

**Statistics  
South Africa**

Statistical release  
**P0041**

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# Statistics of civil cases for debt

April 2004

**Embargoed until:  
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11:00**

### Key figures for the month ended April 2004

	<b>April 2004</b>	<b>% change between April 2003 and April 2004</b>	<b>% change between February 2003 to April 2003 and February 2004 to April 2004</b>	<b>% change between January 2003 to April 2003 and January 2004 to April 2004</b>
<b>Actual estimates</b>				
Number of civil summonses issued for debt	101 610	-21,0	-10,6	-9,1
Number of civil judgements recorded for debt	74 425	-11,0	-10,9	-9,1
Value of civil judgements recorded for debt (R million)	651,7	+20,8	-3,4	+0,5

	<b>April 2004</b>	<b>% change between March 2004 and April 2004</b>	<b>% change between November 2003 to January 2004 and February 2004 to April 2004</b>
<b>Seasonally adjusted estimates</b>			
Number of civil summonses issued for debt	109 361	-16,9	-3,9
Number of civil judgements recorded for debt	83 438	-2,7	+1,0
Value of civil judgements recorded for debt (R million)	734,0	+38,1	-1,7

## Key findings as at the end of April 2004

### The number of civil summonses issued for debt decreases

*The number of civil summonses issued for debt for the three months ended April 2004, after seasonal adjustment, decreased by 3,9% compared with the previous three months. Furthermore, the total number of civil summonses issued for debt for the three months ended April 2004 decreased by 10,6% compared with the three months ended April 2003. The total number of civil summonses issued for debt for the first four months of 2004 decreased by 9,1% compared with the first four months of 2003.*

The major contributors to the decrease of 10,6% in civil summonses issued for debt for the three months ended April 2004 compared with the three months ended April 2003 were civil summonses issued in respect of money lent (-7,7 percentage points) and goods sold on open account (-3,1 percentage points).

### The number of civil judgements recorded for debt increases

*The number of civil judgements recorded for debt for the three months ended April 2004, after seasonal adjustment, increased by 1,0% compared with the previous three months. However, the total number of civil judgements recorded for debt for the three months ended April 2004 decreased by 10,9% compared with the three months ended April 2003. Furthermore, the total number of civil judgements recorded for debt for the first four months of 2004 decreased by 9,1% compared with the first four months of 2003.*

The major contributor to the decrease of 10,9% in the number of civil judgements recorded for debt for the three months ended April 2004 compared with the three months ended April 2003 was civil judgements in respect of money lent (-8,4 percentage points).

### The value of civil judgements recorded for debt decreases

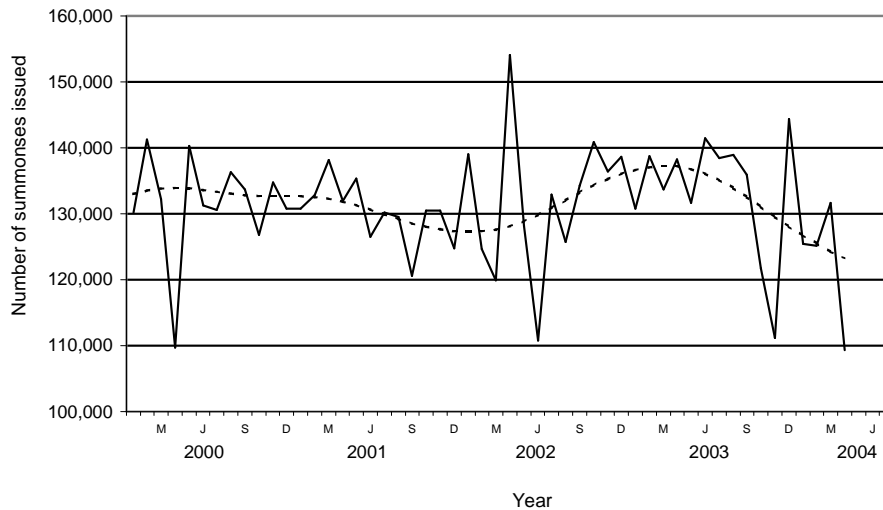
*The value of civil judgements recorded for debt for the three months ended April 2004, after seasonal adjustment, decreased by 1,7% compared with the previous three months. Furthermore, the total value of civil judgements recorded for debt for the three months ended April 2004 decreased by 3,4% compared with the three months ended April 2003. However, the value of civil judgements recorded for debt for the first four months of 2004 increased by 0,5% compared with the first four months of 2003.*

