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REPUBLIC OF SOUTH AFRICA



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

Statistical release P0041

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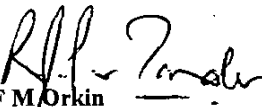
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LESS DEBT CASES IN THE FIRST QUARTER OF 1997

The total number of civil summonses for debt recorded during the first quarter of 1997 decreased by 8,2% (from 351 144 to 319 150) after seasonal adjustment compared with the fourth quarter of 1996. Furthermore, the total number of civil judgements for debt decreased by 1,3% (from 160 068 to 154 833) after seasonal adjustment during the same period.

The decrease of 8,2% in the total number of civil summonses for debt can be attributed to less summonses issued in respect of goods sold on open account (-4,0%) and non-professional services (-35,3%). In contrast to this, increases occurred in respect of summonses relating to instalment sale transactions (+34,5%), money lent (+14,3%) and non-professional services (+5,8%).

The total number of civil judgements for debt issued during March 1997 was 53 650 and the total amount involved was R342,2 million. Of this, R157,2 million or 46,0% was for civil judgements relating to money lent, while R37,4 million or 10,9% was for civil judgements in respect of promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt.

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: 310-8500
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:				
Jan. 1997 - Mar. 1997	319 150	154 833	+9.0	+15.5
Jan. 1996 - Mar. 1996	292 874	134 005		
Seasonally adjusted figures:				
Jan. 1997 - Mar. 1997	327 890	162 280	-8.2	-1.3
Oct. 1996 - Dec. 1996	357 331	164 433		

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.

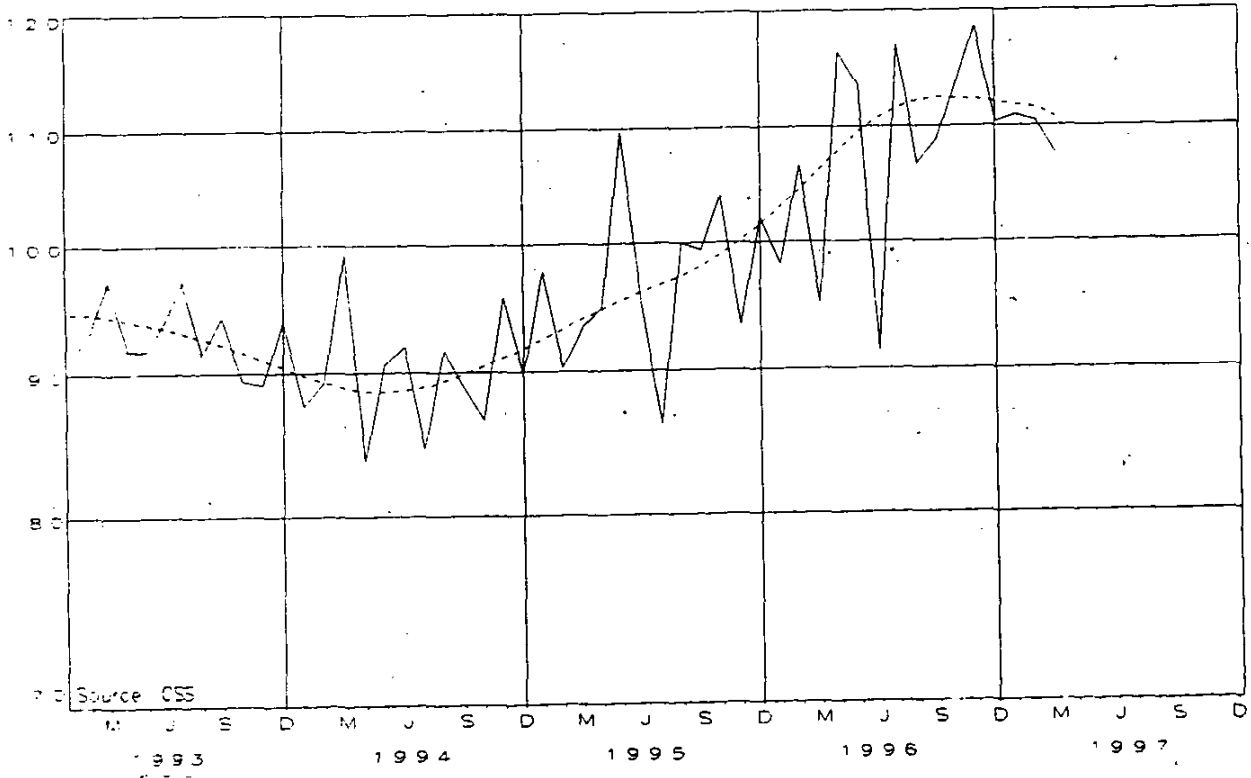
COMPARABILITY

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.

