

2  
DIE BIBLIOTEK / THE LIBRARY  
SENTRALE STATISTIEKDIENS  
CENTRAL STATISTICAL SERVICE  
PRIVAATSAK / PRIVATE BAG X44  
0001 PRETORIA



REPUBLIC OF SOUTH AFRICA

**Statistics of civil cases  
for debt  
January 1998**

---



**Statistical release      P0041**

Co-operation between the Central Statistical Service and the residents of the RSA, the private sector and the government institutions is essential for a successful statistical system in the RSA. Without this continued co-operation and goodwill, the timely release of relevant and reliable official statistics will not be possible.

The CSS publishes approximately five hundred different releases per year. In the light of expenditure restraints in government, it is no longer economically viable to produce them in more than one of the eleven official languages in South Africa. Since the releases are also extensively used by the international economic and social-scientific communities, from 1996 CSS releases will be published in English.

---

---

**Embargo: 11:00  
Date: 26 March 1998**

Published by the  
Central Statistical Service  
Private Bag X44  
PRETORIA  
0001  
Tel. (012) 310-8911

The CSS has copyright on this information. You are, however, free to apply it as you wish provided that you acknowledge the CSS as the source of the basic data wherever you process, apply, utilise, publish or distribute the data; and also that you specify that the relevant application and analyses (where applicable) result from your own processing of the data.

## CONTENTS

<b>KEY FINDINGS</b>	1
<b>SUMMARY TABLE</b>	1
<b>GRAPHS</b>	
1. Civil summonses issued	3
2. Civil judgements for debt	3
<b>EXPLANATORY NOTES</b>	2
<b>TABLES</b>	
1. Number of civil cases recorded and summonses for debt issued	4
2. Number of civil cases recorded in selected magistrates offices	5
3. Civil default and consent judgement for debt	6
Small claims courts	7

A complete set of CSS publications is available at the **CSS Library** and the following libraries:

State Library, Pretoria  
South African Library, Cape Town  
Natal Society Library, Pietermaritzburg

Library of Parliament, Cape Town  
Bloemfontein Public Library  
Johannesburg Public Library

### CIVIL SUMMONSES AND JUDGEMENTS FOR DEBT HIGHER THAN A YEAR AGO

The total number of civil summonses for debt recorded for the three months up to January 1998 shows an increase of 5,2% compared with the corresponding period of a year ago, but shows a slight decrease of 0,8% after seasonal adjustment compared with the previous three months. The total number of civil judgements for debt for the three months up to January 1998 increased by 20,3% (from 149 906 to 180 329) compared with the corresponding period of a year ago, and is 3,7% higher after seasonal adjustment than the previous three months.

The 5,2% increase in civil summonses for debt can be attributed to more civil summonses issued in respect of "other services" (+11,0%) and civil summonses pertaining to money lent (+23,0%). 29 821 or 28,4% of the total civil summonses for debt issued during January 1998 was for civil summonses relating to "other services", while 18 281 or 17,4% was in respect of money lent.

During January 1998, 60 728 civil judgements for debt were issued and the total amount involved was approximately R420,0 million. Money lent and promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt contributed 38,4% and 12,4% respectively to the total amount involved.

Period	Number		Percentage change	
	Summonses for debt	Civil judgements for debt	Summonses for debt	Civil judgements for debt
<b>Actual figures:</b>				
Nov. 1997 - Jan. 1998	330 685	180 329	+5,2	+20,3
Nov. 1996 - Jan. 1997	314 287	149 906		
<b>Seasonally adjusted figures:</b>				
Nov. 1997 - Jan. 1998	367 854	200 471	-0,8	+3,7
Aug. 1997 - Oct. 1997	370 714	193 380		



