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



**Statistical release P0041**

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### TOTAL NUMBER OF DEBT CASES INCREASES

The total number of civil summonses for debt issued during the second quarter of 1997 increased by 21,7% (from 331 177 to 402 981) after seasonal adjustment compared with the first quarter and was 26,7% higher than for the second quarter of 1996. The total number of civil judgements for debt increased by 9,8% (from 163 227 to 179 270) after seasonal adjustment compared with the first quarter of 1997.

The increase of 21,7% in civil summonses for debt can mainly be attributed to a sharp increase in civil summonses issued in respect of non-professional services (+96,3%), followed by money lent (+10,1%). Out of a total of 122 390 civil summonses for debt issued during June 1997, 27,4% was for civil summonses relating to non-professional services, while 16,1% was for civil summonses in respect of goods sold on an open account and 14,8% was for money lent.

The total number of civil judgements for debt during June 1997 was 59 205, which involved R522,0 million. The largest portion was in respect of money lent (R274,2 million), followed by non-professional services (R53,9 million) and promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt (R43,4 million).

| Period                              | Number             |                           | Percentage change  |                           |
|-------------------------------------|--------------------|---------------------------|--------------------|---------------------------|
|                                     | Summonses for debt | Civil judgements for debt | Summonses for debt | Civil judgements for debt |
| <b>Actual figures:</b>              |                    |                           |                    |                           |
| Apr. 1997 - Jun. 1997               | 406 578            | 183 475                   | +26,7              | +22,9                     |
| Apr. 1996 - Jun. 1996               | 320 788            | 149 314                   |                    |                           |
| <b>Seasonally adjusted figures:</b> |                    |                           |                    |                           |
| Apr. 1997 - Jun. 1997               | 402 981            | 179 270                   | +21,7              | +9,8                      |
| Jan. 1997 - Mar. 1997               | 331 177            | 163 227                   |                    |                           |

  
 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.