The major contributors to the decrease of 3,4% in the value of civil judgements recorded for debt for the three months ended April 2004 compared with the three months ended April 2003 were civil judgements recorded in respect of money lent (-3,5 percentage points) and 'other' debts (-2,0 percentage points). However, this decrease was partially counteracted by an increase in judgements recorded relating to 'other services' (+1,2 percentage points).

During April 2004, 74 425 civil judgements for debt, amounting to R651,7 million, were recorded. The largest contributors to the R651,7 million were civil judgements relating to money lent (R256,0 million or 39,3%), 'other' debts (R134,2 million or 20,6%), promissory notes (R71,1 million or 10,9%) and goods sold on open account (R69,8 million or 10,7%) (see table 4 column 5).

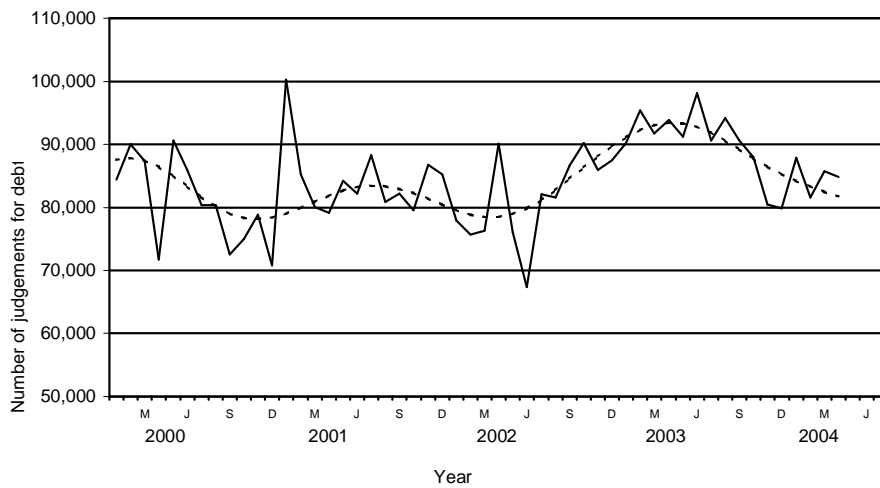
**Figures 1 and 2 indicate the number of civil summonses issued and civil judgements recorded from 2000 to 2004**

**Figure 1 - Civil summonses issued for debt**



Source : Stats SA      — Seasonally adjusted      - - - - Trend

**Figure 2 - Civil judgements recorded for debt**



Source : Stats SA      — Seasonally adjusted      - - - - Trend

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**PJ Lehohla**  
**Statistician-General**

## Notes

<b>Forthcoming issue</b>	<b>Issue</b>	<b>Expected release date</b>
	May 2004	22 July 2004
<b>Purpose of the survey</b>	The survey of Civil Cases for Debt covers a sample of magistrates' offices in South Africa, excluding the former Transkei, Bophuthatswana, Venda and Ciskei (TBVC states). This survey collects information regarding civil cases recorded, civil summonses issued and civil judgements recorded in order to provide users with information on the extent of unpaid debt in South Africa. The results of the survey are used by the private and public sectors as an indicator of economic performance.	
<b>Response rate</b>	The response rate for April 2004 was 85,0%.	

