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



Statistical release P0041

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CIVIL DEBT CASES INCREASE

The total number of civil summonses for debt recorded for the first quarter of 1998 increased by 11,5% compared with the first quarter of 1997 and was 2,1% higher, after seasonal adjustment, than the last quarter of 1997. The total number of civil judgements for debt increased by 27,4% compared with the corresponding period of a year ago, and was 6,9% higher, after seasonal adjustment, compared with the fourth quarter of 1997.

The increase of 11,5% in civil summonses for debt can mainly be attributed to more civil summonses issued regarding "other services" (+36,2%) and money lent (+22,1%). During March 1998, 33 584 or 25,3% of the total civil summonses for debt issued were for civil summonses relating to "other services", while 21 033 or 15,8% were regarding money lent.

During March 1998, 70 932 civil judgements for debt were issued, and the total amount involved was R505,2 million. The major contributor was civil judgements for debt relating to money lent (R183,3 million), followed by promissory notes, bills, R/D cheques, credit cards and other acknowledgments of debt (R70,9million) and "other services" (R40,9 million).

Period	Number		Percentage change	
	Summonses for debt	Civil judgements for debt	Summonses for debt	Civil judgements for debt
Actual figures:				
Jan. 1998 - Mar. 1998	355 988	197 205	+11,5	+27,4
Jan. 1997 - Mar. 1997	319 150	154 833		
Seasonally adjusted figures:				
Jan. 1998 - Mar. 1998	375 300	209 984	+2,1	+6,9
Oct. 1997 - Dec. 1997	367 553	196 462		

pp *Antyburgh*
 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

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, ejectment 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 DEBT CASES INCREASE

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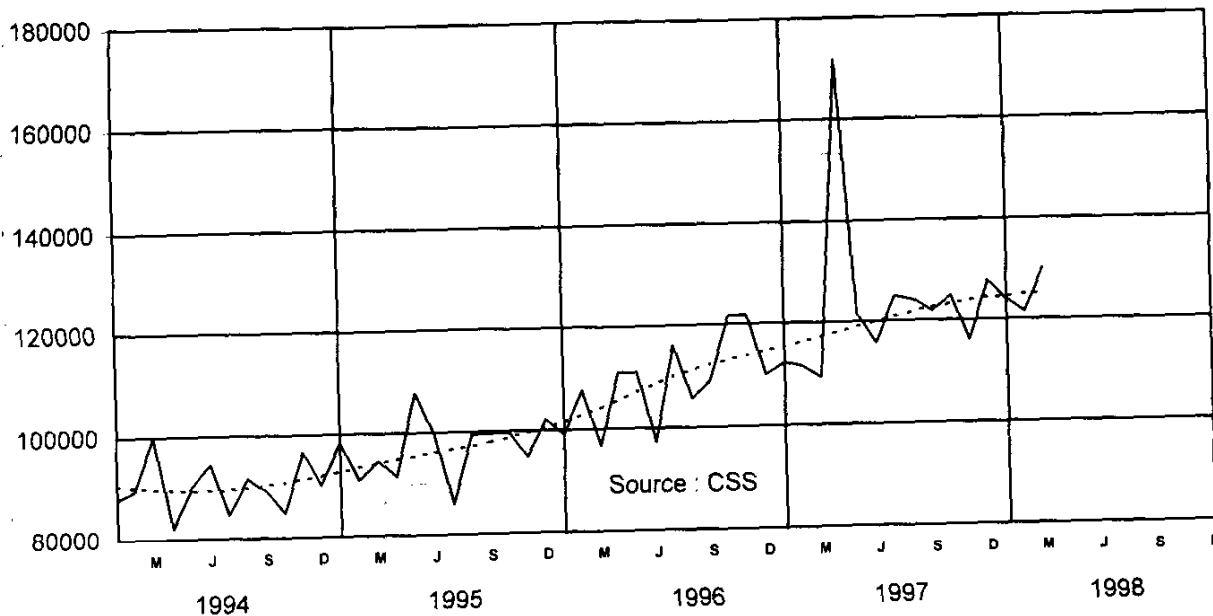
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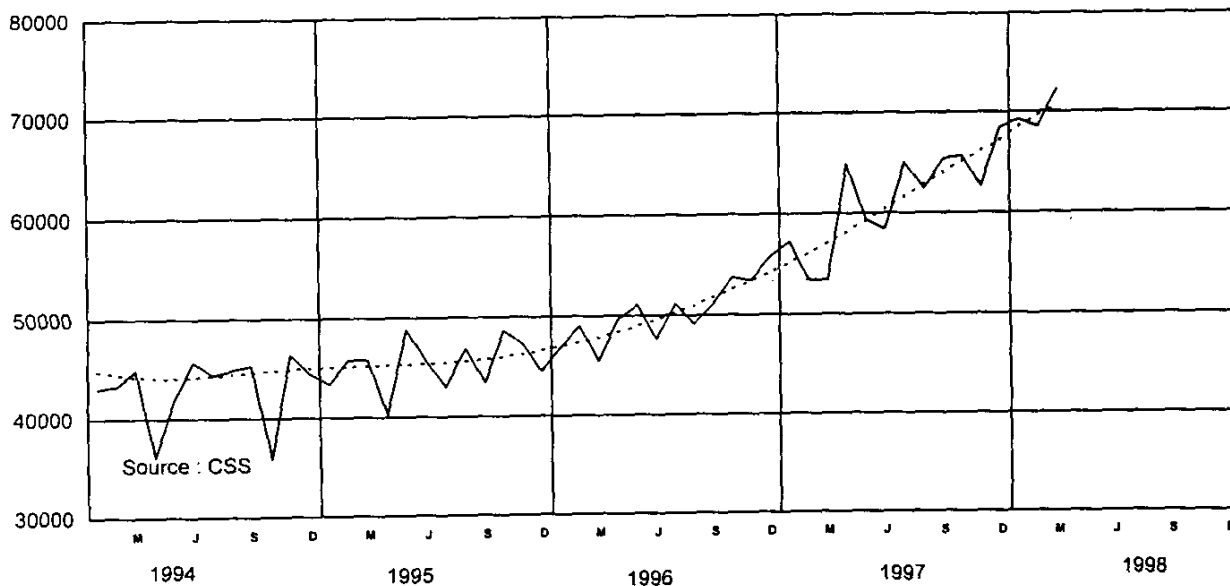
CIVIL SUMMONSES ISSUED - NUMBER



