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REPUBLIC OF SOUTH AFRICA

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



Statistical release P0041

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CIVIL CASES FOR DEBT INCREASE

The total number of civil summonses for debt for the three months up to October 1996 shows an increase of 6,8% after seasonal adjustment compared with the previous three months. Civil default and consent judgements for debt increased by 6,0% after seasonal adjustment.

The increase of 6,8% in civil summonses for debt can mainly be attributed to more civil summonses issued in respect of goods sold on an open account (+2,8%), money lent (+17,4%) and non-professional services (+3,0%). The largest contributors to the increase of 6,0% in civil judgements for debt were civil judgements regarding goods sold on an open account and money lent - with increases of 9,6% (+3 274) and 27,4% (+5 430) respectively.

A total of 132 425 summonses for debt were issued in October 1996. Of these, 19,3% were in respect of goods sold on an open account and 13,2% and 31,1% were in respect of professional and non-professional services respectively.

Period	Number		Percentage change	
	Summonses for debt	Civil judgements for debt	Summonses for debt	Civil judgements for debt
Actual figures:				
Aug. 1996 - Oct. 1996	351 614	165 744	+13,1	+11,1
Aug. 1995 - Oct. 1995	310 776	149 121		
Seasonally adjusted figures:				
Aug. 1996 - Oct. 1996	344 183	157 882	+6,8	+6,0
May 1996 - Jul. 1996	322 156	148 964		

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.

