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

Statistical release P0041

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DEBT CASES INCREASE

The total number of civil summonses for debt for the three months up to January 1997 shows an increase of 17,0% (from 125 438 to 149 906) compared with the corresponding period of the previous year. The total number of civil judgements for debt increased by 19,5% during the same period.

The increase of 17,0% in civil summonses for debt can mainly be attributed to more summonses issued in respect of non-professional services (+50,0%) and money lent (+22,0%). Out of a total of 95 568 summonses for debt issued during January 1997, 20,5% were in respect of non-professional services, while 19,4% were in respect of goods sold on open account.

The total amount involved in respect of civil judgements for debt issued during January 1997 was R355,4 million. Of this amount 45,9% (R163,1 million) was for cases relating to money lent, 10,3% (R36,8 million) for cases relating to promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt and 9,8% (R34,8 million) for cases relating to goods sold on open account.


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Period	Number		Percentage change	
	Summonses for debt	Civil judgements for debt	Summonses for debt	Civil judgements for debt
Actual figures:				
Nov. 1996 - Jan. 1997	314 287	149 906	+17,0	+19,5
Nov. 1995 - Jan. 1996	268 543	125 438		
Seasonally adjusted figures:				
Nov. 1996 - Jan. 1997	342 654	165 937	-0,6	+4,9
Aug. 1996 - Oct. 1996	344 803	158 227		

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.

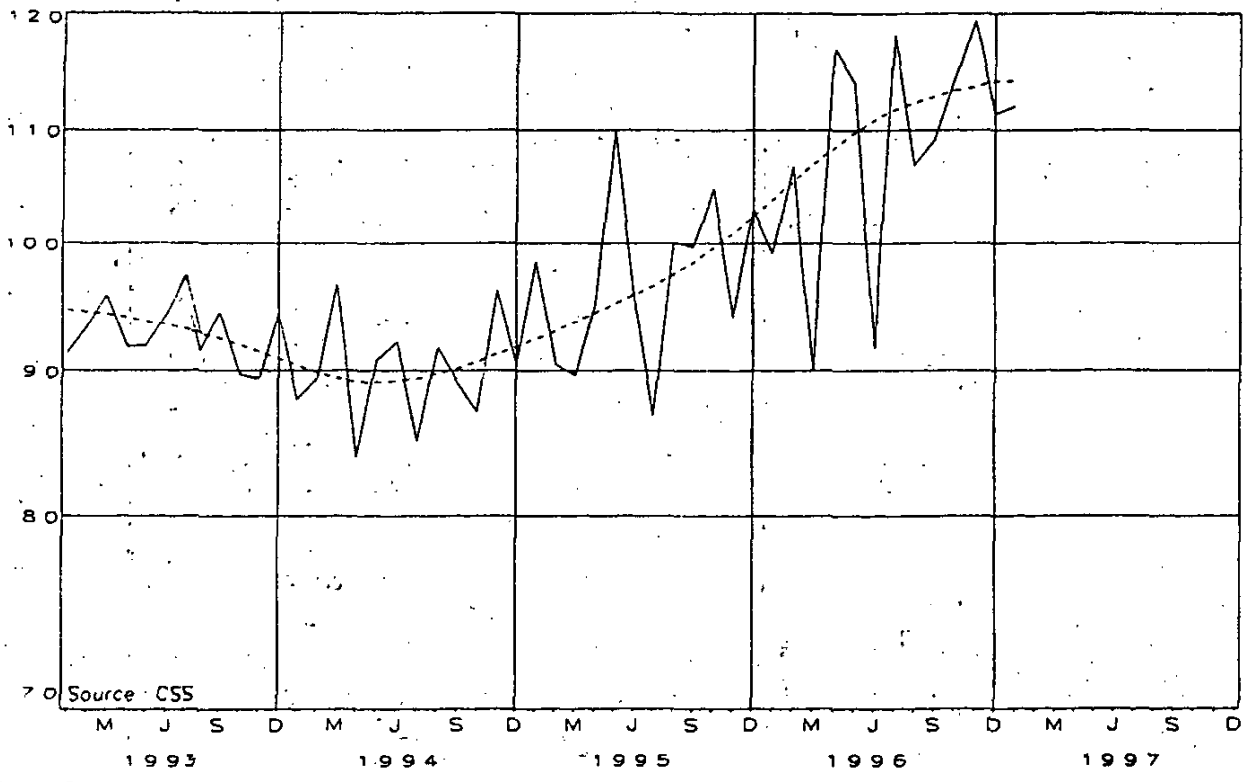
COMPARABILITY

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.