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Table1 - Number of civil cases recorded and summonses issued for debt according to business enterprises and private persons

Item	Business enterprise and private persons				Private persons			
	2003	2003 Apr.	2004 Mar.	2004 Apr.	2003	2003 Apr.	2004 Mar.	2004 Apr.
1. Cases recorded								
1.1 Actual figures	1 801 274	142 747	157 855	114 396	1 671 791	131 161	145 587	105 157
1.2 Seasonally adjusted		154 856	146 767	124 639		143 374	135 462	115 499
2. Civil summonses for debt								
2.1 Goods sold								
2.1.1 Open account	209 016	16 624	16 914	12 602	186 204	14 423	14 897	11 154
2.1.2 Instalment sale transactions	52 568	3 115	4 469	3 349	48 169	2 779	4 143	3 048
2.2 Services								
2.2.1 Professional	165 715	11 429	150 800	12 306	157 675	10 734	15 017	11 736
2.2.2 Other	272 603	22 851	28 283	18 589	252 824	21 229	26 816	17 447
2.3 Rent	79 342	6 611	5 654	4 833	65 329	5 569	4 260	3 751
2.4 Money lent	417 605	33 517	33 196	25 417	405 557	32 514	31 816	23 958
2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	132 743	11 161	12 645	10 465	123 156	10 447	11 715	9 742
2.6 Other	270 276	23 381	24 079	14 049	247 876	20 689	21 549	12 664
2.7 Total								
2.7.1 Actual figures	1 599 868	128 689	141 040	101 610	1 486 791	118 384	130 213	93 500
2.7.2 Seasonally adjusted		138 215	131 625	109 361		127 761	121 380	101 163

Table 2- 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
2002	200 806	98 361	32 159	20 667	39 642	135 995	150 355	74 363	42 837	162 978	29 548	42 588
2003	184 499	86 919	37 534	26 953	30 153	131 913	183 463	78 614	53 072	145 245	33 818	71 882
2003 - J	14 177	7 468	2 485	4 755	2 845	8 389	8 967	4 122	4 833	14 363	1 908	4 578
F	16 617	9 707	3 828	2 028	2 708	11 544	12 822	6 445	5 998	16 259	2 819	6 164
M	16 204	10 104	3 091	2 017	2 941	11 797	14 690	8 256	5 724	12 175	3 475	6 164
A	15 395	6 154	2 564	2 017	3 284	11 414	11 964	7 229	3 321	13 075	2 544	6 687
M	15 663	7 849	2 999	2 017	3 532	13 239	14 584	7 746	4 515	15 954	2 499	6 717
J	14 038	6 813	3 472	2 017	2 276	12 049	19 623	7 395	4 213	12 343	2 113	8 446
J	16 709	7 379	3 584	2 017	2 426	11 438	18 292	8 742	4 731	13 751	3 394	9 502
A	15 263	6 345	2 921	2 017	2 539	11 528	17 204	6 545	4 861	11 187	4 042	9 418
S	15 414	6 477	2 918	2 017	1 841	10 367	16 802	5 611	4 448	11 275	1 854	3 035
O	15 798	5 764	2 918	2 017	2 401	11 321	16 231	6 024	4 288	9 855	3 293	5 282
N	15 315	6 869	3 925	2 017	1 518	7 403	16 231	6 028	4 003	7 602	3 021	3 285
D	13 906	5 990	2 829	2 017	1 842	11 424	16 053	4 471	2 137	7 406	2 856	2 604
2004 - J	13 627	7 634	2 149	1 370	1 249	8 053	14 070	5 493	3 745	11 949	1 568	3 417
F	15 167	6 921	2 149	1 957	1 713	9 997	16 006	6 014	5 127	11 989	2 513	4 337
M	12 787	10 896	3 587	1 957	2 427	10 711	17 689	9 544	5 759	12 922	2 827	3 945
A	10 087	5 786	2 243	1 957	1 215	8 415	11 018	5 510	3 806	7 605	2 252	4 542



