



REPUBLIC OF SOUTH AFRICA

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

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**DEBT CASES INCREASE**

The total number of civil summonses for debt issued during July 1997 shows an increase of 18,6% (from 108 082 to 128 160) after seasonal adjustment compared with the previous month, and is 7,8% higher than the figure for July 1996. The seasonally adjusted total number of civil judgements for the month of July 1997 shows an increase of 11,2% (from 57 877 to 64 377) compared with the previous month, and is also 27,4% higher than for July 1996.

The increase of 7,8% in the number of civil summonses for debt can mainly be attributed to substantial increases in the number of civil summonses issued in respect of rent (+36,2%) and money lent (+28,2%).

The fairly high rise of 27,4% in the total number of civil judgements can be ascribed to sharp increases in civil judgements for cases pertaining to money lent (which doubled) and non-professional services (+47,5%).

It is interesting to note that the average amount involved per judgement for July 1997 (R7 084) is substantially lower than that for June 1997 (R8 922). This decrease is mainly due to a considerable drop in the average amount involved per judgement for cases relating to money lent from R25 508 in June to R16 185 in July.

The decrease of 8,1% in the number of civil summonses for debt for the three months up to July 1997 compared with the previous three months, as reflected in the table below, is due to the exceptionally high figure for April 1997.

Period	Number		Percentage change	
	Summonses for debt	Civil judgements for debt	Summonses for debt	Civil judgements for debt
<b>Actual figures:</b>				
May 1997 - Jul. 1997	387 386	191 386	+11,7	+22,1
May 1996 - Jul. 1996	346 668	156 736		
<b>Seasonally adjusted figures:</b>				
May 1997 - Jul. 1997	359 370	181 151	-8,1	+6,6
Feb. 1997 - Apr. 1997	391 001	169 961		

PP  
  
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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, ejection orders and other non-debt cases are excluded.

Default and consent judgements relate to judgements given in respect of undefended debt cases only.

