



REPUBLIC OF SOUTH AFRICA



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**Statistics of civil cases  
for debt  
November 1996**

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**Statistical release P0041**

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**SUMMONSES AND JUDGEMENTS FOR DEBT INCREASE**

*The total number of civil summonses for debt increased by 13,2% after seasonal adjustment during the three months up to November 1996 compared with the previous three months. Civil judgements for debt increased by 11,0% after seasonal adjustment during the same period.*

The increase of 13,2% in civil summonses for debt can mainly be attributed to more summonses issued in respect of goods sold on open account (+4,8%), non-professional services (+26,0%) and money lent (+8,7%).

During November 1996, 54 606 civil judgements for debt were issued, which involved R343,1 million. The largest amounts were recorded in respect of civil judgements regarding money lent (R137,7 million or 40,1%), promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt (R35,7 million or 10,4%).

  
PP

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Period	Number		Percentage change	
	Summonses for debt	Civil judgements for debt	Summonses for debt	Civil judgements for debt
<b>Actual figures:</b>				
Sep. 1996 - Nov. 1996	373 450	188 056	+20,3	+13,7
Sep. 1995 - Nov. 1995	310 413	147 762		
<b>Seasonally adjusted figures:</b>				
Sep. 1996 - Nov. 1996	358 869	161 267	+13,2	+11,0
Jun. 1996 - Aug. 1996	317 097	145 332		

## 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.

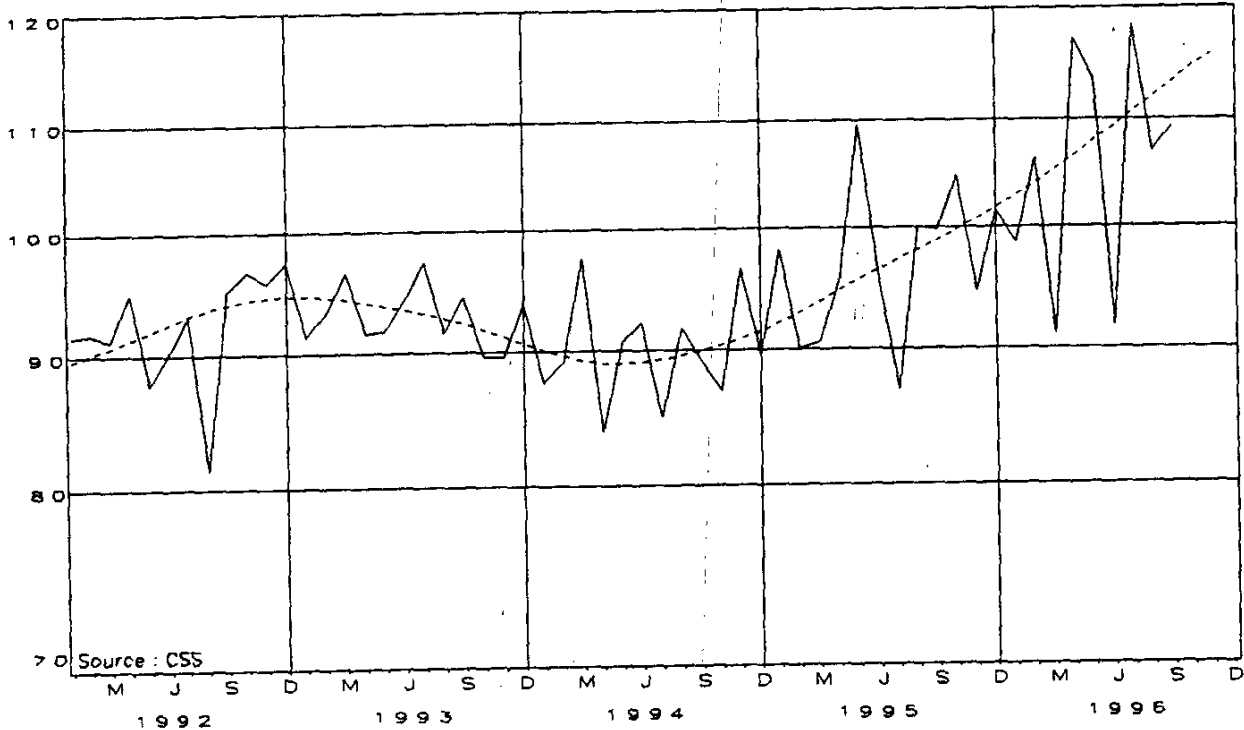
## COMPARABILITY

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.