Table 3 - Number of civil default and consent judgements for debt according to business enterprises and private persons

Item	Business enterprise and private persons				Private persons			
	2003	2003	2004	2004	2003	2003	2004	2004
		Apr.	Mar.	Apr.		Apr.	Mar.	Apr.
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	141 959	11 325	10 518	10 109	130 779	10 455	9 613	9 508
1.1.2 Instalment sale transactions	33 293	1 923	1 337	1 190	31 280	1 788	1 162	1 032
1.2 Services								
1.2.1 Professional	84 324	6 721	7 440	6 917	80 648	6 461	6 842	6 651
1.2.2 Other	139 914	9 368	14 920	10 266	131 607	8 671	14 054	9 591
1.3 Rent	52 190	3 496	3 409	2 767	49 615	2 556	2 595	1 934
1.4 Money lent	389 269	32 738	27 901	26 091	363 367	31 428	27 497	25 706
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	99 998	8 795	9 508	8 886	96 461	8 493	9 122	8 145
1.6 Other	144 846	9 290	10 968	8 199	133 024	8 562	10 055	7 560
1.7 Total								
1.7.1 Actual figures	1 085 793	83 656	86 001	74 425	1 029 783	78 414	80 940	70 127
1.7.2 Seasonally adjusted		93 846	85 732	83 438		88 661	80 667	79 277

Table 4 - Value of civil default and consent judgements for debt according to business enterprises and private persons

Item	Business enterprise and private persons				Private persons			
	2003	2003 Apr.	2004 Mar.	2004 Apr.	2003	2003 Apr.	2004 Mar.	2004 Apr.
	R' 000							
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	761 616	50 984	47 611	69 817	637 224	39 803	35 567	59 459
1.1.2 Instalment sale transactions	282 935	29 550	19 039	19 016	231 641	22 276	16 544	15 552
1.2 Services								
1.2.1 Professional	213 641	15 456	16 029	21 619	197 073	13 008	13 761	19 945
1.2.2 Other	634 169	41 817	61 860	53 252	571 847	36 990	56 429	45 928
1.3 Rent	300 680	26 190	27 410	26 685	250 426	18 040	19 612	19 488
1.4 Money lent	3 050 038	201 207	194 928	256 028	2 858 101	177 977	184 166	247 666
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	917 163	67 356	104 123	71 079	853 522	59 207	93 117	64 156
1.6 Other	1 569 427	106 823	134 288	134 193	1 256 410	82 506	88 347	103 844
1.7 Total								
1.7.1 Actual figures	7 729 669	539 383	605 288	651 689	6 856 245	449 807	507 543	576 038
1.7.2 Seasonally adjusted		608 303	531 664	734 036		523 096	430 896	673 258

## Explanatory notes

- Introduction**
- 1 Statistics South Africa (Stats SA) conducts a monthly sample survey of civil cases recorded and civil summonses for debt issued in South Africa. This information is obtained from selected magistrates' offices.
  - 2 Except for cases recorded, all other information relates to debt cases only, therefore claims for damages, ejection orders and other non-debt cases are excluded.
- Scope of the survey**
- 3 This survey covers -
    - Number of civil cases recorded;
    - Number of civil summonses issued for debt;
    - Number of civil judgements recorded for debt; and
    - Value of civil judgements recorded for debt.
- Statistical unit**
- 4 The statistical unit for collection of information is a magistrate's office. Magistrates' offices include the small claims courts.
  - 5 The largest magistrates offices in South Africa, which account for approximately 95% of all the civil cases in South Africa, are included in the monthly survey of civil cases recorded and civil summonses for debt issued. The smallest magistrates' offices are not used in the sample. A sample of 152 magistrates offices is drawn using only the number of civil cases recorded as the measure of size.
- Survey methodology and design**
- 6 The survey is conducted by mail each month for approximately 152 magistrates' offices.
- Seasonal adjustment**
- 7 Seasonal (variation) is a means of removing the estimated effects of normal seasonal variation from the series so that the effects of other influences on the series can be more clearly recognised. Seasonal adjustment does not aim to remove irregular or non-seasonal influences which may be present in any particular month. Influences that are volatile or unsystematic can still make it difficult to interpret the movement of the series even after adjustment for seasonal variations. This means the month-to-month movements of seasonally adjusted estimates may not be reliable indicators of trend behaviour.
- Trend cycle**
- 8 Smoothed seasonally adjusted estimates are generated using the X-11 Seasonal Adjustment Programme.
- Publications**
- 9 Users may also wish to refer to the following publications:
    - *Bulletin of Statistics* issued quarterly.
    - *SA Statistics* issued annually.

