

Statistics of civil cases for debt

August 2001

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Key figures for the month ended August 2001

Actual estimates	August 2001	% change between August 2000 and August 2001	% change between June 2000 to August 2000 and June 2001 to August 2001	% change between January 2000 to August 2000 and January 2001 to August 2001
Number of civil summonses issued for debt	132 426	-5,1	-2,9	+0,4
Number of civil judgements recorded for debt	86 030	+0,7	+3,3	+1,1
Value of civil judgements recorded for debt (R million)	826,7	+24,3	+23,5	+30,3

Seasonally adjusted estimates	August 2001	% change between July 2001 and August 2001	% change between March 2001 to May 2001 and June 2001 to August 2001
Number of civil summonses issued for debt	129 692	-2,5	-3,0
Number of civil judgements recorded for debt	82 354	-9,6	+8,1
Value of civil judgements recorded for debt (R million)	773,6	-1,9	-0,7

Key findings for the month ended August 2001

The total number of civil summonses issued for debt decreases

The total number of civil summonses issued for debt for the three months ended August 2001, after seasonal adjustment, decreased by 3,0% compared with the previous three months. Furthermore, the total number of civil summonses issued for debt for the three months ended August 2001 decreased by 2,9% compared with the three months ended August 2000. However, the total number of civil summonses issued for debt for the first eight months of 2001 increased by 0,4% compared with the first eight months of 2000.

The major contributor to the decrease of 2,9% in civil summonses issued for debt for the three months ended August 2001 compared with the three months ended August 2000, was civil summonses issued in respect of 'other' services (-3,6 percentage points). This decrease was partially counteracted by an increase in 'other' debts (+2,1 percentage points).

The total number of civil judgements recorded for debt increases

The total number of civil judgements recorded for debt for the three months ended August 2001, after seasonal adjustment, increased by 8,1% compared with the previous three months. Furthermore, the total number of civil judgements recorded for debt for the three months ended August 2001 increased by 3,3% compared with the three months ended August 2000. The total number of civil judgements recorded for debt for the first eight months of 2001 increased by 1,1% compared with the first eight months of 2000.

The major contributor to the increase of 3,3% in the number of civil judgements recorded for debt for the three months ended August 2001 compared with three months ended August 2000 were civil judgements recorded in respect of money lent (+3,1 percentage points).

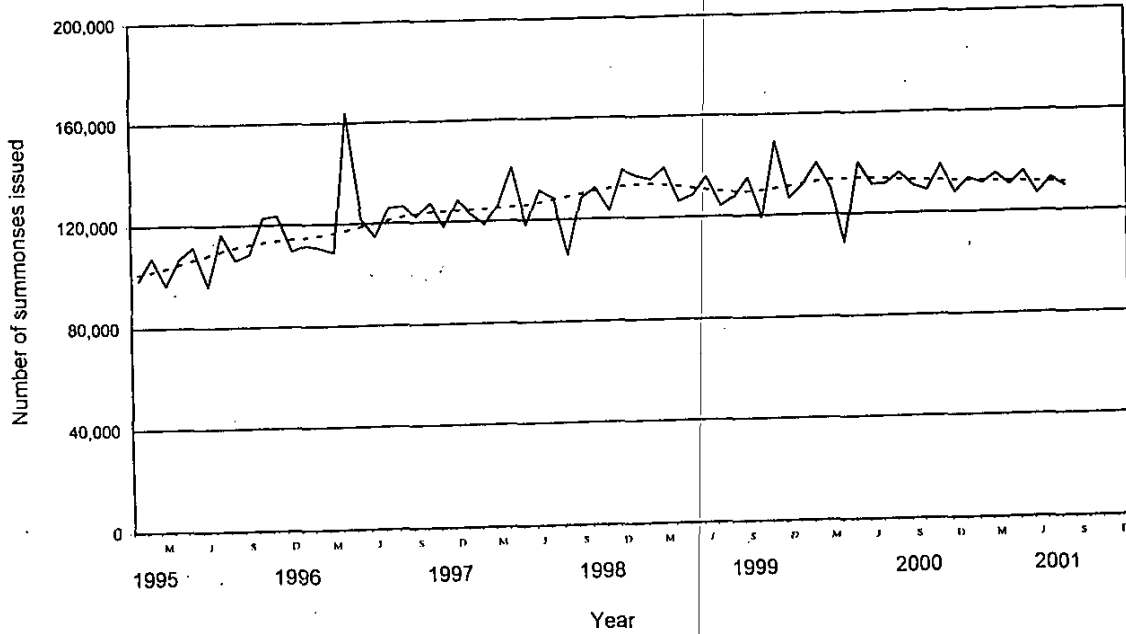
The total value of civil judgements recorded for debt decreases

The total value of civil judgements recorded for debt for the three months ended August 2001, after seasonal adjustment, decreased by 0,7% compared with the previous three months. However, the total value of civil judgements recorded for debt for the three months ended August 2001 increased by 23,5% compared with the three months ended August 2000. Furthermore, the total value of civil judgements recorded for debt for the first eight months of 2001 increased by 30,3% compared with the first eight months of 2000.

