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REPUBLIC OF SOUTH AFRICA

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



Statistical release P0041

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SUMMONSES AND JUDGEMENTS FOR DEBT INCREASE

During the last three months up to July 1996 3,2% more summonses for debt and 4,6% more judgements for debt were recorded than during the three months ended April 1996. The number of civil summonses and judgements for debt for July 1996 increased by 28,0% and 15,7% respectively after seasonal adjustment compared with June 1996.

A total of 125 578 summonses for debt were issued for July 1996. Of these, 20,4% was in respect of goods sold on open account and 12,3% in respect of money lent, while 14,6% and 26,3% respectively were in respect of professional and non-professional services.

The total number of judgements for debt was 54 740 for July 1996, which involved R342,4 million. The largest amounts were recorded in respect of money lent (R148,4 million or 43,3%) and goods sold (R50,1 million or 14,6%).

Period	Number		Percentage change	
	Summonses for debt	Civil judgements for debt	Summonses for debt	Civil judgements for debt
Actual figures:				
May 1996 - Jul. 1996	346 668	156 736	+11,1	+9,3
May 1995 - Jul. 1995	312 034	143 381		
Seasonally adjusted figures:				
May 1996 - Jul. 1996	324 326	149 683	+3,2	+4,6
Feb. 1996 - Apr. 1996	314 229	143 098		

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.

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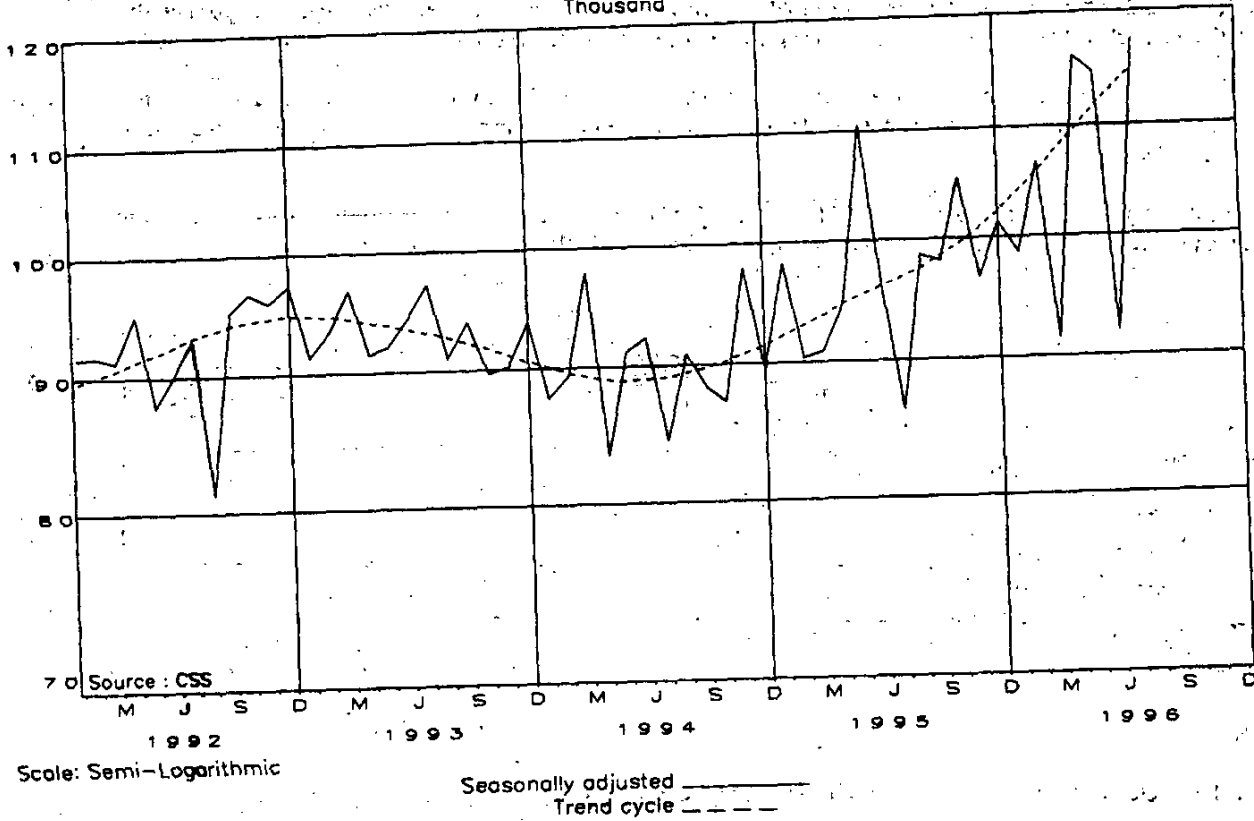
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CIVIL SUMMONSES ISSUED - NUMBER Thousand



