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



**SENTRALE
STATISTIEKDIENS
CENTRAL
STATISTICAL SERVICE**

Statistical release P0041

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FEWER CIVIL CASES IN JANUARY

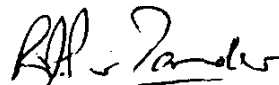
The number of civil cases for debt recorded during January 1996 shows a slight decrease of 2,5% after seasonal adjustment compared with December 1995. The number of civil summonses for debt decreased by 2,9% while civil judgement for debt increased by 6,8%.

The largest decreases in the number of cases recorded were reported by the magisterial offices in Port Elizabeth (-3 873 cases) and Johannesburg (-1 732 cases) while noticeable increases were recorded by the magistrate offices in the Cape Peninsula (+2 195 cases), East Rand (+1 462 cases) and Pretoria (+2 115 cases).

A total number of 84 731 summonses for debt were issued during January 1996. Of these, 19,9% were in respect of goods sold on open account, while 16,1% and 19,6% were in respect of professional and non-professional services respectively.

The total number of judgements for debt was 40 540 in January 1996, and the total amount involved R252,5 million. Of this amount, 43,1% (R108,8 million) was in respect of money lent, 14,1% (R35,5 million) in respect of goods sold and 10,1% (R25,5 million) in respect of promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debts.

Period	Number		Percentage change	
	Summonses for debt	Civil judgements for debt	Summonses for debt	Civil judgements for debt
Actual figures:				
Nov. 1995 - Jan. 1996	268 543	125 438	+3,1	+3,7
Nov. 1994 - Jan. 1995	260 560	121 013		
Seasonally adjusted figures:				
Nov. 1995 - Jan. 1996	295 333	137 617	-2,6	-2,7
Aug. 1995 - Oct. 1995	303 329	141 474		

pp 
 Dr F M Orkin
 Head: Central Statistical Service

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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.

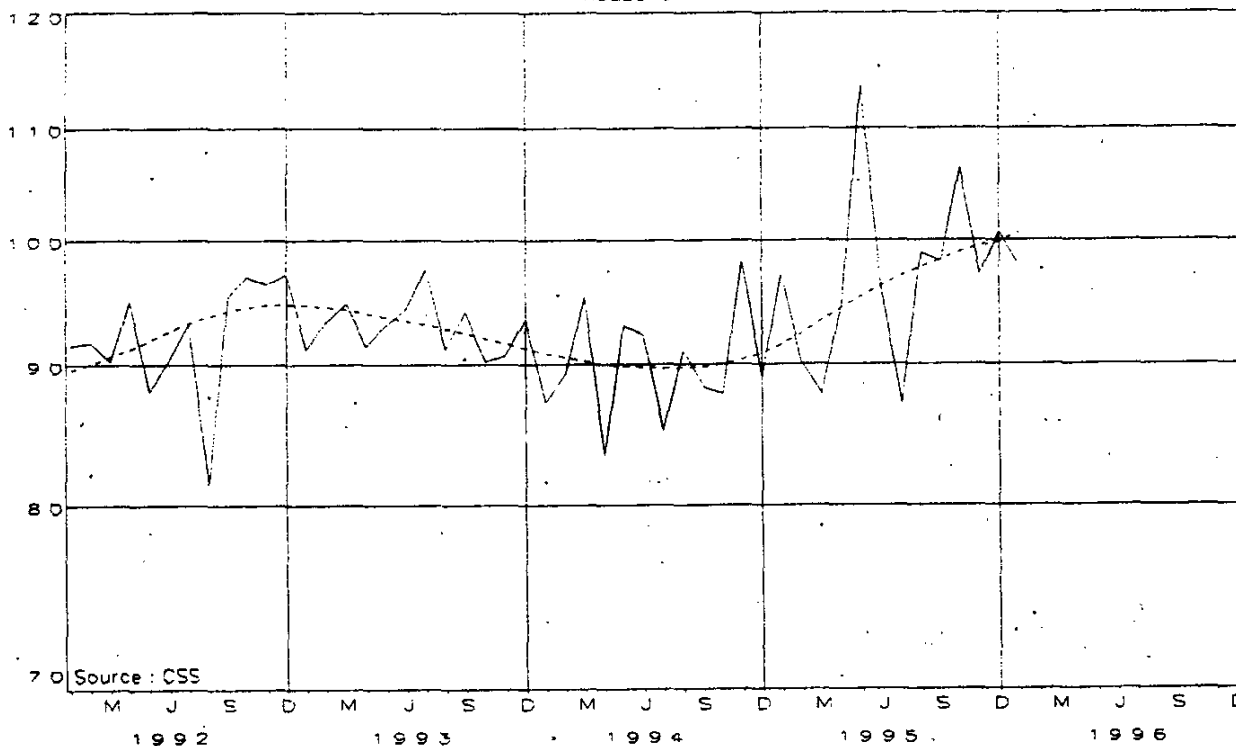
COMPARABILITY

The jurisdiction limit for civil cases handled by magistrate 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 previous months must thus be handled with circumspection.

SMALL CLAIMS COURTS

Statistics in respect of small claims courts are furnished annually.