The major contributors to the increase of 23,5% in the value of civil judgements recorded for debt for the three months ended August 2001 compared with the three months ended August 2000 were civil judgements recorded in respect of 'other' debts (+12,3 percentage points), goods sold on account (+6,2 percentage points), money lent (+3,7 percentage points) and 'other services' (+1,5 percentage points).

During August 2001, 86 030 civil judgements for debt amounted to R826,7 million. The largest contributors to the R826,7 million were civil judgements relating to money lent (32,1% or R265,3 million), 'other' debts (23,7% or R196,2 million) and goods sold on account (19,4% or R160,3 million).

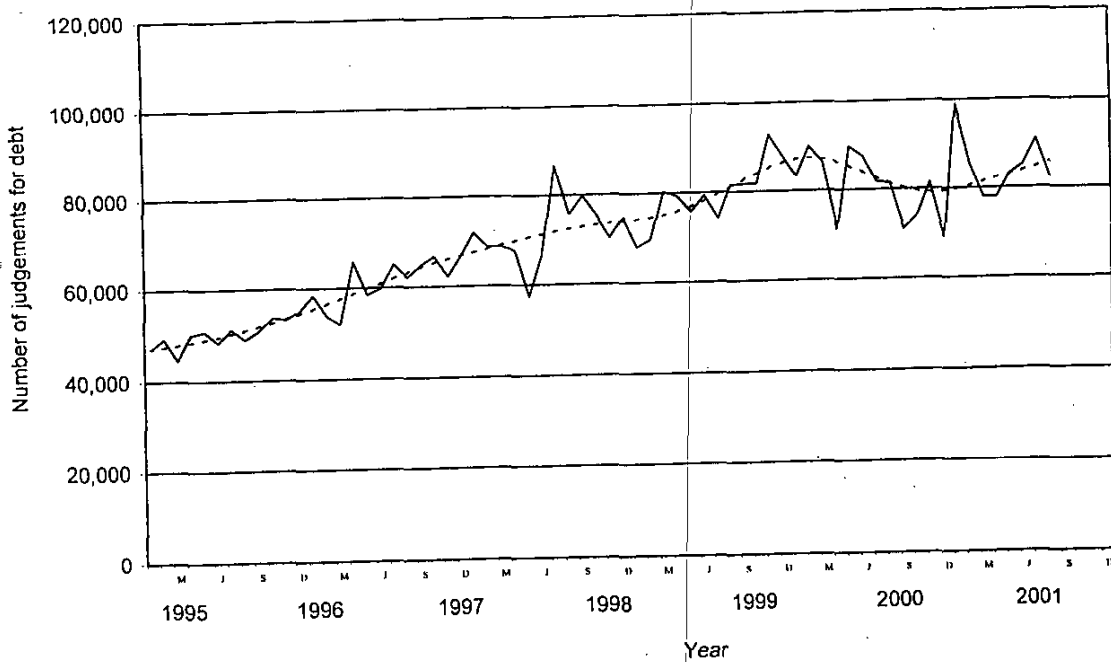
Figure 1 - Civil summonses for debt



Source : Stats SA

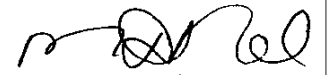
— Seasonally adjusted - - - - Trend

Figure 2 - Civil judgements for debt



Source : Stats SA

— Seasonally adjusted - - - - Trend

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Notes

Forthcoming issues

Issue	Expected release date
September 2001	22 November 2001
October 2001	20 December 2001
November 2001	24 January 2002
December 2001	21 March 2002

Purpose of the survey

The survey of Civil Cases for Debt covering a sample of magistrates' offices in South Africa excluding the former Transkei, Bophuthatswana, Venda and Ciskei (TBVC states). These 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.

