259			100 832	101 832	96 470
2.1.1 Actual figures	270 368	22 541	18 510	22 583	237 863	19 772	16 029	19 950
2.1.2 Seasonally adjusted	28 301	3 837	2 796	1 985	24 869	3 486	2 506	1 683
2.2 Goods sold	193 440	16 164	14 473	15 791	183 669	15 220	13 677	14 730
2.2.1 Open account	340 067	24 246	19 579	26 743	311 831	22 105	17 867	24 525
2.2.2 Instalment sale transactions	68 844	4 962	4 771	6 406	53 657	4 020	4 201	4 972
2.3 Services	160 560	16 371	15 388	12 462	152 874	15 414	14 684	11 820
2.3.1 Professional	94 053	8 174	7 332	7 987	84 317	7 509	6 573	6 991
2.3.2 Other								
2.4 Rent								
2.5 Money lent								
2.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt								
2.7 Other	153 940	13 299	12 719	12 117	137 176	12 021	10 834	10 747

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	1 288	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

TABLE 3 - CIVIL DEFAULT AND CONSENT JUDGEMENTS FOR DEBT

Item	Business enterprises and private persons						Private persons			
	1997		1997		1996		1997		1996	
	Feb.	Jan.	Feb.	Jan.	Feb.	Jan.	Feb.	Jan.	Feb.	
1. Judgements	Number									
1.1 Total	603 846	51 320	49 863	47 219	561 217	48 119	46 230	43 935		
1.1.1 Actual figures	52 924	57 667	48 610			49 412	53 534	45 083		
1.1.2 Seasonally adjusted										
1.2 Goods sold	134 645	9 774	9 815	11 837	122 534	8 945	9 004	10 818		
1.2.1 Open account	9 052	942	827	575	8 271	872	743	540		
1.2.2 Instalment sale transactions										
1.3 Services	93 755	7 389	7 100	7 427	90 846	7 216	6 881	7 247		
1.3.1 Professional	118 921	9 256	10 043	8 645	110 981	8 631	9 358	7 987		
1.3.2 Other										
1.4 Rent	29 958	2 332	2 331	2 705	24 070	1 801	1 642	2 282		
1.5 Money lent	82 891	8 939	8 121	5 892	80 629	8 762	7 831	5 709		
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	53 940	5 463	4 538	3 808	49 863	5 093	4 238	3 512		
1.7 Other	80 684	7 225	7 088	6 330	74 023	6 799	6 533	5 840		
	R1 000									
1. Judgements	R1 000									
1.1 Total	3 829 184	382 946	355 372	266 250	3 264 045	331 455	303 286	223 655		
1.2 Goods sold	386 345	30 329	34 806	29 965	257 609	20 361	21 789	20 481		
1.2.1 Open account	142 454	27 555	17 712	8 468	128 064	20 960	16 143	7 786		
1.2.2 Instalment sale transactions										
1.3 Services	110 277	8 756	9 890	8 182	100 548	7 757	8 603	7 470		
1.3.1 Professional	244 902	24 434	22 036	18 153	195 332	18 081	17 084	13 709		
1.3.2 Other										
1.4 Rent	170 205	12 621	14 681	12 523	124 007	9 379	9 361	9 134		
1.5 Money lent	1 583 121	171 318	163 113	112 154	1 495 704	162 188	155 050	105 072		
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	410 055	42 117	36 762	25 902	362 485	37 561	31 625	23 234		
1.7 Other	781 825	65 816	56 372	50 903	600 296	55 168	43 631	36 769		



**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	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