



REPUBLIC OF SOUTH AFRICA

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



Statistical release P0041

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INCREASE IN THE TOTAL NUMBER OF CIVIL DEBT CASES

Notwithstanding the decrease in November 1997 compared with October 1997, the total number of civil summonses and civil judgements for debt recorded for the three months up to November 1997 increased by 0,2% and 4,0% respectively after seasonal adjustment, compared with the previous three months.

The slight increase of 0,2% in civil summonses for debt can mainly be ascribed to more civil summonses issued in respect of goods sold on open account (+2,8%) and money lent (+2,4%). During November 1997, 111 308 or 87,2% of the 127 577 summonses for debt issued was for summonses pertaining to private persons.

During November 1997, 63 898 civil judgements for debt were issued, and the total amount involved was R469,7 million. Civil judgements for debt relating to money lent and promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt, accounted for 39,7% and 10,0% of the total amount involved, respectively.

Period	Number		Percentage change	
	Summonses for debt	Civil judgements for debt	Summonses for debt	Civil judgements for debt
Actual figures:				
Sept. 1997 - Nov. 1997	384 440	205 984	+2,9	+22,6
Sept. 1996 - Nov. 1996	373 450	168 056		
Seasonally adjusted figures:				
Sept. 1997 - Nov. 1997	364 072	193 179	+0,2	+4,0
Jun. 1997 - Aug. 1997	363 209	185 828		

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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, ejectment orders and other non-debt cases are excluded.

Default and consent judgements relate to judgements given in respect of undefended debt cases only.