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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
1999	183 828	134 728	39 462	15 786	33 568	118 178	127 479	88 827	46 564	153 977	54 911	29 040
2000	216 481	116 963	36 979	17 474	35 897	115 562	113 989	94 347	44 280	134 031	44 545	33 581
2000 - J	10 668	11 056	5 408	1 161	2 093	7 620	9 349	7 528	3 221	8 083	4 678	2 417
F	18 081	10 629	3 529	1 840	3 453	12 037	9 665	6 721	3 844	18 499	5 302	3 361
M	21 376	9 636	5 075	1 957	3 244	9 826	12 368	7 719	4 694	10 326	4 610	3 246
A	18 080	4 931	2 405	1 221	2 453	8 514	7 207	6 803	3 206	8 614	2 581	1 230
M	21 903	10 615	1 787	1 657	2 763	9 729	9 615	7 109	5 149	21 124	3 702	2 374
J	17 375	7 860	2 066	1 370	2 620	13 017	12 529	8 040	3 957	10 779	2 906	3 437
J	16 251	9 682	4 937	1 204	3 594	9 352	9 998	8 252	3 664	9 205	3 668	2 705
A	21 516	10 103	2 555	1 225	4 020	10 400	8 852	8 347	3 837	7 609	2 558	2 778
S	16 811	11 157	2 099	1 039	2 725	8 862	8 419	6 946	3 129	10 055	4 072	2 876
O	18 226	11 678	1 894	1 842	2 417	9 857	8 419	9 843	3 673	10 870	3 362	3 516
N	21 303	14 388	2 876	1 516	4 026	9 305	10 352	9 972	3 212	11 268	3 799	3 086
D	14 891	5 228	2 348	1 442	2 489	7 043	7 216	7 067	2 694	7 599	3 307	2 485
2001 - J	12 891	9 509	1 938	1 442	3 771	6 484	7 216	7 507	3 341	11 824	3 766	6 619
F	16 231	8 948	6 556	1 035	3 877	10 829	10 785	8 718	3 704	14 951	2 813	6 619
M	23 003	10 380	3 444	1 791	3 911	10 800	12 462	8 077	3 379	16 437	2 727	1 722
A	19 119	13 057	1 708	1 842	3 300	9 504	11 320	6 134	3 220	13 222	2 261	2 636
M	21 742	12 519	3 606	1 370	4 370	9 582	11 733	8 159	4 194	19 208	2 754	2 672
J	18 385	10 095	2 367	2 028	4 646	9 000	10 826	8 252	4 067	15 049	2 277	920
J	16 644	12 649	2 139	1 657	3 721	7 614	9 282	7 352	3 405	13 749	5 577	2 763
A	16 885	10 208	1 903	1 297	3 946	9 396	10 649	6 055	3 542	11 214	6 587	4 352

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

Item	Business enterprises and private persons				Private persons			
	2000	2000	2001	2001	2000	2000	2001	2001
	Aug.	Jul.	Aug.	Jul.	Aug.	Jul.	Aug.	Jul.
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	144 343	13 505	13 152	11 849	133 518	12 587	12 289	10 826
1.1.1.2 Instalment sale transactions	18 244	1 423	1 952	1 655	16 238	1 268	1 812	1 404
1.2 Services								
1.2.1 Professional	98 214	9 479	9 565	8 769	95 094	9 186	9 298	8 414
1.2.2 Other	175 766	14 800	15 189	14 640	167 692	14 124	14 640	14 078
1.3 Rent	39 547	3 088	4 767	4 652	31 904	2 510	4 143	4 108
1.4 Money lent	256 609	24 044	28 197	26 531	250 085	23 622	27 729	25 929
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	82 899	6 321	10 778	6 595	78 798	5 987	9 886	6 220
1.6 Other	154 024	12 776	15 134	11 339	144 412	12 044	14 390	10 739
1.7 Total								
1.7.1 Actual figures	969 646	85 436	98 734	86 030	917 745	81 330	94 188	81 718
1.7.2 Seasonally adjusted	81 408	91 085	82 354	77 235	86 407	78 037		

