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



Statistical release P0041

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**Embargo: 09:30
Date: 24 August 1998**

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

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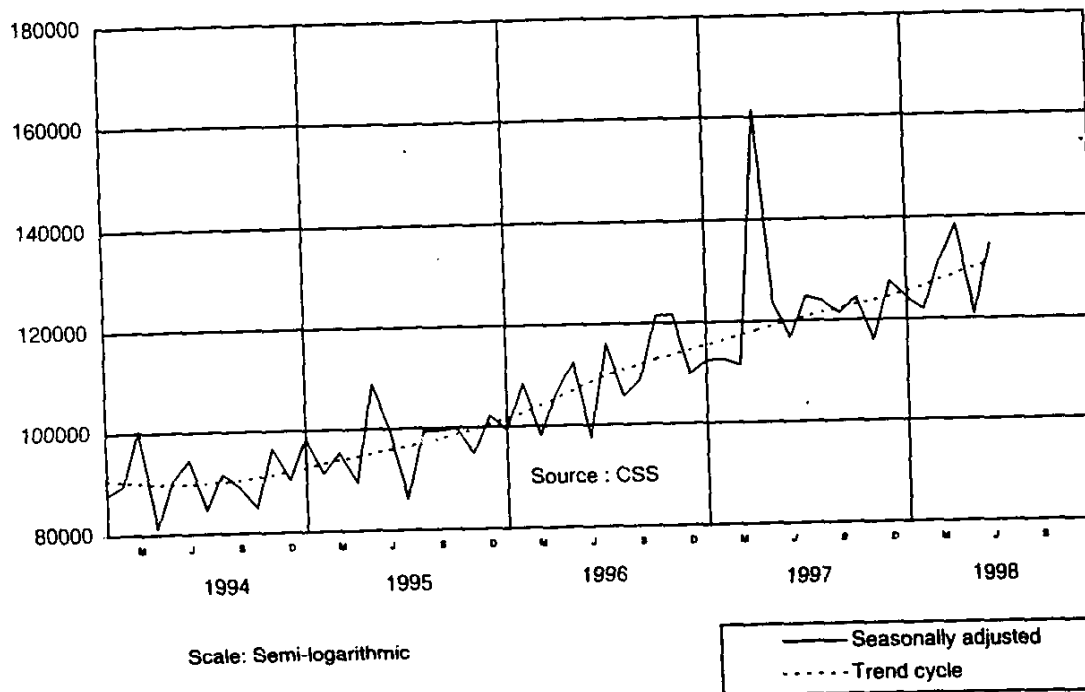
CIVIL SUMMONSES FOR DEBT CONTINUE TO INCREASE

The total number of civil summonses for debt continues to show an upward trend. The total number of civil summonses for debt recorded for the second quarter of 1998 increased by 4,3% after seasonal adjustment compared with the previous quarter, but was 1,5% lower than for the second quarter of 1997. Although the total number of civil judgements for debt decreased by 7,5% after seasonal adjustment compared with the previous quarter, the total number was 4,3% higher than for the same period of a year ago.

The increase of 4,3% in civil summonses for debt can mainly be attributed to more civil summonses issued in respect of "other services" (+37,0%) and money lent (+10,6%). During June 1998, 43 866 or 31,3% of the total summonses for debt issued were for civil summonses relating to "other services", while 24 227 or 17,3% were regarding money lent.

During June 1998, 66 064 civil judgements for debt were issued which involved R468,0 million. Civil judgements for debt relating to money lent and promissory notes, bills, R/D cheques, credit cards and other acknowledgments of debt contributed 38,6% and 8,3% respectively to the total amount involved.

CIVIL SUMMONSES ISSUED - NUMBER



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>

Period	Number		Percentage change	
	Summonses for debt	Civil judgements for debt	Summonses for debt	Civil judgements for debt
Actual figures:				
Apr. 1998 - Jun. 1998	401 333	191 639	-1,5	+4,3
Apr. 1997 - Jun. 1997	407 271	183 784		
Seasonally adjusted figures:				
Apr. 1998 - Jun. 1998	393 895	192 009	+4,3	-7,5
Jan. 1998 - Mar. 1998	377 554	207 595		

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.