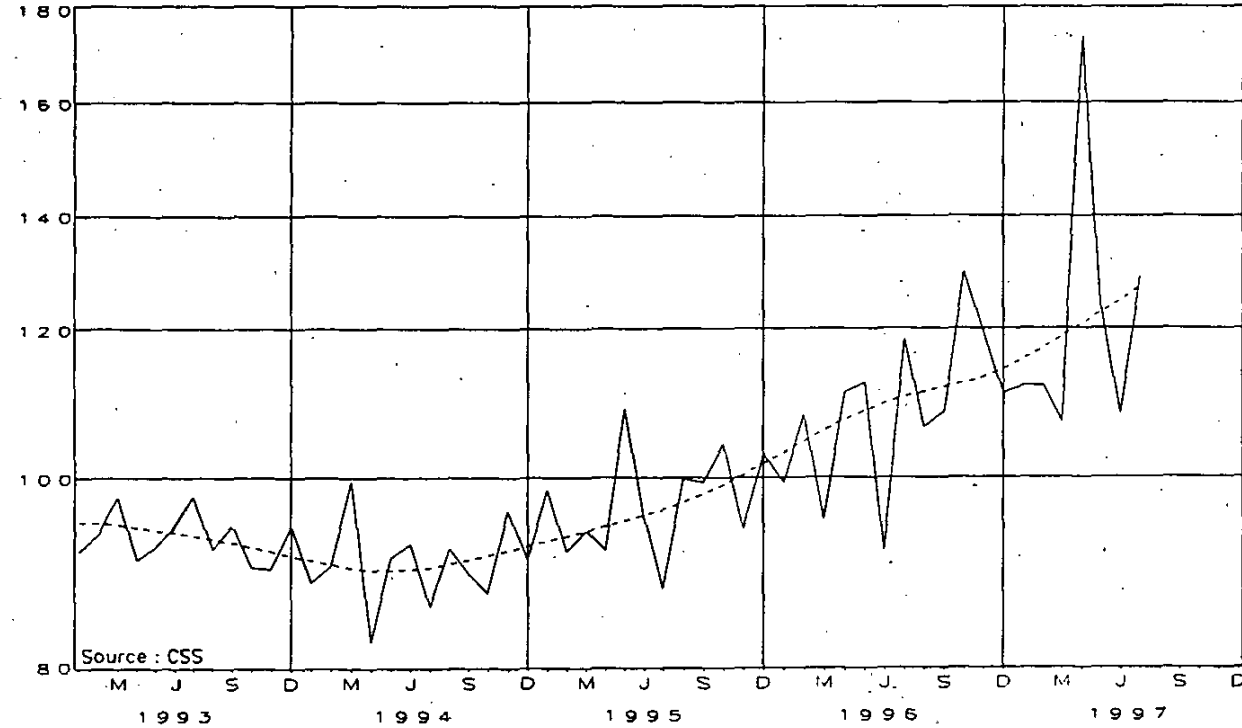
**COMPARABILITY**

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:

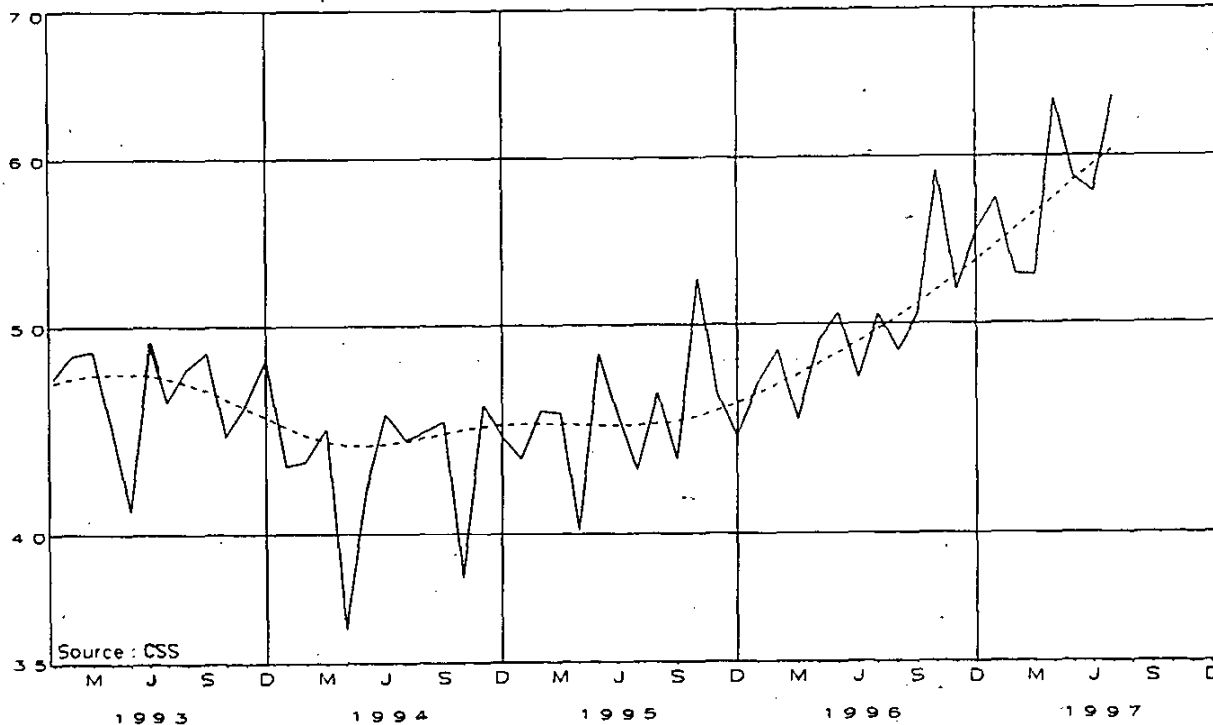
### CIVIL SUMMONSES ISSUED - NUMBER Thousand