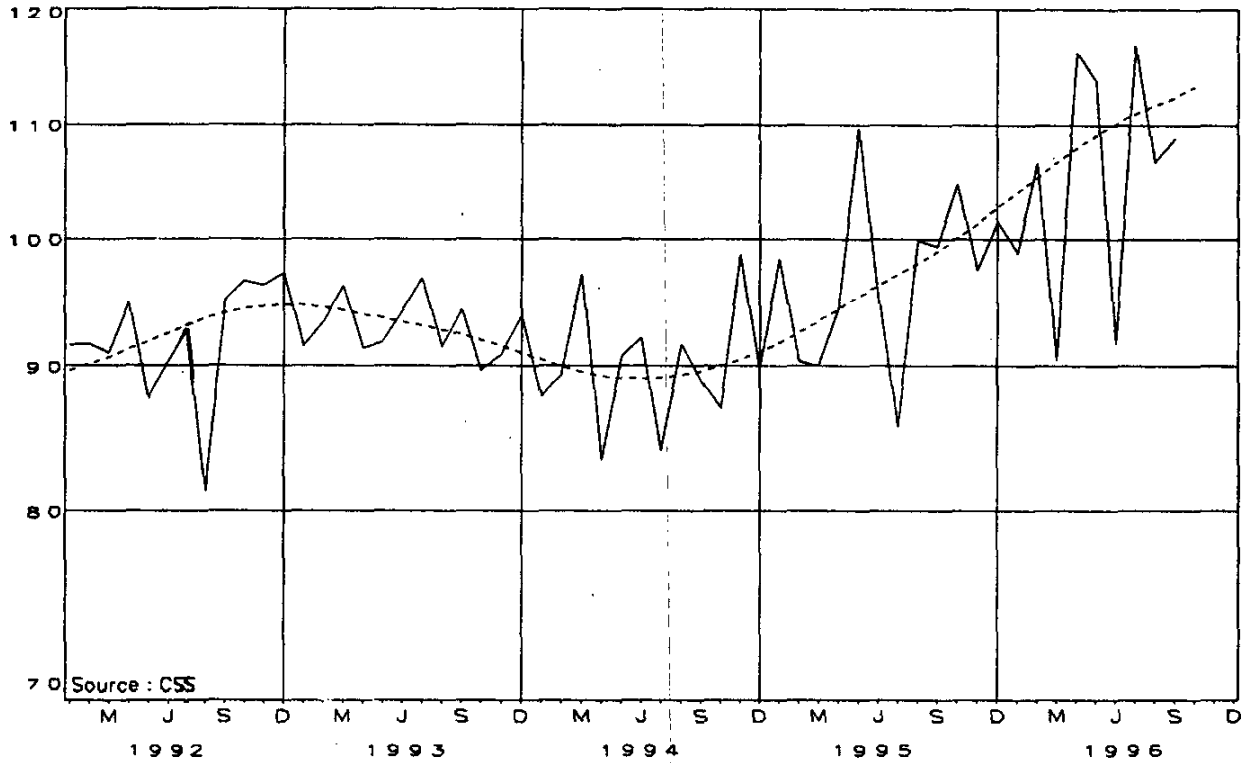
COMPARABILITY

The jurisdiction limit for civil cases handled by magistrate 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.

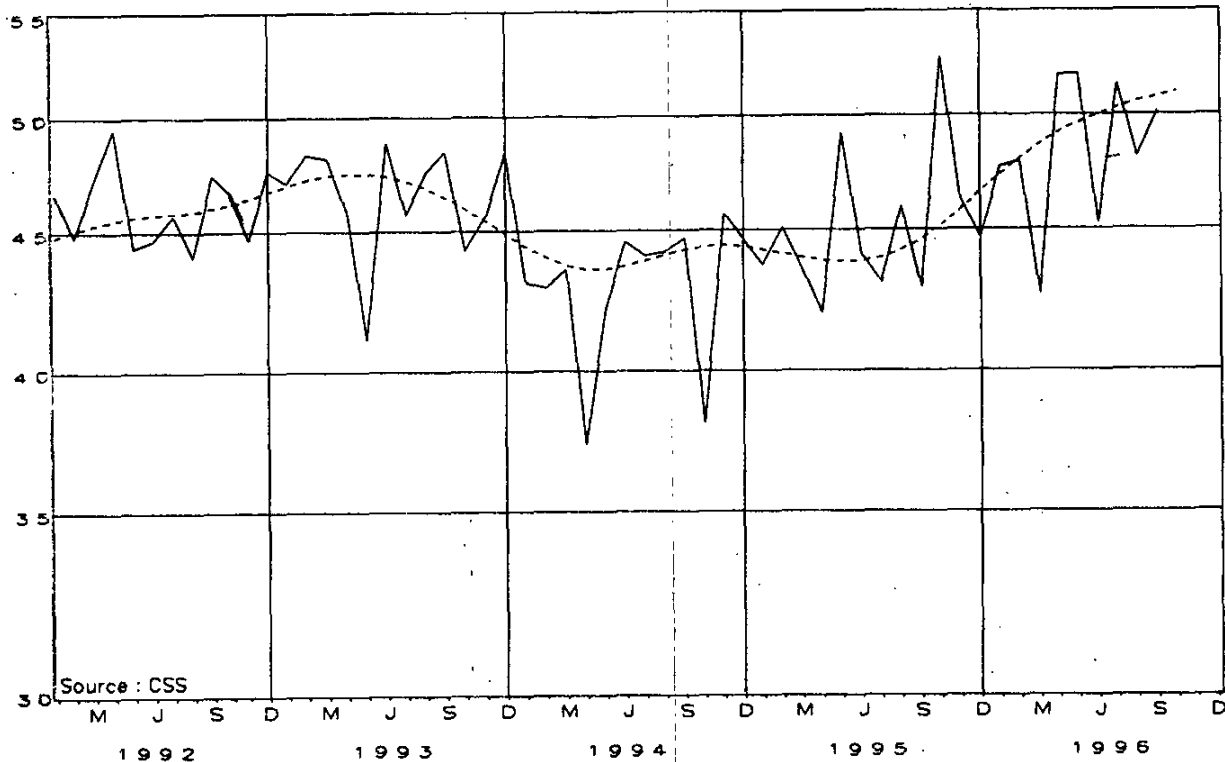
CIVIL SUMMONSES ISSUED – NUMBER Thousand



