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REPUBLIC OF SOUTH AFRICA

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



**Statistical release P0041**

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## MORE CIVIL DEBT CASES

*The total number of civil summonses for debt during the three months up to May 1997 increased by 19,6% after seasonal adjustment compared with the previous three months. The total number of civil judgements for debt increased by 5,6% after seasonal adjustment during the same period.*

The increase of 19,6% in civil summonses for debt can mainly be attributed to a sharp increase in civil summonses for debt issued regarding non-professional services (+94,3%), followed by goods sold on open account (+21,1%) and money lent (+20,6%). The increase in civil summonses relating to non-professional services can be attributed to an increase in civil summonses regarding services provided by local authorities.

During the month May 1997, 128 871 civil summonses for debt were issued. Of this, 31,5% were civil summonses relating to non-professional services while 16,4% related to goods sold on open account.

The total number of civil judgements for debt issued during May 1997 was 62120, which involved R488,6 million. Of this amount, R229,4 million was for civil judgements in respect of money lent while R43,5 million was for civil judgements in respect of promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt.

Period	Number		Percentage change	
	Summonses for debt	Civil judgements for debt	Summonses for debt	Civil judgements for debt
<b>Actual figures:</b>				
Mar. 1997 - May 1997	398 176	177 920	+25,0	+21,4
Mar. 1996 - May 1996	318 620	146 599		
<b>Seasonally adjusted figures:</b>				
Mar. 1997 - May 1997	400 742	175 701	+19,6	+5,6
Dec. 1996 - Feb. 1997	335 014	166 361		

  
 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.