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

Item	Business enterprises and private persons				Private persons			
	2000		2001		2000		2001	
	Aug.	Jul.	Aug.	Jul.	Aug.	Jul.	Aug.	Jul.
	R1 000							
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	741 285	59 825	90 480	160 286	574 764	44 192	75 192	143 762
1.1.1.2 Instalment sale transactions	357 335	33 662	42 668	28 729	303 949	29 017	38 383	22 493
1.2 Services								
1.2.1 Professional	184 612	18 928	22 747	13 516	166 067	16 434	20 331	12 205
1.2.2 Other	593 344	64 369	75 231	61 809	529 045	58 225	68 839	55 166
1.3 Rent	308 849	28 668	37 391	28 497	214 729	21 379	25 109	20 772
1.4 Money lent	2 721 283	247 146	284 676	265 325	2 465 971	220 977	267 195	248 910
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	733 966	80 719	58 649	72 330	632 512	67 884	48 211	64 190
1.6 Other	1 440 829	132 792	203 927	196 208	1 117 832	114 930	173 821	140 251
1.7 Total	7 081 503	665 109	815 769	826 700	6 004 871	573 040	717 081	707 750
1.7.1 Actual figures	628 866	788 724	773 554		542 770	705 445	663 853	
1.7.2 Seasonally adjusted								

Table 5 - Number of small claims courts, litigants referred, summonses issued and hearings: 1990 to 1999

Year	Small claims courts	Litigants referred	Summonses issued	Hearings
1990	92	16 474	16 551	15 540
1991	103	16 857	19 520	17 814
1992	106	18 906	24 942	23 421
1993	109	19 502	24 929	23 953
1994	111	20 101	25 112	25 356
1995	113	20 154	24 905	25 746
1996	120	21 230	27 463	27 690
1997	115	13 423	25 417	26 622
1998	121	22 546	28 622	27 672
1999	127	34 897	30 592	30 651

Source: Department of Justice

Additional information

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 This statistical release reflects a sample of all civil cases recorded and summonses issued against business enterprises and private persons in selected magistrates' offices.
- 3 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

- 4 This survey covers:
 - Number of civil cases recorded.
 - Number of civil summonses for debt issued.
 - Number of civil judgements for debt.
 - Value of civil judgements for debt.
- 5 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.
- 6 The following actions are excluded from the jurisdiction of small claims courts -
 - 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; 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 R3 000 in value.

Comparability

- 7 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.
- 8 The jurisdiction limit for civil cases handled by magistrates' offices (R20 000 for liquid assets and R50 000 for non-liquid assets) was increased to R100 000 as from 1 July 1995. A comparison with the period prior to July 1995 must thus be handled with circumspection.

- Statistical unit**
- 9 The statistical unit for collection of information is a magistrate's office. Magistrate's offices include the small claims courts.
- 10 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 *sample* 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 from approximately 152 magistrates' offices.
- Seasonal adjustment**
- 12 Seasonal adjustment 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**
- 13 Smoothed seasonally adjusted estimates are generated using the X-11 Seasonal Adjustment Programme.
- Publications**
- 14 Users may also wish to refer to the following publications:
- Bulletin of Statistics issued quarterly.
 - SA Statistics issued annually.
- Unpublished statistics**
- 15 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**
- 16 R/D Refer to Drawer
 CD Compact Disc
 Stats SA Statistics South Africa
 TBVC Transkei, Bophuthatswana, Venda, Ciskei.
- Technical notes**
- Response rates**
- The response rate for August was 94%

Glossary

Acknowledgement of debt	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.
Bills	Bills are statements of charges for services rendered or for amounts owed.
Civil judgements	Civil judgements are decisions taken in a civil matter or a dispute between two people or parties.
Civil summonses	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.
Consent judgements	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.
Default judgements	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.
Hearings	Hearings are proceedings in a court where the court listens or hears the submission or presentation in support of their cases where the two parties submitted the evidence in support of their cases.
Instalment sale transactions	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.
Litigants	Litigants are people who take part in court proceedings, usually against each other, like a debtor and a creditor.
Litigants referred	Litigants referred relates to a case where the parties have been referred to another instance/court.
Open account transaction	Open account transactions are revolving credit, i.e. where an account does not have a final payment date and a person can buy more goods and increase his payments before the account is paid off.
Other services	'Other services' refers to municipal services (except outstanding assessment rates), plumbers, builders, mechanics, panel-beaters and electricians.
Other kinds of debt	'Other kinds of debts' refers to outstanding 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.
Plaintiff	Plaintiff is a person/party in a civil case who asks the court for judgement against another person.
Promissory note	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.

**Refer to drawer
(RD) cheques**

RD 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 may refuse to pay the bearer. The cheque will then be referred back to the drawer.

Small claims courts

Small claims courts refer to courts where members of the public may bring claims not exceeding R3 000. The presiding officer in these courts is called the commissioner. Litigants in the small claims courts do not have to make use of legal representatives.

For more information

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