CIVIL JUDGEMENTS FOR DEBT - NUMBER Thousand

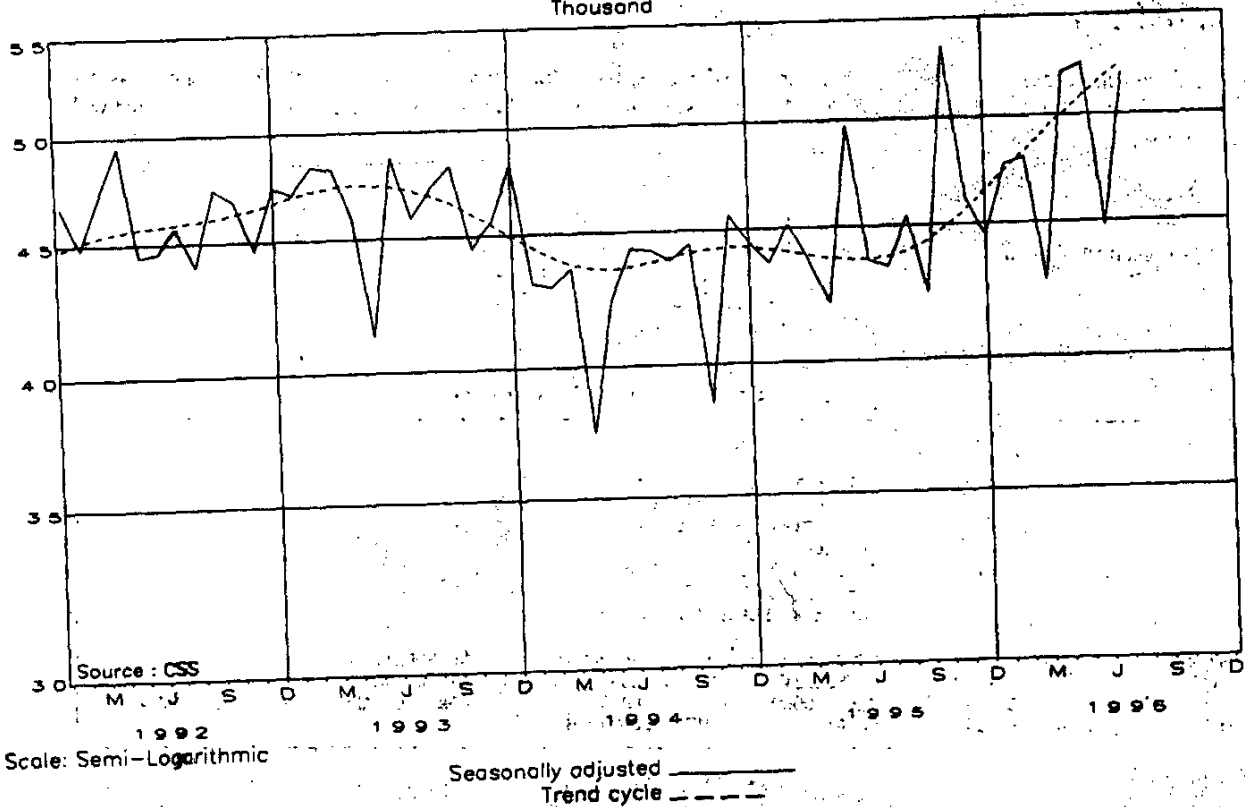


TABLE 1 - NUMBER OF CIVIL CASES RECORDED AND SUMMONSES FOR DEBT ISSUED

Item	Business enterprises and private persons						Private persons							
	1995		1996		1996		1995		1996		1996			
	Jul.	Jun.	Jul.	Jun.	Jul.	Jun.	Jul.	Jun.	Jul.	Jun.	Jul.			
Number														
1. Cases recorded	1 206 468	129 380	106 466	95 377	1 078 110	118 200	96 264	85 933	120 861	94 390	89 072	109 778	86 632	79 822
1.1 Actual figures														
1.2 Seasonally adjusted	1 165 376	125 578	104 237	92 370	1 044 114	115 256	94 626	83 572	117 775	92 038	86 491	107 534	84 561	77 865
2. Civil summonses for debt														
2.1 Total	270 161	25 621	21 640	23 645	241 789	22 601	19 201	21 554	28 649	2 266	1 932	2 141	2 052	1 810
2.1.1 Actual figures														
2.1.2 Seasonally adjusted	186 798	18 295	14 405	15 053	177 421	17 537	13 827	14 355	255 337	28 282	15 863	31 011	26 354	13 821
2.2 Goods sold														
2.2.1 Open account														
2.2.2 Instalment sale transactions	57 443	6 507	5 902	4 586	44 505	5 237	4 390	3 648	137 350	11 654	12 300	14 751	11 155	11 577
2.3 Services	95 678	8 710	6 790	7 281	86 064	7 870	5 867	6 602						
2.3.1 Professional														
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	133 960	15 548	13 298	11 710	118 251	14 108	11 780	10 205						

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
1994	159 827	40 173	16 363	8 215	31 228	90 646	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	1 682
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	7 783	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
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

TABLE 3 - CIVIL DEFAULT AND CONSENT JUDGEMENTS FOR DEBT

Item	Business enterprises and private persons						Private persons	