PP  
Dr F M Orkin  
Head: Central Statistical Service

#### ENQUIRIES:

Tel. (012) 310-8095/310-8040  
(012) 310-8351/310-8390  
(012) 310-8109 (technical enquiries)  
Private Bag X44, Pretoria, 0001  
Fax: 310-8664  
E-mail: info @ css.pwv.gov.za  
Internet: http://www.css.gov.za

**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.

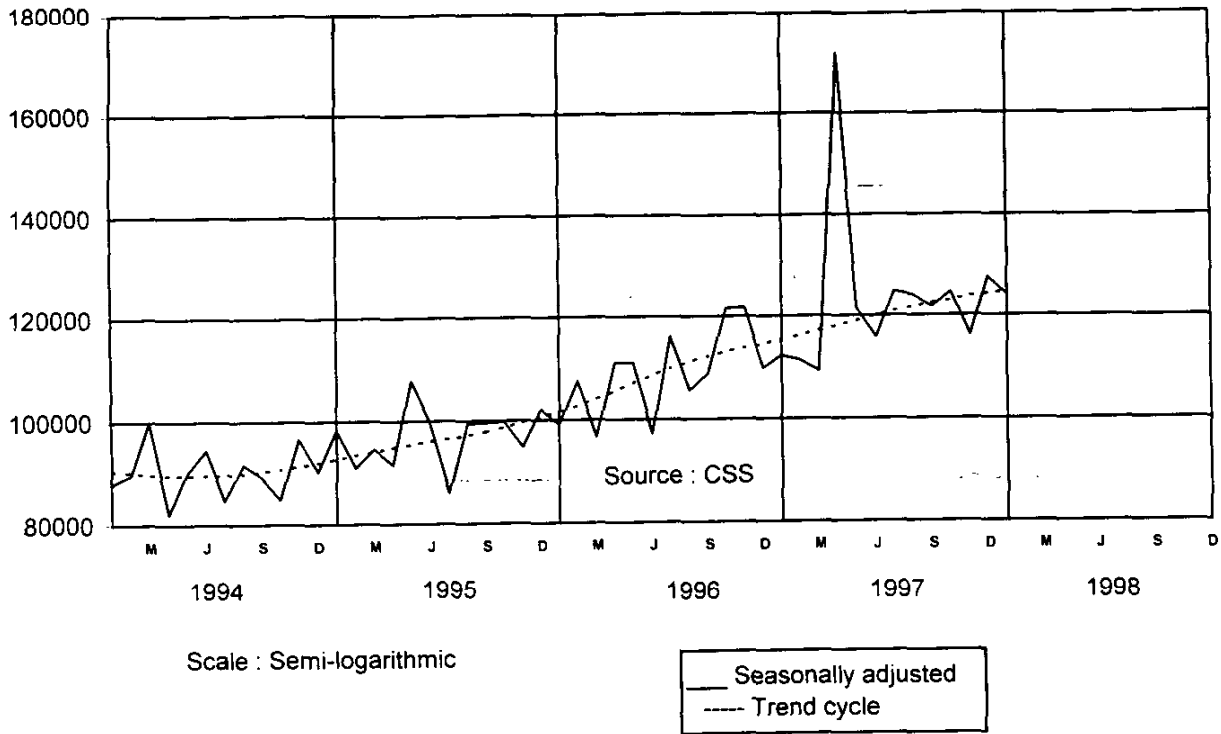
**COMPARABILITY**

The jurisdiction limit for civil cases handled by Magistrate'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