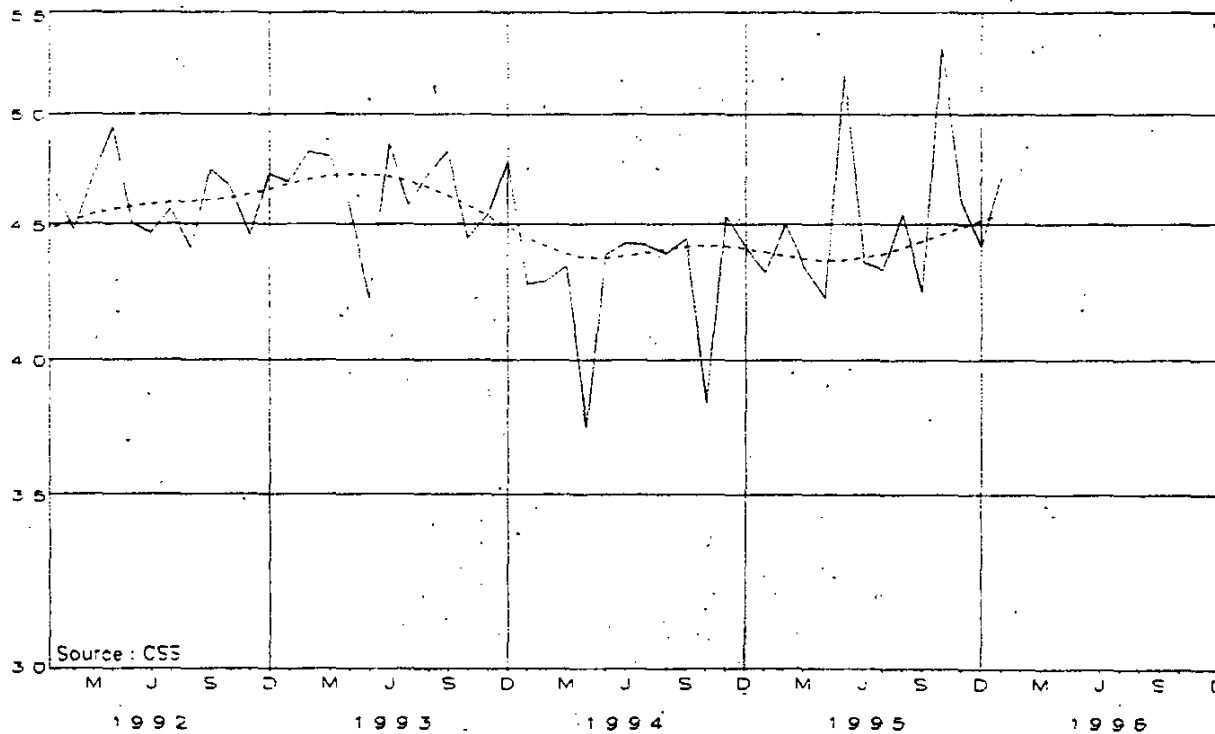
CIVIL SUMMONSES ISSUED - NUMBER Thousand



Scale: Semi-Logarithmic

Seasonally adjusted _____
Trend cycle - - - - -

CIVIL JUDGEMENTS FOR DEBT - NUMBER Thousand



Scale: Semi-Logarithmic

Seasonally adjusted _____
Trend cycle - - - - -

TABLE 1 - CIVIL CASES RECORDED AND SUMMONSES FOR DEBT ISSUED

Item	Business enterprises and private persons						Private persons					
	1996			1995			1996			1995		
	Jan.	Dec.	Number	Jan.	Dec.	Number	Jan.	Dec.	Number	Jan.	Dec.	Number
1. Cases recorded	87 637	80 686	87 642	1 078 110	78 590	70 660	76 057					
1.1 Actual figures	101 103	103 683	100 625		90 956	90 518	87 653					
1.2 Seasonally adjusted												
2. Civil summonses for debt												
2.1 Total	84 731	78 825	84 702	1 044 114	76 085	69 104	73 555					
2.1.1 Actual figures	97 635	100 566	97 223		87 932	87 604	84 701					
2.1.2 Seasonally adjusted												
2.2 Goods sold	16 861	15 964	16 586	241 789	14 616	13 880	14 584					
2.2.1 Open account	2 261	1 873	2 057	26 179	2 007	1 716	1 871					
2.2.2 Instalment sale transactions												
2.3 Services	13 684	12 015	12 985	177 421	12 759	10 692	12 403					
2.3.1 Professional	16 604	19 361	23 180	219 829	14 925	17 530	17 685					
2.3.2 Other												
2.4 Rent	5 262	4 876	2 906	44 505	3 940	3 640	2 377					
2.5 Money lent	137 350	9 465	10 289	130 076	11 708	8 919	9 768					
2.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	95 678	5 715	7 278	86 064	5 761	4 397	6 634					
2.7 Other	11 347	9 556	9 421	118 251	10 369	8 330	8 233					