	1995		1996		1995		1996	
	Jul.	Jun.	Jul.	Jun.	Jul.	Jun.	Jul.	
1. Judgements	Number							
1.1 Total	545 056	54 740	48 961	45 776	502 215	50 975	45 843	42 433
1.1.1 Actual figures	52 077	44 996	43 487	43 487	48 690	42 634	40 446	
1.1.2 Seasonally adjusted								
1.2 Goods sold	142 928	11 970	11 029	12 036	131 499	10 830	10 041	11 187
1.2.1 Open account	9 643	801	705	786	9 086	716	645	758
1.2.2 Instalment sale transactions								
1.3 Services	92 980	9 564	7 299	7 641	90 842	9 287	7 127	7 501
1.3.1 Professional	102 429	9 886	9 108	8 351	93 991	9 223	8 527	7 754
1.3.2 Other								
1.4 Rent	29 044	3 107	2 841	2 775	23 139	2 508	2 505	2 288
1.5 Money lent	55 095	6 654	6 458	4 150	53 477	6 472	6 306	4 039
1.6 Promissory notes, bills bills, R/D cheques, credit cards and other acknowledgements of debt	43 862	5 125	5 227	3 567	39 980	4 822	4 935	3 273
1.7 Other	69 075	7 633	6 294	6 470	60 201	7 117	5 757	5 653
	R1 000							
1. Judgements	Number							
1.1 Total	2 987 064	342 425	333 541	289 907	2 400 613	299 390	283 573	221 254
1.2 Goods sold	308 567	38 255	30 572	25 503	216 798	27 847	20 165	17 519
1.2.1 Open account	128 521	11 894	9 967	11 560	115 351	10 503	9 399	10 995
1.2.2 Instalment sale transactions								
1.3 Services	98 148	10 808	8 705	7 310	86 654	9 752	8 144	6 867
1.3.1 Professional	222 129	17 849	19 819	19 104	181 312	14 265	17 030	14 466
1.3.2 Other								
1.4 Rent	129 448	17 711	22 448	12 612	96 750	13 452	18 161	10 272
1.5 Money lent	1 017 941	148 377	119 895	105 878	950 442	142 048	105 548	96 631
1.6 Promissory notes, bills bills, R/D cheques, credit cards and other acknowledgements of debt	343 252	36 699	44 944	23 678	301 289	33 859	41 692	21 065
1.7 Other	739 058	60 832	77 191	84 262	452 017	47 664	63 434	43 439

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