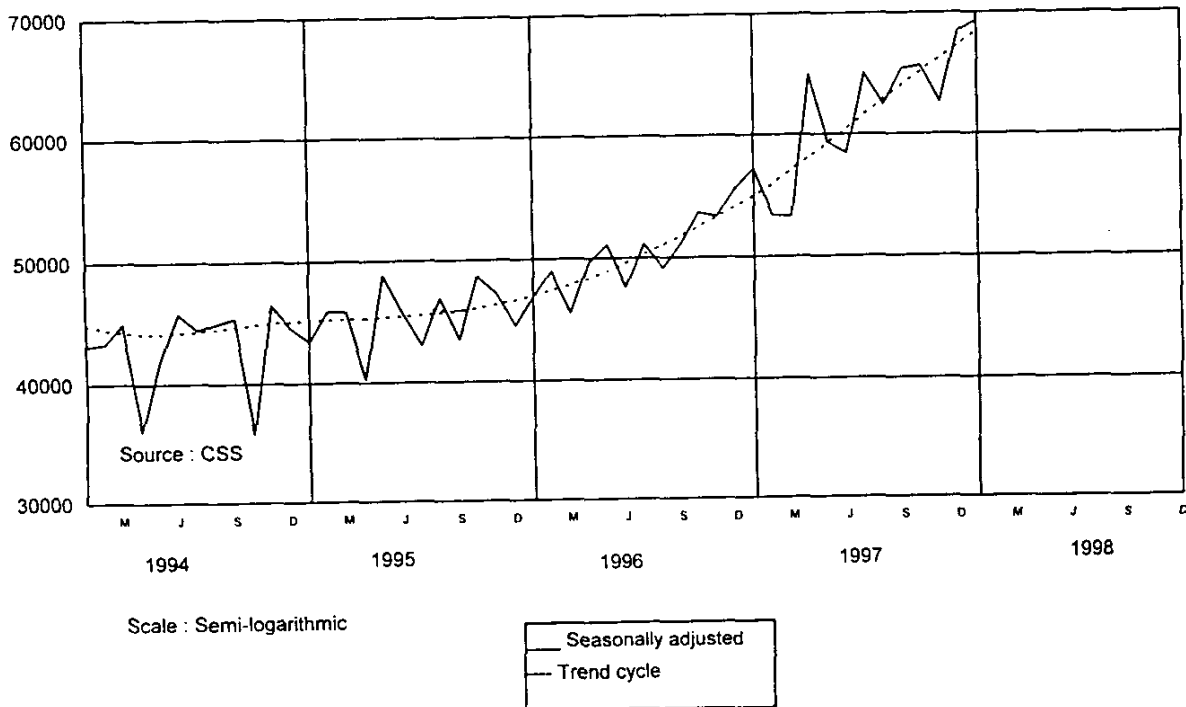


TABLE 1 - NUMBER OF CIVIL CASES RECORDED AND SUMMONSES FOR DEBT ISSUED

Item	Business enterprises and private persons						Private persons					
	1997		1998		1997		1997		1998		1997	
	Jan.	Dec.	Jan.	Dec.	Jan.	Dec.	Jan.	Dec.	Jan.	Dec.	Jan.	Dec.
	Number											
1. Cases recorded	1 546 465	108 449	103 042	97 605	1 374 961	97 761	86 775	88 699				
1.1 Actual figures		129 430	135 107	115 827		115 977	116 622	104 870				
1.2 Seasonally adjusted												
2. Civil summonses for debt	1 476 165	105 004	98 104	95 568	1 316 611	94 846	82 674	86 371				
2.1 Total		124 111	127 614	112 349		111 837	110 016	101 483				
2.1.1 Actual figures												
2.1.2 Seasonally adjusted												
2.2 Goods sold	260 430	15 974	16 218	18 510	224 674	14 095	12 627	16 029				
2.2.1 Open account		2 706	2 962	2 796	39 060	2 255	2 581	2 506				
2.2.2 Instalment sale transactions												
2.3 Services	193 793	12 976	12 604	14 473	181 433	11 908	11 595	13 677				
2.3.1 Professional		29 821	26 081	19 579	381 452	27 715	23 884	17 867				
2.3.2 Other												
2.4 Rent	75 350	4 448	4 918	4 771	52 385	3 596	2 666	4 201				
2.5 Money lent	213 227	18 281	14 869	15 388	199 886	16 720	13 597	14 684				
2.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	97 731	7 054	6 469	7 332	85 039	6 410	4 908	6 573				
2.7 Other	173 726	13 744	13 983	12 719	152 682	12 147	10 816	10 834				