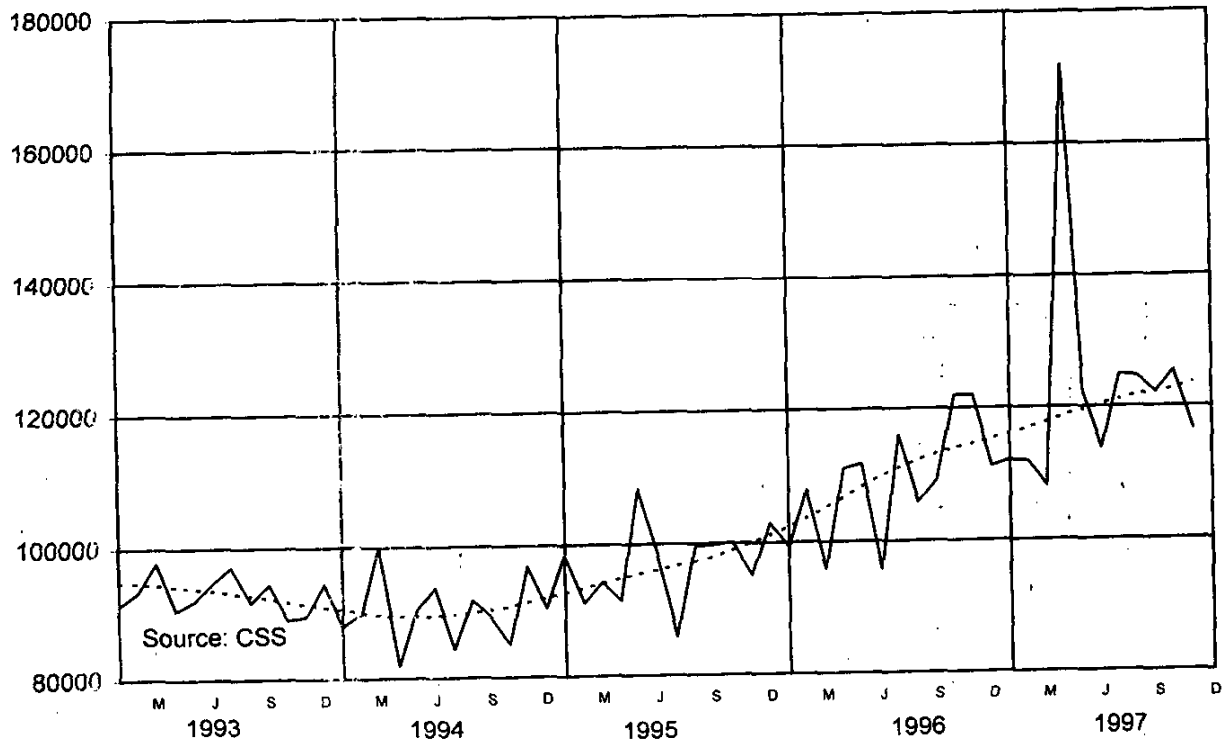
COMPARABILITY

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.