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											
	Business enterprises						Private persons					
	1996	1997	1997	1996	1996	1996	1997	1997	1997	1996	1996	1996
1. Cases recorded	1 349 268	140 658	130 305	129 380	1 218 104	123 465	114 372	118 200	117 597	107 838	112 180	
1.1 Actual figures		133 802	114 926	122 766								
1.2 Seasonally adjusted												
2. Civil summonses for debt	1 309 573	135 432	123 083	125 578	1 186 256	118 760	109 557	115 256	113 966	102 406	110 189	
2.1 Total												
2.1.1 Actual figures	270 368	24 341	19 713	25 621	237 863	21 218	16 918	22 601	3 574	3 282	2 141	
2.1.2 Seasonally adjusted	28 301	4 006	3 576	2 449	24 869							
2.2 Goods sold												
2.2.1 Open account	193 440	18 532	16 263	18 295	183 669	16 940	15 505	17 537	16 940	29 902	31 011	
2.2.2 Instalment sale transactions	340 067	34 693	33 731	33 049	311 831	29 891	29 902	31 011	29 891			
2.3 Services												
2.3.1 Professional	68 844	8 865	7 423	6 507	53 657	6 380	4 685	5 237	6 380	4 685	5 237	
2.3.2 Other	160 560	19 743	18 293	15 399	152 874	18 293	17 262	14 751	18 293	17 262	14 751	
2.4 Rent	94 053	8 638	7 301	8 710	84 317	7 694	6 586	7 870	7 694	6 586	7 870	
2.5 Money lent												
2.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt												
2.7 Other	153 940	16 614	16 783	15 548	137 176	14 770	15 417	14 108	14 770	15 417	14 108	

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	47 638	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	10 825	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
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

TABLE 3 - CIVIL DEFAULT AND CONSENT JUDGEMENTS FOR DEBT

Item	Business enterprises and private persons						Private persons					
	1996		1997		1996		1997		1996		1997	
	Jul.	Jun.*	Jul.	Jun.*	Jul.	Jun.*	Jul.	Jun.*	Jul.	Jun.*	Jul.	Jun.*
	Number											
1. Judgements												
1.1 Total												
1.1.1 Actual figures	603 846	69 752	59 514	54 740	561 217	65 761	55 154	50 975				
1.1.2 Seasonally adjusted		64 377	57 877	50 665		60 651	53 679	47 185				
1.2 Goods sold												
1.2.1 Open account	134 645	12 966	11 202	11 970	122 534	11 877	10 190	10 830				
1.2.2 Instalment sale transactions	9 052	973	895	801	8 271	884	791	716				
1.3 Services												
1.3.1 Professional	93 755	8 796	6 988	9 564	90 846	8 507	6 750	9 287				
1.3.2 Other	118 921	14 578	12 307	9 886	110 981	13 738	11 399	9 223				
1.4 Rent	29 958	2 159	3 010	3 107	24 070	1 885	2 159	2 508				
1.5 Money lent	82 891	13 361	10 815	6 654	80 629	13 113	10 483	6 472				
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	53 940	6 194	6 055	5 125	49 863	5 833	5 722	4 822				
1.7 Other	80 684	10 725	8 242	7 633	74 023	9 924	7 660	7 117				
	R1 000											
1. Judgements												
1.1 Total	3 829 184	494 132	530 977	342 425	3 264 045	422 914	391 352	299 390				
1.2 Goods sold												
1.2.1 Open account	386 345	41 039	39 389	38 255	257 609	28 038	26 495	27 847				
1.2.2 Instalment sale transactions	142 454	27 473	16 248	11 894	128 064	22 785	14 102	10 503				
1.3 Services												
1.3.1 Professional	110 277	14 381	9 875	10 808	100 548	13 092	9 223	9 752				
1.3.2 Other	244 902	35 885	54 026	17 849	195 332	29 201	48 172	14 265				
1.4 Rent	170 205	19 531	15 108	17 711	124 007	14 087	11 646	13 452				
1.5 Money lent	1 583 121	216 247	275 869	148 377	1 495 704	202 709	182 063	142 048				
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	410 055	52 169	43 055	36 699	362 485	46 493	39 419	33 859				
1.7 Other	781 825	87 407	77 407	60 832	600 296	66 509	60 232	47 664				



## 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	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