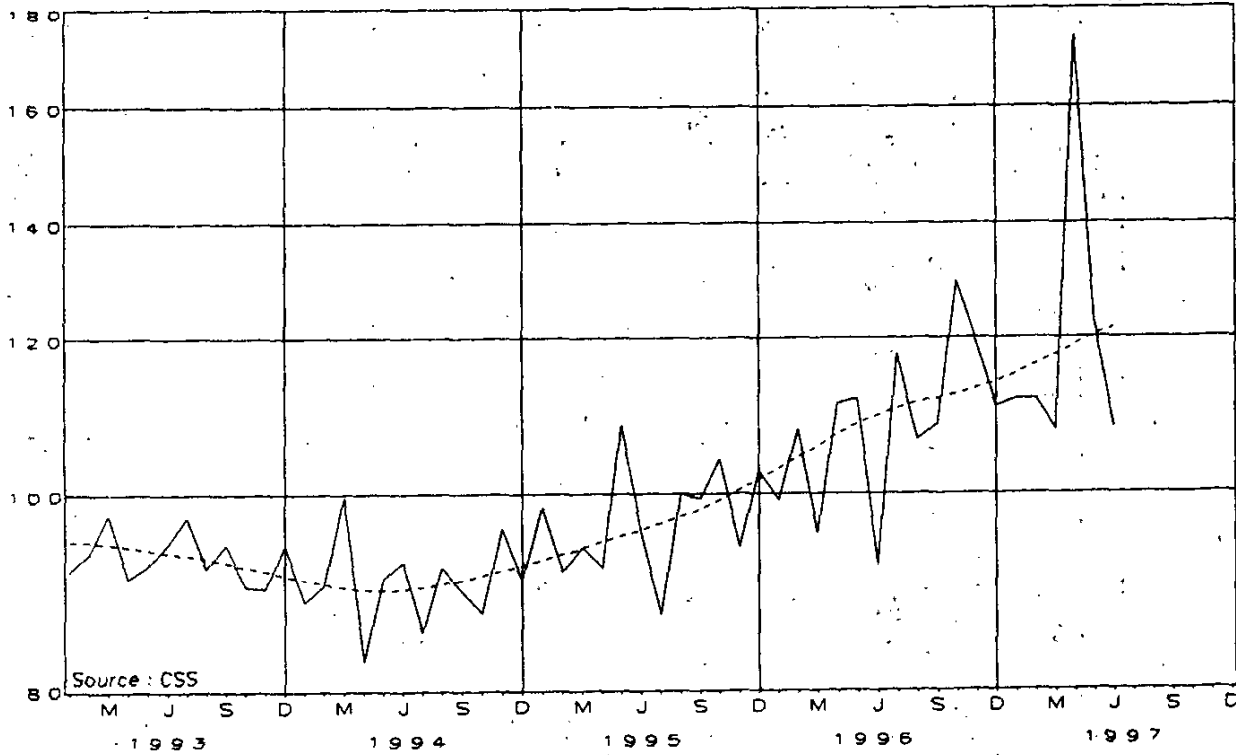
**COMPARABILITY**

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.

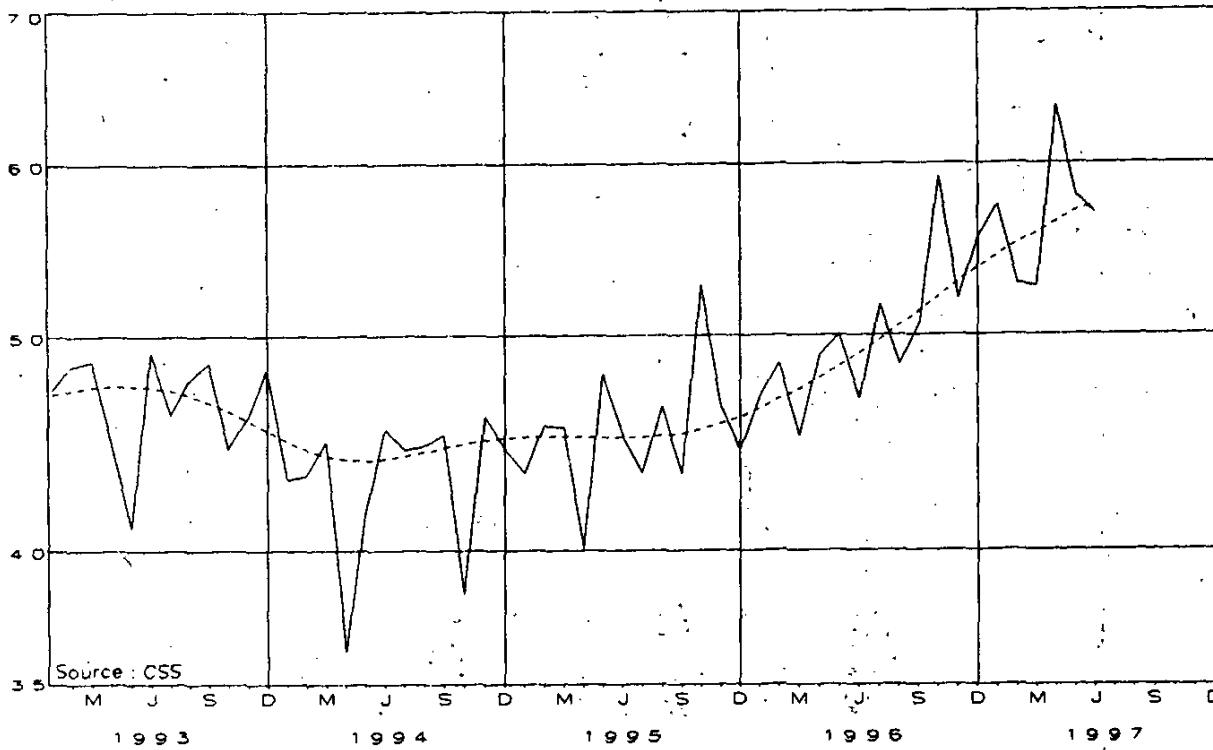
### CIVIL SUMMONSES ISSUED - NUMBER Thousand