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
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
J	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
A	15 543	6 233	1 721	696	2 198	6 281	20 005	11 194	3 410	11 081	6 081	2 110
S	17 160	8 794	1 422	504	2 362	9 336	10 941	7 062	3 279	10 253	3 986	1 663
O	13 845	12 731	1 751	760	3 456	11 399	16 002	7 426	3 097	13 795	8 594	2 344
N	14 830	9 963	1 617	613	2 775	9 444	15 736	8 944	3 081	10 014	6 406	1 912
D	12 960	6 749	1 648	450	2 310	7 436	11 306	6 408	2 317	6 724	1 670	1 302
1998 - J	10 414	7 305	1 749	498	2 946	6 800	11 125	5 585	3 006	8 772	2 271	2 725

TABLE 3 - CIVIL DEFAULT AND CONSENT JUDGEMENTS FOR DEBT

Item	Business enterprises and private persons						Private persons					
	1998		1997		1997		1998		1997		1997	
	Jan.	Dec.	Jan.	Dec.	Jan.	Dec.	Jan.	Dec.	Jan.	Dec.	Jan.	Dec.
	Number											
1. Judgements												
1.1 Total	736 264	60 728	55 703	49 863	689 927	57 612	52 548	46 230				
1.1.1 Actual figures	69 322	68 514	57 245			65 752	64 739	53 082				
1.1.2 Seasonally adjusted												
1.2 Goods sold	135 496	9 465	8 900	9 815	123 279	8 587	8 042	9 004				
1.2.1 Open account	11 636	930	810	827	10 633	835	740					
1.2.2 Instalment sale transactions												
1.3 Services	92 399	6 469	6 280	7 100	89 600	6 273	6 070	6 881				
1.3.1 Professional	163 725	17 120	14 901	10 043	154 323	16 324	14 198	9 358				
1.3.2 Other												
1.4 Rent	30 302	1 812	1 870	2 331	23 795	1 519	1 515	1 642				
1.5 Money lent	135 704	13 039	10 951	8 121	132 805	12 826	10 718	7 831				
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	65 918	4 030	4 460	4 538	61 897	3 802	4 235	4 238				
1.7 Other	101 084	7 863	7 531	7 088	93 595	7 446	7 030	6 533				
	R1 000											
1. Judgements												
1.1 Total	5 295 876	419 978	372 832	355 372	4 543 651	363 356	319 053	303 286				
1.2 Goods sold	462 462	37 021	34 875	34 806	301 544	22 506	24 262	21 789				
1.2.1 Open account	254 877	20 641	19 568	17 712	219 404	18 048	16 690	16 143				
1.2.2 Instalment sale transactions												
1.3 Services	130 017	10 022	10 663	9 890	116 976	8 872	9 450	8 603				
1.3.1 Professional	388 655	39 287	33 022	22 036	318 375	34 969	27 527	17 084				
1.3.2 Other												
1.4 Rent	192 252	14 176	13 173	14 681	142 025	10 335	9 629	9 361				
1.5 Money lent	2 325 543	161 430	155 634	163 113	2 185 360	152 629	144 062	155 050				
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	528 046	52 117	38 462	36 762	466 173	46 400	35 397	31 625				
1.7 Other	1 014 024	85 284	67 435	56 372	793 794	69 597	52 036	43 631				



## 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	1997	1996	1995	1994	1993	1992	1991	1990
	Number							
Courts	143	120	113	111	109	106	103	92
Litigants referred	13 423	21 230	20 154	20 101	19 502	18 906	16 857	16 474
Summonses issued	25 417	27 463	24 905	25 112	24 929	24 942	19 520	16 551
Hearings	26 622	27 690	25 746	25 356	23 953	23 421	17 814	15 540

Source: Department of Justice