TABLE 2 - CIVIL CASES RECORDED IN SELECTED MAGISTRATES OFFICES

Year or month	Number											
	Cape Peninsula	Port Elizabeth	East-London	Kimberley	Pietermaritzburg	Durban	Johannesburg	East Rand	West Rand	Pretoria	Vereeniging and Vanderbijlpark	Bloemfontein
1994	159 827	40 173	16 363	8 215	31 228	90 645	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	1 582
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

TABLE 3 - CIVIL DEFAULT AND CONSENT JUDGEMENTS FOR DEBT

Item	Business enterprises and private persons						Private persons					
	1995		1996		1995		1996		1995		1995	
	Jan.	Dec.	Jan.	Dec.	Jan.	Dec.	Jan.	Dec.	Jan.	Dec.	Jan.	Dec.
Judgements	Number											
1.1 Total	545 056	40 540	36 331	37 328	502 215	37 403	33 561	34 387	37 403	33 561	34 387	39 965
1.1.1 Actual figures		47 246	44 226	43 217		43 713	40 988	39 965	43 713	40 988	39 965	
1.1.2 Seasonally adjusted												
1.2 Goods sold	142 928	9 828	8 189	9 658	131 499	8 961	7 424	8 752	8 961	7 424	8 752	625
1.2.1 Open account	9 643	625	611	659	9 086	579	575	625	579	575	625	
1.2.2 Instalment sale transactions												
1.3 Services	92 980	6 835	5 782	6 141	90 842	6 630	5 664	6 011	6 630	5 664	6 011	
1.3.1 Professional	102 429	7 066	7 532	6 446	93 991	6 470	6 941	5 859	6 470	6 941	5 859	
1.3.2 Other												
1.4 Rent	29 044	1 946	2 166	1 859	23 139	1 497	1 706	1 500	1 497	1 706	1 500	
1.5 Money lent	55 095	4 979	3 840	4 457	53 477	4 808	3 715	4 366	4 808	3 715	4 366	
1.6 Promissory notes, bills and other acknowledgements of debt	43 862	3 496	3 346	3 062	39 980	3 176	3 111	2 787	3 176	3 111	2 787	
1.7 Other	69 075	5 765	4 865	5 046	60 201	5 282	4 425	4 487	5 282	4 425	4 487	
	R1 000											
Judgements	R1 000											
1.1 Total	2 987 064	252 481	201 576	232 164	2 400 613	216 906	167 193	158 423	216 906	167 193	158 423	
1.2 Goods sold	308 567	26 686	24 259	19 788	216 798	17 947	15 928	14 175	17 947	15 928	14 175	
1.2.1 Open account	128 521	8 842	7 028	6 172	115 351	8 373	5 949	5 750	8 373	5 949	5 750	
1.2.2 Instalment sale transactions												
1.3 Services	96 148	8 025	5 592	5 494	86 654	7 259	5 229	5 141	7 259	5 229	5 141	
1.3.1 Professional	222 129	14 457	21 484	10 123	181 312	11 501	16 380	8 034	11 501	16 380	8 034	
1.3.2 Other												
1.4 Rent	129 448	10 806	10 178	7 538	96 750	6 566	7 713	5 900	6 566	7 713	5 900	
1.5 Money lent	1 017 941	108 776	67 732	71 905	950 442	101 991	61 861	67 819	101 991	61 861	67 819	
1.6 Promissory notes, bills and other acknowledgements of debt	343 252	25 523	23 605	21 490	301 289	22 139	20 989	18 808	22 139	20 989	18 808	
1.7 Other	739 058	49 366	41 698	89 654	452 017	41 130	33 144	32 796	41 130	33 144	32 796	

ANNEXURE

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

MINDER SIVIELE SAKE IN JANUARIE

Die getal siviele sake vir skuld aangeteken gedurende Januarie 1996 toon 'n geringe afname van 2,5% na seisoenaanpassing teenoor Desember 1995. Die getal siviele dagvaardings vir skuld het met 2,9% gedaal terwyl siviele vonnisse vir skuld met 6,8% toegeneem het.

Die grootste afnames in die getal sake aangeteken is deur die landdroskantore Port Elizabeth (-3 873 sake) en Johannesburg (-1 732 sake) gerapporteer terwyl merkbare toenames deur die landdroskantore in die Kaapse Skiereiland (+2 195 sake), die Oos-Rand (+1 462 sake) en Pretoria (+2 115 sake) aangeteken is.

'n Totale getal van 84 731 dagvaardings vir skuld was uitgereik gedurende Januarie 1996. Van hierdie was 19,9% ten opsigte van goedere verkoop op ope rekening, terwyl onderskeidelik 16,1% en 19,6% ten opsigte van professionele en nie-professionele dienste was.

Die totale getal vonnisse vir skuld gedurende Januarie 1996 was 40 540, en die totale bedrag betrokke was R252,5 miljoen. Van hierdie bedrag was 43,1% (R108,8 miljoen) ten opsigte van geld geleen, 14,1% (R35,5 miljoen) ten opsigte van goedere verkoop en 10,1% (R25,5 miljoen) ten opsigte van promesses, wissels, V/T-tjeks, kredietkaarte en ander skuldbewyse.