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		1995		1996		1995		1996		
	Oct.	Sep.	Oct.	Sep.	Oct.	Sep.	Oct.	Sep.	Oct.	Sep.	Oct.	Sep.	
1. Cases recorded	136 844	110 091	109 966	1 078 110	123 211	98 627	96 036	134 248	111 116	107 846	120 720	98 919	93 967
1.1 Actual figures													
1.2 Seasonally adjusted	129 347	108 448	104 481	26 179	2 305	1 900	2 549	270 161	23 857	23 270	22 339	20 871	20 523
2. Civil summonses for debt													
2.1 Total	186 798	15 569	14 726	177 421	16 652	14 828	13 672	255 337	25 852	27 139	36 809	23 726	22 652
2.1.1 Actual figures													
2.1.1.2 Seasonally adjusted	57 453	5 447	5 186	44 505	4 536	4 319	3 744	137 350	14 661	13 058	15 152	13 972	12 263
2.2 Goods sold	95 678	7 762	8 563	86 064	9 099	7 035	7 671	28 649	2 139	2 855	2 305	1 900	2 549
2.2.1 Open account													
2.2.2 Instalment sale transactions													
2.3 Services													
2.3.1 Professional													
2.3.2 Other													
2.4 Rent													
2.5 Money lent													
2.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt													
2.7 Other	133 960	11 739	12 132	118 251	12 600	10 375	10 604	14 022	1 739	1 132	1 600	1 375	1 604

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	1 285	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	2 928	2 737	8 352	13 560	5 958	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	8 657	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	3 084	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	3 398	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	2 636	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

TABLE 3 - CIVIL DEFAULT AND CONSENT JUDGEMENTS FOR DEBT

Item	Business enterprises and private persons						Private persons					
	1995		1996		1995		1996		1996		1995	
	Oct.	Sep.	Oct.	Sep.	Oct.	Sep.	Oct.	Sep.	Oct.	Sep.	Oct.	Sep.
	Number											
1. Judgements	545 056	60 025	53 425	53 390	502 215	56 153	49 806	48 954	55 068	46 703	48 966	
1.1 Total Actual figures	142 928	13 386	11 996	13 565	131 499	12 309	10 970	12 530	9 643	1 039	809	703
1.1.1 Seasonally adjusted	92 980	8 194	7 525	8 341	90 842	8 013	7 251	8 178	102 429	11 851	10 515	12 247
1.1.2 Instalment sale transactions	29 044	3 021	2 135	2 549	23 139	2 497	1 687	2 173	55 095	9 687	7 874	5 196
1.2 Goods sold	43 862	5 574	5 226	4 152	39 960	5 197	4 921	3 788	69 075	7 273	7 345	5 139
1.2.1 Open account												
1.2.2 Instalment sale transactions												
1.3 Services												
1.3.1 Professional												
1.3.2 Other												
1.4 Rent												
1.5 Money lent												
1.6 Promissory notes, bills bills, R/D cheques, credit cards and other acknowledgements of debt												
1.7 Other												
	R1 000											
1. Judgements	2 987 064	412 649	355 448	301 348	2 400 613	354 924	301 322	258 066	308 567	36 133	33 483	21 161
1.1 Total	128 521	19 993	12 104	10 697	115 351	18 402	9 361	10 409	98 148	10 646	9 166	7 514
1.2 Goods sold	222 129	29 719	22 388	32 411	181 312	23 877	17 774	28 676	129 448	21 311	11 807	8 338
1.2.1 Open account	1 017 941	177 251	145 600	97 074	950 442	169 412	140 729	92 215	343 252	37 888	44 440	27 889
1.2.2 Instalment sale transactions												
1.3 Services												
1.3.1 Professional												
1.3.2 Other												
1.4 Rent												
1.5 Money lent												
1.6 Promissory notes, bills bills, R/D cheques, credit cards and other acknowledgements of debt												
1.7 Other	739 058	79 708	76 460	79 286	452 017	60 028	57 300	61 864				

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" 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