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Statistieke van siviele sake vir skuld

November 1993

Statistics of civil cases for debt

November 1993

Statistiese vrystelling
Statistical release

P0041

Om 'n suksesvolle statistiese stelsel in die RSA te bedryf, is die samewerking tussen die Sentrale Statistiekdiens en die inwoners van die RSA, die private sektor en die owerheidsinstellings onontbeerlik. Sonder hierdie volgehoue samewerking en welwillendheid sal die tydige beskikbaarstelling van relevante en betroubare amptelike statistieke nie moontlik wees nie.

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SIVIELE DAGVAARDINGS NEEM AF

Volgens die jongste beskikbare inligting is 98 028 siviele dagvaardings vir skuld gedurende November 1993 uitgereik - 'n afname van 5,5% vergeleke met November 1992. Die grootste afname (-17,8%) gedurende hierdie tydperk is aangeteken by siviele dagvaardings ten opsigte van goedere verkoop op 'n ope rekening - 5 434 minder dagvaardings is uitgereik.

Alhoewel die getal siviele vonnisse vir skuld met 2,5% gedurende voornoemde tydperk toegeneem het, het die bedrae betrokke met 3,9% afgeneem. Die grootste afname (-R23,9 miljoen) is aangeteken by siviele vonnisse waarby geld geleen betrokke is.

CIVIL SUMMONSES DECREASE

According to the latest available information 98 028 civil summonses for debt were issued during November 1993 - a decrease of 5,5% compared with November 1992. The largest decrease (-17,8%) during this period was recorded for civil summonses in respect of goods sold on an open account - 5 434 less summonses were issued.

Although the number of civil judgements for debt increased by 2,5% during the aforementioned period, the amounts involved decreased by 3,9%. The largest decrease (-R23,9 million) was recorded in respect of civil judgements where money borrowed was involved.

Tydperk Period	Getal Number		Persentasieverandering Percentage change	
	Dagvaardings vir skuld Summonses for debt	Siviele vonnisse vir skuld Civil judgements for debt	Dagvaardings vir skuld Summonses for debt	Siviele vonnisse vir skuld Civil judgements for debt
Werklike syfers: Actual figures:				
Sep. 1993 - Nov. 1993	283 083	144 261	-4,2	-0,0
Sep. 1992 - Nov. 1992	295 522	144 297		
Seisoensaangepaste syfers: Seasonally adjusted figures:				
Sep. 1993 - Nov. 1993	276 483	140 131	-1,9	-1,5
Jun. 1993 - Aug. 1993	281 947	142 285		

OPMERKINGS

Die gegewens het betrekking op alle siviele sake vir skuld deur Landdroskantore aangeteken.

Behalwe in geval van sake aangeteken, het alle ander inligting betrekking op skuldsake; m.a.w. eise vir skadevergoeding, uitsettingsbevele en ander nie-skuldsake is uitgesluit.

Vonnisse by verstek en toestemming het slegs betrekking op onverdedigde skuldsake.

HOWE VIR KLEIN EISE

Statistieke ten opsigte van howe vir klein eise word in die aangehegte bylae verstrek.

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.

SMALL CLAIMS COURTS

Statistics in respect of small claims courts are furnished in the attached annexure.