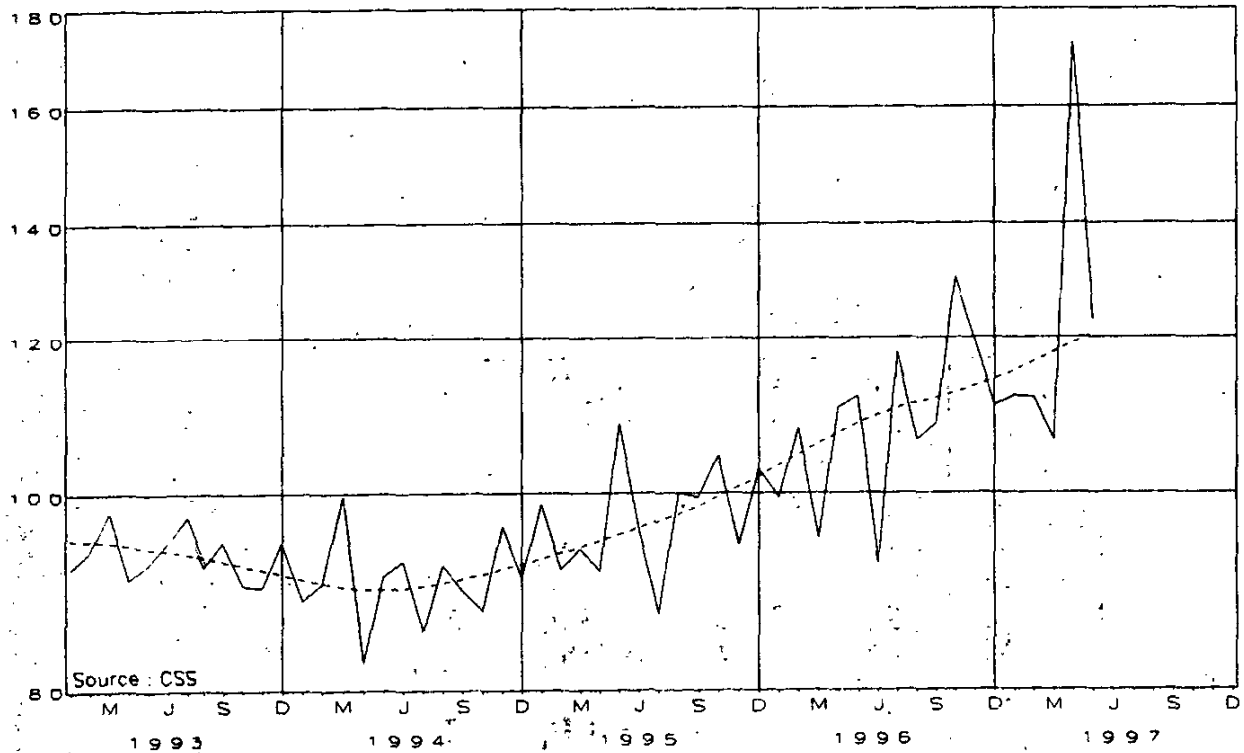
**COMPARABILITY**

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.

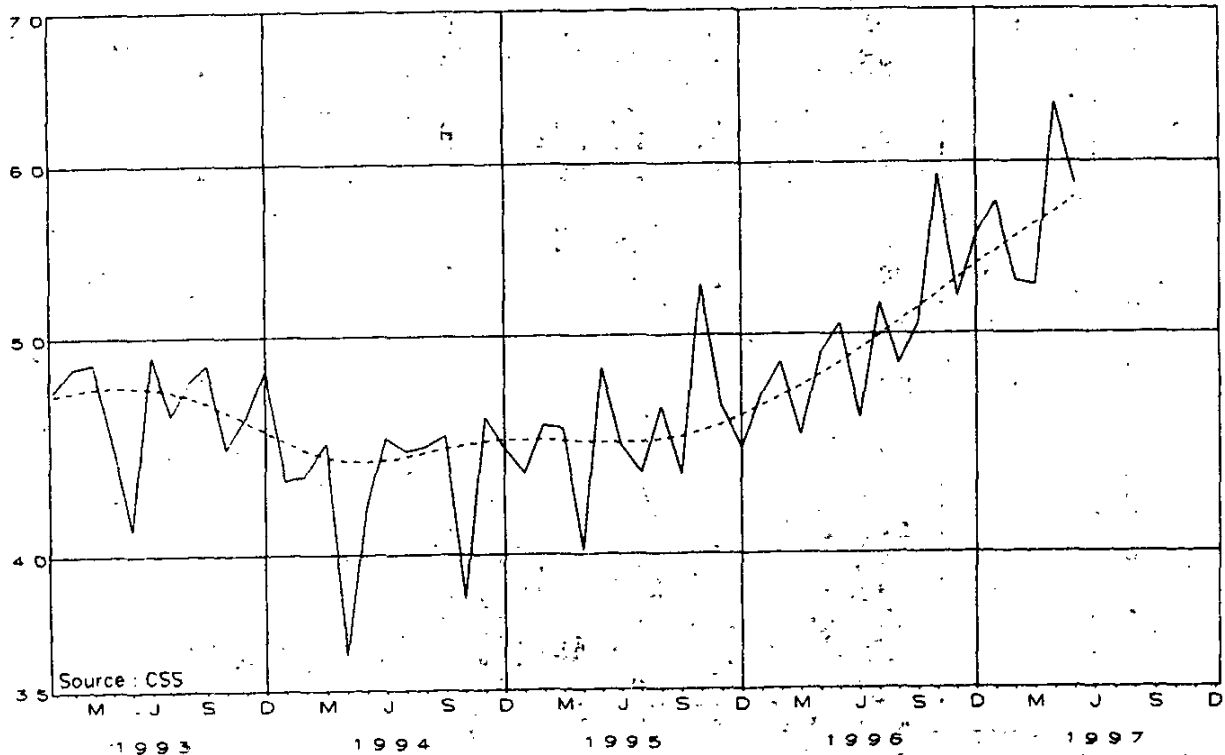
### CIVIL SUMMONSES ISSUED - NUMBER Thousand