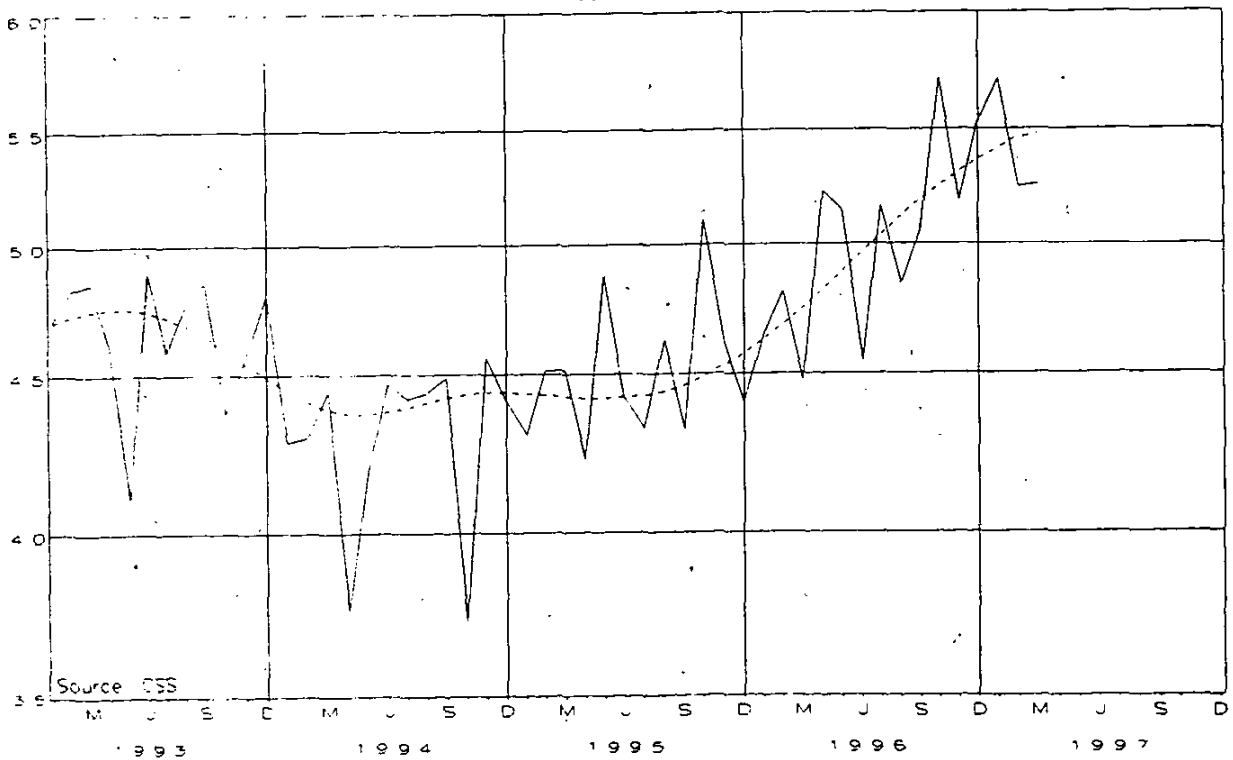
CIVIL SUMMONSES ISSUED - NUMBER Thousands



Scale: Semi-Logarithmic

Seasonally adjusted _____
Trend cycle - - - - -

CIVIL JUDGEMENTS FOR DEBT - NUMBER Thousands



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						Private persons					
	1996		1997		1996		1997		1996		1997	
	Mar.	Feb.	Mar.	Feb.	Mar.	Feb.	Mar.	Feb.	Mar.	Feb.	Mar.	
	Number											
1. Cases recorded	1 349	268	118 958	113 270	105 216	1 218	104	105 231	102 680	94	113	
1.1 Actual figures			111 143	112 609	97 398			100 161	101 661	88	862	
1.2 Seasonally adjusted												
2. Civil summonses for debt	1 309	573	113 988	109 594	102 069	1 186	256	101 083	99 547	91	330	
2.1 Total			107 182	110 125	95 049			96 336	99 712	86	244	
2.1.1 Actual figures												
2.1.2 Seasonally adjusted												
2.2 Goods sold	270	368	24 057	22 541	22 151	237	863	20 529	19 772	19	386	
2.2.1 Open account			4 000	3 837	2 467			3 190	3 486	2	096	
2.2.2 Instalment sale transactions												
2.3 Services	193	440	17 197	16 164	17 383	183	669	15 886	15 220	16	520	
2.3.1 Professional			25 346	24 246	22 178			22 396	22 105	19	547	
2.3.2 Other												
2.4 Rent	68	844	5 735	4 962	5 472	53	657	4 480	4 020	4	123	
2.5 Money lent	160	560	16 820	15 371	12 814	152	874	16 004	15 414	12	210	
2.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt.	94	053	8 953	8 174	7 943	84	317	8 177	7 509	7	160	
2.7 Other	153	940	11 880	13 299	11 661	137	176	10 421	12 021	10	288	