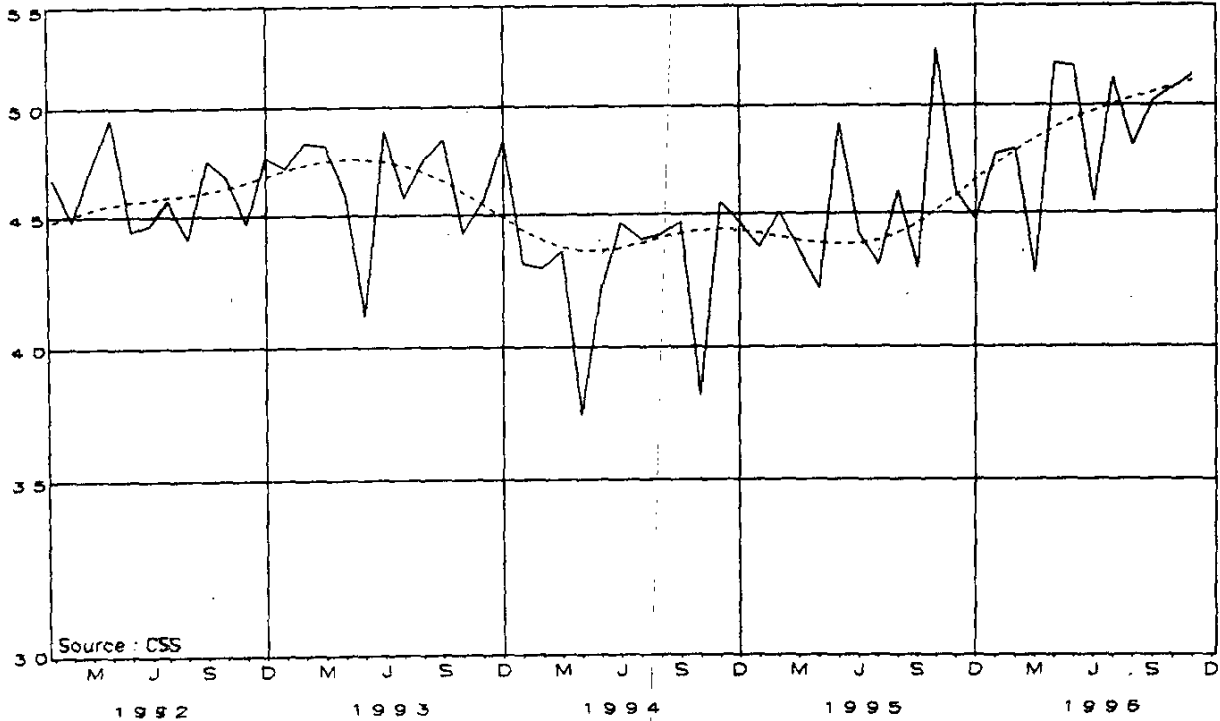
### CIVIL SUMMONSES ISSUED - NUMBER Thousand



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			
	1995	1996	1996	1995	1995	1996	1996	1995
	Nov.	Oct.	Nov.	Nov.	Nov.	Oct.	Nov.	Nov.
	Number							
1. Cases recorded								
1.1 Actual figures	1 206 468	137 558	136 844	106 321	1 078 110	126 782	123 211	96 193
1.2 Seasonally adjusted		123 157	134 483	97 168		113 550	120 828	86 337
2. Civil summonses for debt								
2.1 Total	1 165 376	133 989	132 425	104 987	1 044 114	123 837	119 492	93 679
2.1.1 Actual figures		120 601	129 382	94 648		111 281	115 004	84 347
2.1.2 Seasonally adjusted								
2.2 Goods sold								
2.2.1 Open account	270 161	25 884	25 509	24 475	241 789	22 988	22 339	21 652
2.2.2 Instalment sale transactions	28 649	2 833	2 568	2 187	26 179	2 577	2 305	1 988
2.3 Services								
2.3.1 Professional	186 798	16 427	17 504	18 313	177 421	15 576	16 652	17 307
2.3.2 Other	255 337	43 880	41 183	20 900	219 829	41 350	36 809	17 699
2.4 Rent	57 443	5 393	5 720	4 672	44 505	4 552	4 536	3 351
2.5 Money lent	137 350	15 045	15 918	12 625	130 076	14 349	15 152	12 018
2.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	95 678	9 251	10 001	7 757	86 064	8 462	9 099	6 979
2.7 Other	133 960	15 286	14 022	14 058	118 251	13 983	12 600	12 685

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
1994	159 827	40 173	16 363	8 215	31 228	90 646	130 635	57 110	29 569	94 627	18 864	21 885
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
1995 - J	10 246	3 617	1 265	582	2 646	6 778	12 384	4 119	2 453	9 609	990	1 488
F	15 202	3 209	1 329	510	2 803	8 377	8 179	4 895	2 146	6 988	1 819	1 986
M	14 671	4 452	1 247	836	2 711	8 474	12 938	6 350	2 007	5 197	1 715	3 261
A	13 146	2 537	1 063	537	2 120	7 172	7 567	3 830	2 407	8 437	956	3 276
M	15 555	4 512	1 417	1 248	2 728	8 500	12 110	5 390	2 559	11 899	1 273	1 940
J	17 078	3 525	1 344	2	2 737	8 352	13 560	5 898	2 545	8 283	1 764	1 825
J	14 713	3 809	1 107	948	2 577	7 122	9 731	5 958	2 482	7 473	1 237	1 620
A	15 393	4 593	1 507	672	2 972	8 450	11 575	7 268	2 877	8 261	1 571	1 792
S	13 259	4 232	1 380	547	2 220	6 366	12 026	7 876	2 535	6 57	1 649	1 682
O	11 979	3 887	1 545	663	2 245	6 936	16 925	7 910	2 820	7 365	1 632	2 044
N	14 276	4 095	1 363	557	2 691	7 763	15 004	5 275	3 997	8 389	1 405	1 775
D	11 091	5 171	878	795	1 840	5 486	10 944	4 611	1 862	5 668	897	1 600
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	11 873	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	13 984	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





## SMALL CLAIMS COURTS

### NOTES

Up to 30/9/95 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.

As from 1/10/95 the following actions are excluded from the jurisdiction of the small claims court:

- Claims exceeding R3 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 R3 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" 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 1 - SMALL CLAIMS COURTS, LITIGANTS REFERRED, SUMMONSES ISSUED AND HEARINGS**

Item	1995	1994	1993	1992	1991	1990	1989
	Number						
Courts	113	111	109	106	103	92	68
Litigants referred	20 154	20 101	19 502	18 906	16 857	16 474	16 391
Summonses issued	24 905	25 112	24 929	24 942	19 520	16 551	15 660
Hearings	25 746	25 356	23 953	23 421	17 814	15 540	14 292

Source: Department of Justice