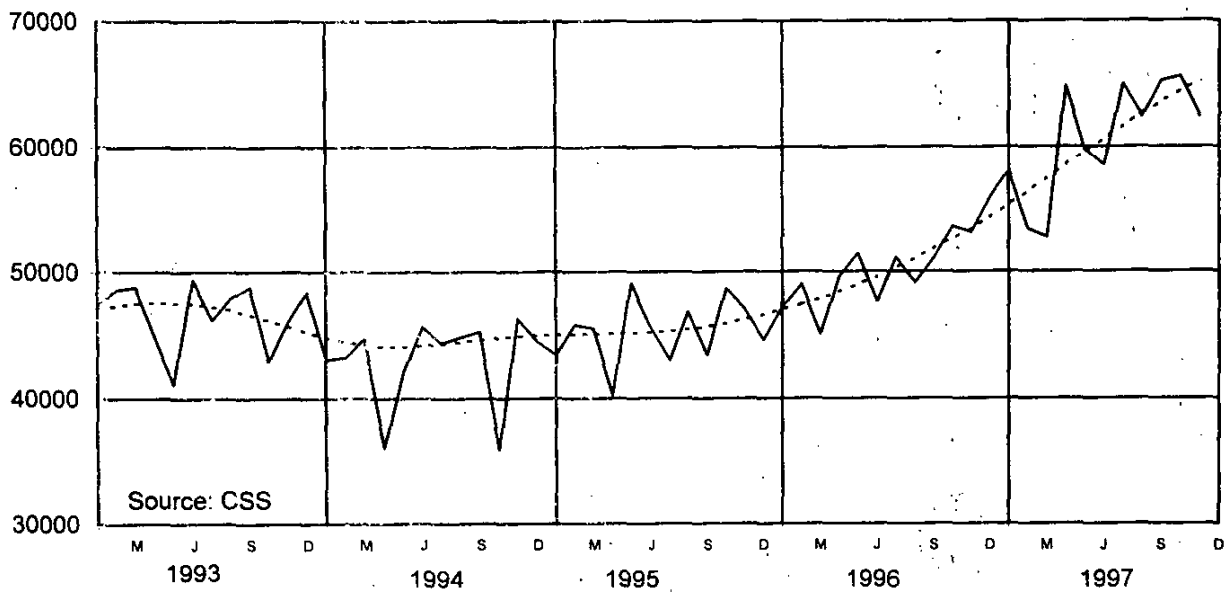
CIVIL SUMMONSES ISSUED - NUMBER



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					
	1996		1997		1996		1997		1996		1997	
	Nov.	Oct.	Nov.	Oct.	Nov.	Oct.	Nov.	Oct.	Nov.	Oct.	Nov.	
	Number											
1. Cases recorded	1 349 268	135 175	148 046	137 558	1 218 104	117 610	131 671	126 782				
1.1 Actual figures	123 616	134 146	125 361			108 815	119 529	116 834				
1.2 Seasonally adjusted												
2. Civil summonses for debt	1 309 573	127 577	137 590	133 999	1 186 256	111 308	123 217	123 837				
2.1 Total	116 501	125 384	122 021			102 986	112 111	114 148				
2.1.1 Actual figures												
2.1.1.2 Seasonally adjusted												
2.2 Goods sold	270 368	21 597	22 950	25 884	237 863	18 605	20 143	22 988				
2.2.1 Open account	28 301	2 992	3 951	2 833	24 869	2 670	3 714	2 577				
2.2.2 Instalment sale transactions												
2.3 Services	193 440	16 654	16 410	16 427	183 669	15 697	15 472	15 576				
2.3.1 Professional	340 067	38 767	42 353	43 880	311 831	36 062	38 807	41 350				
2.3.2 Other												
2.4 Rent	68 844	5 765	6 384	5 393	53 657	3 331	4 020	4 552				
2.5 Money lent	160 560	18 459	21 277	15 045	152 874	16 547	19 888	14 349				
2.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	94 053	8 908	9 311	9 251	84 317	6 053	8 112	8 462				
2.7 Other	153 940	14 435	14 954	15 286	137 176	12 343	13 061	13 983				

TABLE 2 - THE NUMBER OF CIVIL CASES RECORDED IN SELECTED MAGISTRATES OFFICES

Year of 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	84 577	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	11 582	1 448	893	2 398	6 520	10 625	6 510	2 309	7 799	2 224	2 093
J	15 822	15 941	1 618	859	3 180	6 288	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	12 526	11 777	1 707	610	2 339	5 913	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	1 856	6 811	1 261	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
J	14 992	10 631	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

TABLE 3 - CIVIL DEFAULT AND CONSENT JUDGEMENTS FOR DEBT

Item	Business enterprises and private persons						Private persons						
	1996		1997		1996		1996		1997		1996		
	Nov.	Oct.	Nov.	Oct.	Nov.	Oct.	Nov.	Oct.	Nov.	Oct.	Nov.		
	Number												
1. Judgements													
1.1 Total	603 846	63 898	74 292	54 606	561 217	59 988	69 512	50 742	58 451	61 427	49 317		
1.1.1 Actual figures													
1.1.1.1 Seasonally adjusted	134 845	11 191	12 843	11 952	122 534	10 187	11 709	10 875	1 052	1 202	1 117	876	
1.1.2 Goods sold													
1.1.2.1 Open account	93 755	7 446	8 398	7 813	90 846	7 237	8 151	7 574	118 921	14 517	19 253	11 491	110 981
1.1.2.2 Instalment sale transactions	29 958	2 561	3 790	2 304	24 070	2 020	2 561	1 693	82 891	12 786	14 542	8 521	80 629
1.2 Services	53 940	5 467	5 534	4 719	49 863	5 117	5 173	4 403					
1.2.1 Professional													
1.2.2 Other	80 684	8 728	8 733	6 865	74 023	8 113	8 209	6 275					
1.3 Money lent													
1.3.1 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt													
1.4 Other													
	R1 000												
1. Judgements													
1.1 Total	3 829 184	469 661	503 509	343 150	3 264 045	398 839	431 051	294 472					
1.2 Goods sold													
1.2.1 Open account	386 345	41 235	44 388	34 608	257 609	27 384	29 497	23 281	142 454	22 354	22 297	18 143	128 064
1.2.2 Instalment sale transactions													
1.2.2.1 Open account	110 277	11 486	12 731	9 944	100 548	10 270	11 032	8 889	244 902	32 053	43 282	22 644	195 332
1.2.2.2 Instalment sale transactions	170 205	17 161	20 198	12 132	124 007	12 313	15 299	8 732	1 583 121	186 397	202 273	137 717	1 495 704
1.3 Services													
1.3.1 Professional													
1.3.2 Other	410 055	47 163	50 993	35 703	362 485	41 500	44 995	31 116					
1.4 Rent													
1.4.1 Money lent													
1.4.2 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt													
1.5 Other													
1.5.1 Professional	781 825	111 812	107 347	72 259	600 296	89 785	91 362	57 551					
1.5.2 Other													

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