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						Private persons					
	1996		1997		1996		1997		1996		1997	
	May	Apr.	May	Apr.	May	Apr.	May	Apr.	May	Apr.	May	
1. Cases recorded	1 349 268	135 367	161 489	119 782	1 218 104	122 561	145 640	108 203	115 500	160 554	102 643	
1.1 Actual figures												
1.2 Seasonally adjusted	127 923	178 452	113 997									
2. Civil summonses for debt	1 309 573	128 871	155 317	116 853	1 186 256	117 007	140 961	105 736	110 969	155 195	300 905	
2.1 Total												
2.1.1 Actual figures												
2.1.2 Seasonally adjusted	270 568	21 107	24 391	24 591	237 863	18 179	20 925	21 760	3 001	3 860	1 944	
2.2 Goods sold	28 301	3 323	4 672	2 118	24 869	3 001	3 860	1 944				
2.2.1 Open account												
2.2.2 Instalment sale transactions												
2.3 Services	193 440	15 871	17 946	19 375	183 669	15 017	16 494	18 600				
2.3.1 Professional	340 067	40 628	61 639	29 653	311 831	37 853	58 001	27 136				
2.3.2 Other												
2.4 Rent	68 844	6 284	5 886	6 910	53 657	4 497	4 250	5 581				
2.5 Money lent	160 560	17 331	18 068	11 716	152 874	16 553	16 979	11 187				
2.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	94 053	9 188	8 287	7 784	84 317	8 296	7 529	6 926				
2.7 Other	153 940	15 139	14 428	14 706	137 176	13 611	12 923	12 602				

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		Verreiging-Vanderbijlpark	Bloemfontein
								East Rand	West Rand	East Rand	West Rand		
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	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	13 994	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	1 281	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	

TABLE 3 - CIVIL DEFAULT AND CONSENT JUDGEMENTS FOR DEBT

Item	Business enterprises and private persons						Private persons					
	1997		1996		1996		1997		1997		1996	
	May	Apr.	May	Apr.	May	Apr.	May	Apr.	May	Apr.	May	
	Number											
1. Judgements												
1.1 Total												
1.1.1 Actual figures	603 846	62 120	62 150	53 035	561 217	58 069	58 127	49 359				
1.1.2 Seasonally adjusted	58 815	64 119	50 623			54 172	60 592	46 449				
1.2 Goods sold	134 645	11 727	12 185	11 243	122 534	10 589	11 149	10 165				
1.2.1 Open account	9 052	1 241	923	837	8 271	1 185	848	757				
1.2.2 Instalment sale transactions												
1.3 Services	93 755	8 286	8 048	8 841	90 846	7 996	7 775	8 562				
1.3.1 Professional	118 921	12 548	13 418	11 870	110 981	11 728	12 670	11 167				
1.3.2 Other												
1.4 Rent	29 988	2 306	3 184	2 301	24 070	1 928	2 531	1 867				
1.5 Money lent	82 891	11 092	10 647	6 688	80 629	10 885	10 433	6 502				
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	53 940	6 019	5 989	4 440	49 863	5 675	5 661	4 063				
1.7 Other	80 684	8 901	7 756	6 815	74 023	8 083	7 060	6 276				
	R1 000											
1. Judgements												
1.1 Total	3 829 184	488 587	428 185	310 690	3 264 045	421 689	363 923	261 285				
1.2 Goods sold	386 345	38 874	38 465	34 307	257 609	23 937	24 626	21 041				
1.2.1 Open account	142 454	19 887	26 359	9 711	128 064	18 170	24 134	8 929				
1.2.2 Instalment sale transactions												
1.3 Services	110 277	11 071	11 292	10 606	100 548	10 123	10 276	9 791				
1.3.1 Professional	244 902	27 503	24 500	19 593	195 332	21 473	18 514	15 466				
1.3.2 Other												
1.4 Rent	170 205	14 760	19 579	11 238	124 007	11 016	14 838	8 319				
1.5 Money lent	1 583 121	229 378	177 254	125 068	1 495 704	218 644	168 746	119 353				
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	410 055	43 481	53 005	27 699	362 485	38 708	45 307	23 619				
1.7 Other	781 825	103 633	77 731	72 468	600 296	79 618	57 482	54 767				



## 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