**Unpublished statistics**

**10** In some cases Stats SA can also make available statistics which are not published. The statistics can be made available in one or more of the following ways: computer printout, CD or diskette. Generally a charge is made for providing unpublished statistics.

**Symbols and abbreviations**

**11** R/D            Refer to Drawer  
 CD              Compact Disc  
 Stats SA        Statistics South Africa  
 TBVC            Transkei, Bophuthatswana, Venda, Ciskei.

## Glossary

<b>Acknowledgement of debt</b>	Acknowledgement of debt is a statement by a person/debtor in which he admits that he owes money to an individual or a company or a bank.
<b>Bills</b>	Bills are statements of charges for services rendered or for amounts owed.
<b>Civil judgements</b>	Civil judgements are decisions taken in a civil matter or a dispute between two people or parties.
<b>Civil summonses</b>	Civil summonses are notices to appear before the court of law where a dispute between two parties or people has to be heard, i.e not for a criminal offence.
<b>Consent judgements</b>	Consent judgements refer to where a debtor agrees to subject himself/herself to obey or accept a judgement of a court against him for a debt he owes without defending the action. This usually happens before the debtor signs a binding contract, e.g. a loan agreement.
<b>Default judgements</b>	Default judgements refer to where the court gives a judgement or a ruling against the defendant who is not present in court and was previously given a notice that was ignored, i.e. a judgement was given against a party or an individual while not present in court.
<b>Instalment sale transaction</b>	Instalment sale transactions relates to where a person buys goods on credit and pays for them in instalments, e.g. every week or month, until he/she settles the debt.
<b>Litigants</b>	Litigants are people who take part in court proceedings, usually against each other, like a debtor and a creditor.
<b>Litigants referred</b>	Litigants referred relates to a case where the parties have been referred to another instance/court.
<b>Open account transaction</b>	Open account transactions are revolving credit, i.e. where an account does not have a final payment date and a person can always take more goods and keep paying as long as he has credit.
<b>Other services</b>	‘Other services’ refers to municipal services (except outstanding assessment rates), plumbers, builders, mechanics, panel-beaters and electricians.
<b>Other debts</b>	‘Other’ debts refers to all other kinds of outstanding debts such as salaries and wages, outstanding medical fund debts, outstanding sponsored debts, outstanding class and tuition debt, outstanding income and sales, tax, outstanding assessment rates, outstanding money in respect of television maintenance contracts and outstanding money in respect of flat levies.

<b>Plaintiff</b>	Plaintiff is a person/party in a civil case who asks the court for judgement against another person.
<b>Professional services</b>	Professional services refers to medical doctors/dentists, advocates/ attorneys, auditors/ accountants, architects, engineers and hospital services.
<b>Promissory note</b>	Promissory notes are written notes, signed by one person, in which he promises to pay money to another person, or to the bearer of such a note on a specific date or on demand.
<b>Reference month</b>	Reference month refers to one calendar month.
<b>Refer to drawer (R/D) cheques</b>	R/D cheques refer to dishonoured cheques. The drawer is the owner of the cheque. When a person issues a cheque and there is no money in the cheque account, the bank will refuse to pay the bearer. The cheque will be referred back to the drawer.

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