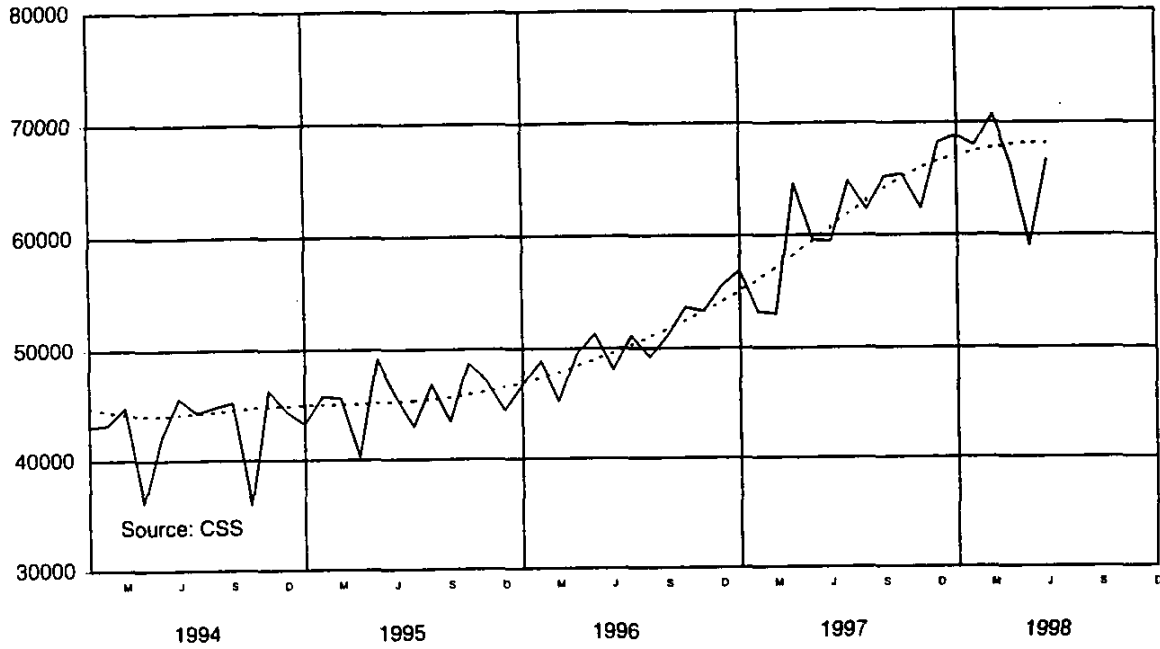
COMPARABILITY

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 JUDGEMENTS FOR DEBT- NUMBER



Scale: Semi-logarithmic



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	
	Jun.	May	Jun.	May	Jun.	May	Jun.	May	Jun.	May	Jun.	
Number												
1. Cases recorded	1 546 465	148 836	134 562	130 305	1 374 961	136 679	121 491	114 372				
1.1 Actual figures												
1.2 Seasonally adjusted	141 494	128 467	122 690			131 693	115 011	109 165				
2. Civil summonses for debt												
2.1 Total	1 476 165	140 211	126 196	123 083	1 316 611	129 218	114 299	109 557				
2.1.1 Actual figures												
2.1.2 Seasonally adjusted	134 602	120 794	116 822			124 259	108 214	104 262				
2.2 Goods sold	260 430	22 340	18 282	19 713	224 674	19 973	15 868	16 918				
2.2.1 Open account												
2.2.2 Instalment sale transactions	43 813	2 997	2 591	3 576	39 060	2 634	2 184	3 282				
2.3 Services												
2.3.1 Professional	193 793	14 414	15 339	16 263	181 433	13 569	14 315	15 505				
2.3.2 Other	418 095	43 866	37 389	33 731	381 452	40 722	34 039	29 902				
2.4 Rent	75 350	5 923	5 483	7 423	52 385	5 103	4 600	4 685				
2.5 Money lent	213 227	24 227	21 435	18 293	199 886	22 818	20 082	17 262				
2.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	97 731	9 089	8 826	7 301	85 039	8 308	7 950	6 586				
2.7 Other	173 726	17 355	16 851	16 783	152 682	16 091	15 261	15 417				

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	180 487	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
F	15 957	7 851	2 117	493	2 073	8 450	10 956	7 383	3 503	8 881	3 374	1 683
M	17 248	10 074	2 290	697	2 663	10 504	11 170	8 489	3 555	10 521	3 190	2 007
A	15 936	14 132	1 880	653	2 250	9 613	18 788	8 841	3 433	9 124	3 085	2 258
M	15 160	13 035	1 946	744	2 270	11 174	10 114	8 444	5 541	9 099	2 373	1 803
J	17 145	15 984	2 879	803	2 275	11 287	13 118	7 541	4 044	10 326	7 294	1 556

TABLE 3 - CIVIL DEFAULT AND CONSENT JUDGEMENTS FOR DEBT

Item	Business enterprises and private persons						Private persons					
	1997		1998		1997		1998		1997		1998	
	Jun.	May	Jun.	May	Jun.	May	Jun.	May	Jun.	May	Jun.	
	Number											
1. Judgements												
1.1 Total												
1.1.1 Actual figures	736 264	66 064	61 890	59 514	689 927	61 957	57 547	55 154				
1.1.2 Seasonally adjusted	66 719	59 032	59 475			62 492	54 433	55 070				
1.2 Goods sold												
1.2.1 Open account	135 496	11 936	10 427	11 202	123 279	10 894	9 468	10 190				
1.2.2 Instalment sale transactions	11 636	1 043	1 053	895	10 633	958	971	791				
1.3 Services												
1.3.1 Professional	92 399	9 217	7 586	6 988	89 600	8 887	7 394	6 750				
1.3.2 Other	163 725	11 295	12 702	12 307	154 323	10 275	11 319	11 399				
1.4 Rent	30 302	2 861	3 144	3 010	23 795	2 290	2 509	2 159				
1.5 Money lent	135 704	14 772	13 460	10 815	132 805	14 543	13 223	10 483				
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	65 918	4 985	4 179	6 055	61 897	4 649	3 845	5 722				
1.7 Other	101 084	9 955	9 339	8 242	93 595	9 461	8 818	7 660				
R1 000												
1. Judgements												
1.1 Total	5 295 876	461 373	460 856	530 977	4 543 651	393 785	392 979	470 450				
1.2 Goods sold												
1.2.1 Open account	462 462	53 485	44 427	39 389	301 544	39 330	32 002	26 495				
1.2.2 Instalment sale transactions	254 877	22 660	24 839	16 248	219 404	18 911	19 957	14 102				
1.3 Services												
1.3.1 Professional	130 017	13 452	13 764	9 875	116 976	12 536	13 248	9 223				
1.3.2 Other	388 655	33 843	44 134	54 026	318 375	29 018	38 415	48 172				
1.4 Rent	192 252	15 949	23 883	15 108	142 025	12 347	20 507	11 646				
1.5 Money lent	2 325 543	180 745	178 329	275 869	2 185 360	166 791	161 929	261 161				
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	528 046	38 775	40 935	43 055	466 173	34 062	33 687	39 419				
1.7 Other	1 014 024	102 464	90 545	77 407	793 794	80 790	73 234	60 232				

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