pp
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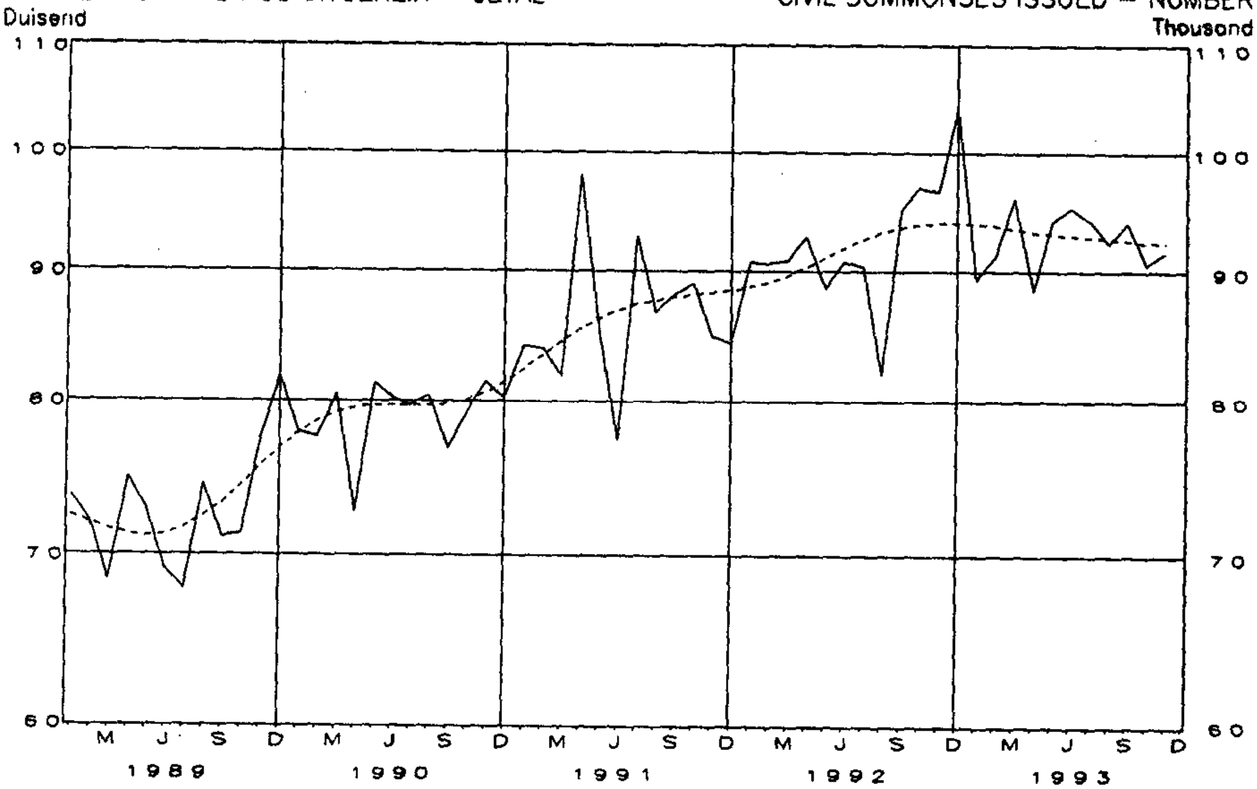
SIVIELE DAGVAARDINGS UITGEREIK – GETAL