Scale Semi-Logarithmic

Seasonally adjusted ———  
Trend cycle - - - -

### CIVIL JUDGEMENTS FOR DEBT - NUMBER Thousand



Scale Semi-Logarithmic

Seasonally adjusted ———  
Trend cycle - - - -

P0041

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

| Item   | Business enterprises and private persons |         |         |         |           |         | Private persons |        |      |      |      |      |
|--|--|---------|---------|---------|-----------|---------|-----------------|--------|------|------|------|------|
|  | 1996                                     | 1997    | 1997    | 1996    | 1996      | 1996    | 1997            | 1997   | 1997 | 1997 | 1997 | 1996 |
|  | Jun.                                     | May     | Jun.    | Jun.    | May       | Jun.    | Jun.            | May    | Jun. | May  | Jun. | Jun. |
|  | Number                                   |         |         |         |           |         |                 |        |      |      |      |      |
| 1. Cases recorded  | 1 349 268                                | 129 452 | 135 367 | 106 466 | 1 218 104 | 113 999 | 122 561         | 96 264 |      |      |      |      |
| 1.1 Actual figures   |  | 114 016 | 128 404 | 93 743  |           | 106 382 | 114 684         | 89 335 |      |      |      |      |
| 1.2 Seasonally adjusted  |  |         |         |         |           |         |                 |        |      |      |      |      |
| 2. Civil summonses for debt  | 1 309 573                                | 122 390 | 128 871 | 104 237 | 1 186 256 | 109 104 | 117 007         | 94 626 |      |      |      |      |
| 2.1 Total  |  | 108 029 | 122 565 | 91 887  |           | 100 825 | 110 074         | 86 972 |      |      |      |      |
| 2.1.1 Actual figures   | 270 368                                  | 19 729  | 21 107  | 21 640  | 237 863   | 16 840  | 18 179          | 19 201 |      |      |      |      |
| 2.1.2 Seasonally adjusted  | 28 301                                   | 3 526   | 3 323   | 2 266   | 24 869    | 3 249   | 3 001           | 2 052  |      |      |      |      |
| 2.2 Goods sold   |  |         |         |         |           |         |                 |        |      |      |      |      |
| 2.2.1 Open account   | 193 440                                  | 16 610  | 15 871  | 14 405  | 183 669   | 15 950  | 15 017          | 13 827 |      |      |      |      |
| 2.2.2 Instalment sale transactions   | 340 067                                  | 33 498  | 40 628  | 28 282  | 311 831   | 29 723  | 37 853          | 26 354 |      |      |      |      |
| 2.3 Services   |  |         |         |         |           |         |                 |        |      |      |      |      |
| 2.3.1 Professional   | 68 844                                   | 7 475   | 6 284   | 5 902   | 53 657    | 4 723   | 4 497           | 4 390  |      |      |      |      |
| 2.3.2 Other  | 160 560                                  | 18 063  | 17 331  | 11 654  | 152 874   | 17 096  | 16 553          | 11 155 |      |      |      |      |
| 2.4 Rent   | 94 053                                   | 7 043   | 9 188   | 6 790   | 84 317    | 6 359   | 8 296           | 5 867  |      |      |      |      |
| 2.5 Money lent   |  |         |         |         |           |         |                 |        |      |      |      |      |
| 2.6 Promissory notes, bills, R/D, cheques, credit cards and other acknowledgements of debt |  |         |         |         |           |         |                 |        |      |      |      |      |
| 2.7 Other  | 153 940                                  | 16 446  | 15 139  | 13 298  | 137 176   | 15 164  | 13 611          | 11 780 |      |      |      |      |

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     | 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     | 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     | 3 064            | 7 512  | 11 442       | 5 035     | 2 096     | 8 069    | 1 536                          | 1 907        |
| M 16 019      | 10 406         | 1 444          | 935         | 2 385     | 2 385            | 9 655  | 10 828       | 5 733     | 3 152     | 9 082    | 2 946                          | 2 155        |
| J 11 973      | 11 382         | 1 448          | 893         | 2 398     | 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     | 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     | 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     | 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     | 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     | 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     | 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     | 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     | 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     | 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     | 2 700            | 9 121  | 12 515       | 11 397    | 3 052     | 8 871    | 5 185                          | 1 240        |
| J 14 182      | 10 831         | 1 881          | 829         | 2 440     | 2 440            | 10 430 | 16 826       | 8 064     | 2 898     | 9 316    | 3 737                          | 2 630        |