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 - JI	13 286	1 298	1 605	697	2 376	5 758	9 212	6 073	2 293	7 783	1 195	1 852
FI	18 773	2 009	1 794	729	2 754	6 709	10 759	7 709	2 510	9 702	2 051	1 910
MI	15 367	1 710	1 685	861	2 735	6 547	14 043	7 224	2 423	8 631	2 066	2 116
AI	13 498	9 747	1 103	484	3 064	7 512	11 442	5 035	2 096	8 069	1 536	1 907
MI	16 019	10 406	1 444	935	2 855	9 655	10 828	5 733	3 152	9 082	2 946	2 155
JJ	11 973	11 382	1 448	893	2 398	6 590	10 825	6 510	2 309	7 799	2 224	2 093
JJ	15 822	15 841	1 648	859	3 180	6 268	12 200	8 752	3 001	10 581	2 321	2 750
AI	13 984	8 300	1 831	471	2 664	6 813	14 818	5 354	2 638	9 232	2 436	2 203
SI	13 712	10 134	1 925	741	2 210	5 578	12 796	6 227	2 623	8 290	1 964	2 073
OI	13 526	11 777	1 707	610	2 339	6 913	15 414	10 686	3 208	10 926	1 903	2 523
NI	14 029	21 517	1 349	717	2 304	7 494	12 697	9 855	3 206	10 250	2 153	2 167
DI	10 535	6 031	984	720	2 468	4 632	6 345	5 519	1 850	6 811	1 261	1 277
1997 - JI	13 055	5 329	1 510	714	2 341	5 205	7 547	5 830	2 723	8 084	1 921	1 237
FI	13 515	9 050	1 403	649	2 760	6 369	10 279	6 224	3 173	9 206	2 278	1 401
MI	13 504	9 082	1 506	706	2 763	9 675	12 361	6 596	2 963	9 659	1 840	1 137

TABLE 3 - CIVIL DEFAULT AND CONSENT JUDGEMENTS FOR DEBT

Item	Business enterprises and private persons						Private persons					
	1996		1997		1996		1997		1996		1997	
	Mar.	Feb.	Mar.	Feb.	Mar.	Feb.	Mar.	Feb.	Mar.	Feb.	Mar.	
	Number											
1. Judgements												
1.1 Total	603 846	53 650	51 320	46 246	561 217	50 438	48 119	42 783				
1.1.1 Actual figures	52 583		52 475	44 896		49 405	49 035	41 521				
1.1.1.2 Seasonally adjusted												
1.2 Goods sold	134 645	10 764	9 774	10 579	122 534	9 870	8 945	9 654				
1.2.1 Open account	9 052	723	942	586	8 271	662	872	538				
1.2.2 Instalment sale transactions												
1.3 Services	93 755	8 062	7 389	7 723	90 846	7 818	7 216	7 514				
1.3.1 Professional	118 921	9 965	9 256	9 135	110 981	9 322	8 631	8 556				
1.3.2 Other												
1.4 Rent	29 958	1 994	2 332	2 529	24 070	1 694	1 801	2 001				
1.5 Money lent	82 891	10 193	8 939	5 719	80 629	10 024	8 762	5 542				
1.5.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	53 940	5 087	5 463	3 621	49 863	4 712	5 093	3 272				
1.7 Other	80 684	6 862	7 225	6 354	74 023	6 336	6 799	5 706				
	R1 000											
1. Judgements												
1.1 Total	3 829 184	342 164	382 946	266 382	3 264 045	292 962	331 455	224 838				
1.2 Goods sold	386 345	35 360	30 329	28 730	257 609	23 032	20 361	18 312				
1.2.1 Open account	142 454	15 453	27 555	9 755	128 064	12 598	20 960	9 081				
1.2.2 Instalment sale transactions												
1.3 Services	110 277	8 500	8 756	8 186	100 548	7 860	7 757	7 431				
1.3.1 Professional	244 902	23 162	24 434	16 833	195 332	18 742	18 081	13 092				
1.3.2 Other												
1.4 Rent	170 205	11 799	12 621	12 982	124 007	8 800	9 379	10 185				
1.5 Money lent	1 583 121	157 194	171 318	111 712	1 495 704	149 084	162 188	105 602				
1.5.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	410 055	37 352	42 117	27 738	362 485	33 992	37 561	23 959				
1.7 Other	781 825	53 344	65 816	50 446	600 296	38 854	55 168	37 176				

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