CIVIL SUMMONSES ISSUED – NUMBER



Skaal: Semi-Logaritmies

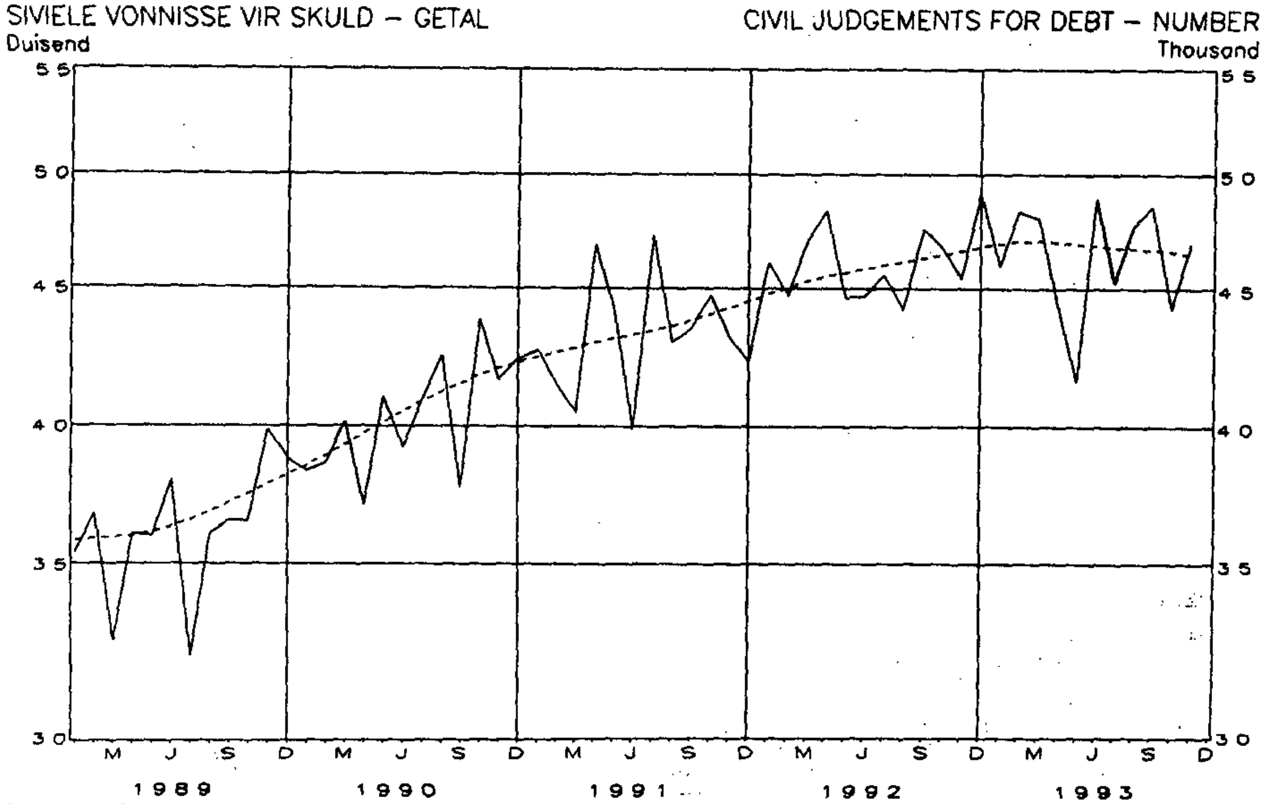
Scale: Semi-Logarithmic

Seasonally adjusted ________ Seisoensaangepas

Trend cycle _ _ _ _ Tendenssiklus

SIVIELE VONNISSE VIR SKULD – GETAL

CIVIL JUDGEMENTS FOR DEBT – NUMBER



Skaal: Semi-Logaritmies

Scale: Semi-Logarithmic

Seasonally adjusted ________ Seisoensaangepas

Trend cycle _ _ _ _ Tendenssiklus

TABEL 1 - GETAL SIVIELE SAKE AANGETEKEN EN DAGVAARDINGS VIR SKULD UITGEREIK

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

Item		Sake-ondernemings en private persone / Business enterprises and private persons				Private persone / Private persons			
			1993		1992		1993		1992
		1992	Nov.	Okt./Oct.	Nov.	1992	Nov.	Okt./Oct.	Nov.
		Getal - Number							
1.	Sake aangeteken/Cases recorded								
1.1	Werklike syfers/Actual figures	1 177 990	103 710	95 017	109 682	1 051 823	91 674	84 669	98 103
1.2	Seisoensaangepas/Seasonally adjusted		96 331	94 564	101 522		85 280	83 864	90 862
2.	Siviele dagvaardings vir skuld/ Civil summonses for debt								
2.1	Totaal/Total								
2.1.1	Werklike syfers/Actual figures	1 106 948	98 028	90 899	103 715	991 856	87 103	81 150	93 103
2.1.2	Seisoensaangepas/Seasonally adjusted		91 719	90 721	96 635		81 463	80 599	86 630
2.2	Goedere verkoop/Goods sold								
2.2.1	Ope rekening/Open account	316 247	25 115	23 932	30 549	278 154	22 044	20 817	27 483
2.2.2	Afbetalingsverkooptransaksies/ Instalment sale transactions	27 354	2 857	2 204	2 506	24 623	2 571	1 946	2 298
2.3	Dienste/Services								
2.3.1	Professionele/Professional	219 793	17 295	16 613	18 208	212 382	16 353	15 839	17 584
2.3.2	Ander/Other	198 827	22 243	19 824	20 822	169 721	19 296	17 595	17 794
2.4	Huur/Rent	40 822	3 951	3 814	3 230	35 668	3 324	3 156	2 740
2.5	Geld geleen/Money lent	112 440	8 249	8 472	11 250	104 624	7 516	7 961	10 363
2.6	Promesses, wissels, V/T-tjeks, kredietkaarte en ander skuldbewyse/Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	74 118	5 080	5 691	5 852	63 836	4 270	4 914	5 062
2.7	Ander/Other	117 347	13 238	10 349	11 298	102 848	11 729	8 922	9 779