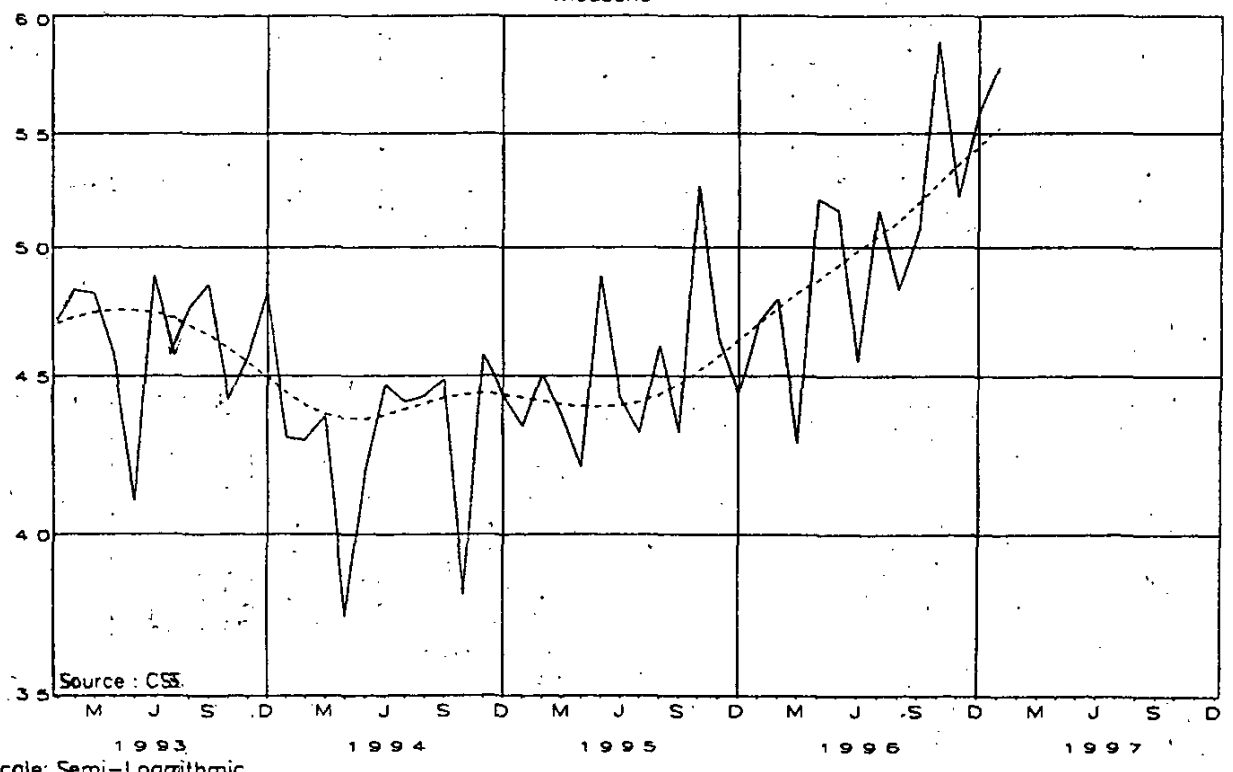
CIVIL SUMMONSES ISSUED - NUMBER Thousand



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						Private persons					
	1997		1996		1996		1997		1996		1996	
	Jan.	Dec.	Jan.	Dec.	Jan.	Dec.	Jan.	Dec.	Jan.	Dec.	Jan.	Dec.
	Number											
1. Cases recorded												
1.1 Actual figures	1 349 268*	97 605	86 758	87 637	1 218 104*	88 699	76 996	76 996	76 996	78 590		
1.2 Seasonally adjusted	114 408	114 551	102 705			104 833	102 995	102 995	102 995	92 793		
2. Civil summonses for debt												
2.1 Total	1 309 573*	95 568	84 720	84 731	1 186 256*	86 371	75 620	75 620	75 620	76 085		
2.1.1 Actual figures	111 769	111 067	99 097			101 996	99 777	99 777	99 777	89 744		
2.1.2 Seasonally adjusted												
2.2 Goods sold												
2.2.1 Open account	270 368*	18 510	16 400	16 861	237 863*	16 029	14 069	14 069	14 069	14 616		
2.2.2 Instalment sale transactions	28 301	2 796	2 504	2 261	24 869	2 506	1 933	1 933	1 933	2 007		
2.3 Services												
2.3.1 Professional	193 440*	14 473	11 299	13 684	183 669*	13 677	10 721	10 721	10 721	12 759		
2.3.2 Other	340 067*	19 579	21 864	16 604	311 831*	17 867	19 885	19 885	19 885	14 925		
2.4 Rent	68 844*	4 771	4 317	5 262	53 657*	4 201	3 164	3 164	3 164	3 940		
2.5 Money lent	160 560*	15 388	11 541	12 302	152 874*	14 684	10 954	10 954	10 954	11 708		
2.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	94 053*	7 332	5 204	6 410	84 317*	6 573	4 586	4 586	4 586	5 761		
2.7 Other	153 940*	12 719	11 591	11 347	137 176*	10 834	10 308	10 308	10 308	10 369		

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	10 625	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	5 378	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

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