Scale : Semi-logarithmic

— Seasonally adjusted
- - - Trend cycle

CIVIL JUDGEMENTS FOR DEBT - NUMBER



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		
	1997		1998		1999		1997		
	Mar.	Feb.	Mar.	Feb.	Mar.	Feb.	Mar.	Feb.	Mar.
	Number								
1. Cases recorded	1 546 465	142 674	122 850	118 958	1 374 961	130 378	109 714	105 231	
1.1 Actual figures	138 800	126 250	114 730		122 208	111 932	98 263		
1.2 Seasonally adjusted									
2. Civil summonses for debt	1 476 165	132 774	118 210	113 988	1 316 611	121 873	106 089	101 083	
2.1 Total	129 976	121 449	110 454		115 202	108 338	95 102		
2.1.1 Actual figures									
2.1.2 Seasonally adjusted									
2.2 Goods sold	260 430	19 960	24 057	24 057	224 674	21 471	17 694	20 529	
2.2.1 Open account	43 813	3 110	2 872	4 000	39 060	2 741	2 370	3 190	
2.2.2 Instalment sale transactions									
2.3 Services	193 793	16 095	14 163	17 197	181 433	15 274	13 043	15 886	
2.3.1 Professional	418 095	33 584	30 836	25 346	381 452	30 512	28 132	22 396	
2.3.2 Other									
2.4 Rent	75 350	5 656	4 900	5 735	52 385	4 856	3 960	4 480	
2.5 Money lent	213 227	21 033	20 023	16 820	199 886	20 239	18 685	16 004	
2.6 R/D cheques, credit cards and other acknowledgements of debt	97 731	9 509	9 760	8 953	85 039	8 645	7 852	8 177	
2.7 Other	173 726	19 751	15 696	11 880	152 682	18 135	14 353	10 421	

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	25 036
1997	180 497	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	1 532
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

TABLE 3 - CIVIL DEFAULT AND CONSENT JUDGEMENTS FOR DEBT

Item	Business enterprises and private persons						Private persons									
	1997		1998		1997		1997		1998		1997					
	Mar.	Feb.	Mar.	Feb.	Mar.	Feb.	Mar.	Feb.	Mar.	Feb.	Mar.					
	Number															
1. Judgements																
1.1 Total	736 264	70 932	65 545	53 650	689 927	65 589	61 722	50 438	135 496	11 029	10 780	10 764	123 279	9 889	9 757	9 870
1.1.1 Actual figures	72 194	2 344	1 081	54 021	67 057	64 299	51 011	11 636	2 344	1 081	723	10 633	2 223	965	662	
1.1.2 Seasonally adjusted																
1.2 Goods sold																
1.2.1 Open account	92 399	8 465	7 144	8 062	89 600	8 289	6 948	7 818	163 725	14 737	15 119	9 965	154 323	13 008	14 017	9 322
1.2.2 Instalment sale transactions	30 302	2 542	2 047	1 994	23 795	2 142	1 669	1 694	135 704	14 139	14 174	10 193	132 805	13 839	13 972	10 024
1.3 Services	65 918	6 406	5 328	5 087	61 897	5 543	5 034	4 712								
1.3.1 Professional																
1.3.2 Other																
1.4 Rent																
1.5 Money lent																
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt																
1.7 Other	101 084	11 270	9 892	6 862	93 595	10 656	9 360	6 336								
	R1 000															
1. Judgements																
1.1 Total	5 295 876	505 247	475 577	342 164	4 543 651	429 706	413 242	292 962	462 462	47 322	43 533	35 360	301 544	31 002	30 733	23 032
1.2 Goods sold	254 877	28 562	24 039	15 453	219 404	25 747	20 626	12 598	130 017	15 522	11 273	8 500	116 976	14 677	10 316	7 860
1.2.1 Open account	388 655	40 912	48 855	23 162	318 375	33 988	42 028	18 742	2 325 543	183 338	178 321	157 194	2 185 360	168 186	162 376	149 084
1.2.2 Instalment sale transactions	528 046	70 889	43 558	37 352	466 173	65 088	36 878	33 992								
1.3 Services																
1.3.1 Professional																
1.3.2 Other																
1.4 Rent																
1.5 Money lent																
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt																
1.7 Other	1 014 024	100 062	106 595	53 344	793 794	77 642	94 328	38 854								

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