TABEL 2 - SIVIELE VONNISSE VIR SKULD BY VERSTEK EN TOESTEMMING — TABLE 2 - CIVIL DEFAULT AND CONSENT JUDGEMENTS FOR DEBT

	Item	Sake-ondernemings en private persone / Business enterprises and private persons				Private persone / Private persons			
		1992	1993 Nov.	1993 Okt./Oct.	1992 Nov.	1992	1993 Nov.	1993 Okt./Oct.	1992 Nov.
		Getal - Number							
1.	Vonnisse/Judgements								
1.1	Totaal/Total								
1.1.1	Werklike syfers/Actual figures	554 712	47 265	45 060	46 119	500 828	42 915	41 373	41 509
1.1.2	Seisoensaangepas/Seasonally adjusted		47 090	44 385	45 581		42 665	40 489	40 914
1.2	Goedere verkoop/Goods sold								
1.2.1	Ope rekening/Open account	162 752	13 131	12 514	12 849	144 622	11 843	11 307	11 335
1.2.2	Afbetalingsverkooptransaksies/ Instalment sale transactions	11 684	864	826	1 107	10 239	828	800	983
1.3	Dienste/Services								
1.3.1	Professionele/Professional	100 869	8 542	8 358	8 202	98 399	8 394	8 238	7 993
1.3.2	Ander/Other	78 090	7 771	7 483	6 799	68 043	6 809	6 812	5 974
1.4	Huur/Rent	24 374	1 834	1 839	2 107	21 360	1 504	1 596	1 877
1.5	Geld geleen/Money lent	61 469	4 923	4 464	4 865	58 767	4 770	4 336	4 635
1.6	Promesses, wissels, V/T-tjeks, kredietkaarte en ander skuldbewyse/Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	57 037	4 284	3 917	4 688	50 647	3 816	3 551	4 126
1.7	Ander/Other	58 437	5 916	5 659	5 502	48 751	4 951	4 733	4 586
		R1 000							
1.	Vonnisse/Judgements								
1.1	Totaal/Total	3 266 571	217 056	266 680	225 861	2 822 685	177 531	221 893	192 003
1.2	Goedere verkoop/Goods sold								
1.2.1	Ope rekening/Open account	293 562	24 654	20 467	23 715	208 493	16 742	14 588	16 264
1.2.2	Afbetalingsverkooptransaksies/ Instalment sale transactions	224 582	10 975	8 759	12 775	178 798	10 579	8 341	10 712
1.3	Dienste/Services								
1.3.1	Professionele/Professional	68 768	6 674	6 714	6 072	63 999	6 331	6 429	5 609
1.3.2	Ander/Other	123 454	13 159	13 507	11 393	94 916	9 980	10 804	9 206
1.4	Huur/Rent	87 288	8 692	8 184	7 180	69 057	6 266	5 718	5 906
1.5	Geld geleen/Money lent	1 602 846	73 930	84 704	97 823	1 525 162	70 429	82 207	92 478
1.6	Promesses, wissels, V/T-tjeks, kredietkaarte en ander skuldbewyse/Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	445 840	30 879	40 125	30 188	365 627	27 242	36 455	25 776
1.7	Ander/Other	420 231	48 093	84 220	36 715	316 633	29 962	57 351	26 052

BYLAE

HOWE VIR KLEIN EISE

ALGEMEEN

Howe vir klein eise dien as 'n forum vir die beregtiging van geldelike eise van nie meer as R2 000 nie teen individue of firmas. Dit is slegs vir gebruik deur die algemene publiek en nie vir sake-ondernemings nie.

Die volgende sake is van die jurisdiksie van die hof vir klein eise uitgesluit:

- Eise ter waarde van meer as R2 000.
- Eise teen die staat.
- Eise wat op 'n sessie of 'n oordrag van regte gebasseer is.
- Eise waarin skadevergoeding aangevra word ten opsigte van laster, kwaadwillige vervolging, onregmatige vryheidsberowing, onregmatige arrestasie, verleiding en verbreking van troubelofte.
- Eise vir die ontbinding van 'n huwelik.
- Eise in verband met die geldigheid van 'n testament.
- Eise in verband met die status van 'n persoon ten opsigte van sy geestesvermoëns.
- Eise waarin die nakoming van 'n kontrak aangevra word, sonder 'n alternatiewe eis om betaling van skadevergoeding, behalwe in die geval van 'n eis om 'n rekening te verstrek of los goed of vaste eiendom ter waarde van nie meer as R2 000 nie, oor te dra.

VERGELYKBAARHEID

Die inligting ten opsigte van landdroshowe wat in hierdie statistiese vrystelling getoon word, het slegs op skuldsake betrekking en is derhalwe nie streng vergelykbaar met die inligting wat vir die howe vir klein eise getoon word nie.

BEGRIPPE

"Howe" verwys na die totale getal howe vir klein eise aan die einde van die maande soos aangedui. "Litigante verwys" het betrekking op die getal persone (eisers) wat deur klerke van die hof vir klein eise na regsassistente verwys is.

ANNEXURE

SMALL CLAIMS COURTS

NOTES

Small claims courts serve as a forum for the adjudication of money claims of not more than R2 000 against individuals or firms. It is for use by the general public only and not for business enterprises.

The following actions are excluded from the jurisdiction of the small claims court:

- 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.
- 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.

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" relates 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.

TABEL 1 – GETAL HOWE VIR KLEIN EISE, LITIGANTE VERWYS, DAGVAARDINGS UITGEREIK EN VERHORE

TABLE 1 – NUMBER OF SMALL CLAIMS COURTS, LITIGANTS REFERRED, SUMMONSES ISSUED AND HEARINGS

Item	1992	1993		1992	Item
		Okt./Oct.	Sep.	Okt./Oct.	
Getal – Number					
1. Howe	106	106	106	106	1. Courts
2. Litigante verwys	18 906	1 791	1 605	1 787	2. Litigants referred
3. Dagvaardings uitgereik	24 942	2 217	2 212	2 031	3. Summonses issued
4. Verhore	23 421	2 114	2 240	2 136	4. Hearings

Bron: Departement van Justisie

Source: Department of Justice