TABLE 3 - CIVIL DEFAULT AND CONSENT JUDGEMENTS FOR DEBT

| Item  | Business enterprises and private persons |         |         |         |           |         | Private persons |         |        |        |        |  |
|---|--|---------|---------|---------|-----------|---------|-----------------|---------|--------|--------|--------|--|
|   | 1996                                     |         | 1997    |         | 1996      |         | 1997            |         | 1997   |        | 1996   |  |
|   | Jun.                                     | May     | Jun.    | May     | Jun.      | May     | Jun.            | May     | Jun.   | May    | Jun.   |  |
| Judgements  | Number                                   |         |         |         |           |         |                 |         |        |        |        |  |
| 1.1 Total   | 603 846                                  | 59 205  | 62 120  | 48 961  | 561 217   | 54 893  | 58 069          | 45 843  | 52 878 | 53 977 | 43 796 |  |
| 1.1.1 Actual figures  | 134 645                                  | 11 309  | 11 727  | 11 029  | 122 534   | 10 319  | 10 589          | 10 041  |        |        |        |  |
| 1.1.2 Seasonally adjusted   | 9 052                                    | 892     | 1 241   | 705     | 8 271     | 789     | 1 185           | 645     |        |        |        |  |
| 1.2 Goods sold  | 93 755                                   | 6 883   | 8 286   | 7 299   | 90 846    | 6 649   | 7 996           | 7 127   |        |        |        |  |
| 1.2.1 Open account  | 118 921                                  | 12 229  | 12 548  | 9 108   | 110 981   | 11 330  | 11 728          | 8 527   |        |        |        |  |
| 1.2.2 Instalment sale transactions  | 29 958                                   | 2 991   | 2 306   | 2 841   | 24 070    | 2 142   | 1 928           | 2 505   |        |        |        |  |
| 1.3 Services  | 82 891                                   | 10 729  | 11 092  | 6 458   | 80 629    | 10 402  | 10 885          | 6 306   |        |        |        |  |
| 1.3.1 Professional  | 53 940                                   | 6 092   | 6 019   | 5 227   | 49 863    | 5 759   | 5 675           | 4 935   |        |        |        |  |
| 1.3.2 Other   | 80 684                                   | 8 080   | 8 901   | 6 294   | 74 023    | 7 503   | 8 083           | 5 757   |        |        |        |  |
| 1.4 Rent  | R1 000                                   |         |         |         |           |         |                 |         |        |        |        |  |
| 1.4.1 Money lent  | 3 829 184                                | 522 049 | 488 587 | 333 541 | 3 264 045 | 464 802 | 421 689         | 283 573 |        |        |        |  |
| 1.4.2 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements | 386 345                                  | 39 253  | 38 874  | 30 572  | 257 609   | 26 837  | 23 937          | 20 165  |        |        |        |  |
| 1.4.3 Other   | 142 454                                  | 16 037  | 19 887  | 9 967   | 128 064   | 13 938  | 18 170          | 9 399   |        |        |        |  |
| 1.5 Money lent  | 110 277                                  | 9 869   | 11 071  | 8 705   | 100 548   | 9 222   | 10 123          | 8 144   |        |        |        |  |
| 1.5.1 Professional  | 244 902                                  | 53 949  | 27 503  | 19 819  | 195 332   | 48 122  | 21 473          | 17 030  |        |        |        |  |
| 1.5.2 Other   | 170 205                                  | 14 975  | 14 760  | 22 448  | 124 007   | 11 510  | 11 016          | 18 161  |        |        |        |  |
| 1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements   | 1 583 121                                | 274 154 | 229 378 | 119 895 | 1 495 704 | 259 915 | 218 644         | 105 548 |        |        |        |  |
| 1.6.1 Money lent  | 410 055                                  | 43 250  | 43 481  | 44 944  | 362 485   | 39 625  | 38 708          | 41 692  |        |        |        |  |
| 1.6.2 Other   | 781 825                                  | 70 562  | 103 633 | 77 191  | 600 296   | 55 633  | 79 618          | 63 434  |        |        |        |  |



## 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

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