

**Statistics
South Africa**

THE LIBRARY
STATISTICS SOUTH AFRICA
PRIVATE BAG X44
PRETORIA
0001

**Statistical release
P0041**

Dipalopalo tsa Aforika Borwa • Statistieke Suid-Afrika • Tlstatistiki ta Afrika-Dzonga • Ukuqokelelwa kwamanani eNingizimu Afrika

Statistics of civil cases for debt

December 2000

Co-operation between Statistics South Africa (Stats SA), the citizens of the country, the private sector and government institutions is essential for a successful statistical system. Without continued co-operation and goodwill, the timely release of relevant and reliable official statistics will not be possible.

Embargo: 09:30
Date: 22 February 2001

Stats SA publishes approximately three hundred different releases each year. It is not economically viable to produce them in more than one of South Africa's eleven official languages. Since the releases are used extensively, not only locally, but also by international economic and social-scientific communities, Stats SA releases are published in English only.

Private Bag X44 • 0001 Pretoria • South Africa • Steyn's Building • Steyn's Arcade • 274 Schoeman Street • Pretoria
Users enquiries Tel: +27(12) 310 8600 • Fax: +27(12) 310 8500
E-mail address: info@statssa.pwv.gov.za • Website: <http://www.statssa.gov.za>



Key figures as at the end of December 2000

Actual estimates	December 2000	% change between December 1999 and December 2000	% change between October 1999 to December 1999 and October 2000 to December 2000	% change between January 1999 to December 1999 And January 2000 to December 2000
Number of civil summonses issued for debt	98 941	+3,3	0,0	-0,1
Number of civil judgements recorded for debt	60 074	-19,8	-13,4	+1,8
Value of civil judgements recorded for debt (R million)	457,7	-2,0	+7,8	-9,0

Seasonally adjusted estimates

	December 2000	% change between November 2000 and December 2000	% change between July 2000 to September 2000 and October 2000 to December 2000
Number of civil summonses issued for debt	129 421	-5,6	-0,3
Number of civil judgements recorded for debt	70 764	-12,5	-3,7
Value of civil judgements recorded for debt (R million)	564,6	-2,5	+4,9

Key findings for the year 2000

The total number of civil summonses issued for debt lower than a year ago

The total number of civil summonses issued for debt for the year 2000 decreased by 0,1% compared with 1999.

The major contributors to the decrease of 0,1% in civil summonses issued for debt for the year 2000 compared with 1999 were civil summonses issued in respect of money lent (-1,1 percentage points) and promissory notes (-0,6 of a percentage point). However, these decreases were partially counteracted by increases in summonses issued for debt relating to goods sold on open account (+0,6 of a percentage point), "other" services (+0,5 of a percentage point) and rent (+0,4 of a percentage point).

The total number of civil judgements recorded for debt higher than a year ago

The total number of civil judgements recorded for debt for the year 2000 increased by 1,8% compared with 1999.

The major contributors to the increase of 1,8% in the number of civil judgements recorded for debt for the year 2000 compared with 1999 were civil judgements recorded in respect of money lent (+2,1 percentage points), promissory notes (+0,9 of a percentage point) and rent (+0,6 of a percentage point). However, these increases were partially counteracted by decreases in the number of judgements recorded for debt relating to goods sold on open account (-1,1 percentage points) and "other" debts (-0,8 of a percentage point).

The total value of civil judgements recorded for debt lower than a year ago

The total value of civil judgements recorded for debt for the year 2000 decreased by 9,0% compared with 1999.

The major contributors to the decrease of 9,0% in the value of civil judgements recorded for debt for the year 2000 compared with 1999 were civil judgements recorded in respect of "other" debts (-7,1 percentage points) and money lent (-4,4 percentage points). However, these decreases were partially counteracted by increases in the value of judgements recorded for debt relating to promissory notes (+1,2 percentage points), "other" services (+0,9 of a percentage point) and goods sold on open account (+0,8 of a percentage point).

Key findings as at the end of December 2000**The total number of civil summonses issued for debt remains unchanged**

The total number of civil summonses for debt for the fourth quarter of 2000 remained at the same level compared with the fourth quarter of 1999. However, the total number of civil summonses for debt for the fourth quarter of 2000, after seasonal adjustment, decreased by 0,3% compared with the third quarter of 2000.

Increases in civil summonses issued for debt were reported for civil summonses regarding "other" services (+3,7 percentage points), "other" debts (+1,3 percentage points), rent (+0,8 of a percentage point) and instalment sale transactions (+0,5 of a percentage point) for the fourth quarter of 2000 compared with the fourth quarter of 1999. However, these increases were counteracted by decreases in civil summonses issued for debt relating to money lent (-4,9 percentage points), promissory notes (-0,8 of a percentage point), goods sold on open account (-0,5 of a percentage point) and professional services (-0,2 of a percentage point).

The total number of civil judgements recorded for debt lower than a year ago

The total number of civil judgements recorded for debt for the fourth quarter of 2000 decreased by 13,4% compared with the fourth quarter of 1999. Furthermore, the total number of civil judgements recorded for debt for the fourth quarter of 2000, after seasonal adjustment, decreased by 3,7% compared with the third quarter of 2000.

The major contributors to the decrease of 13,4% in the number of civil judgements recorded for debt for the fourth quarter of 2000 compared with the corresponding period of 1999 were civil judgements recorded in respect of "other" services (-5,3 percentage points), goods sold on open account (-3,0 percentage points) and "other" debts (-1,7 percentage points).

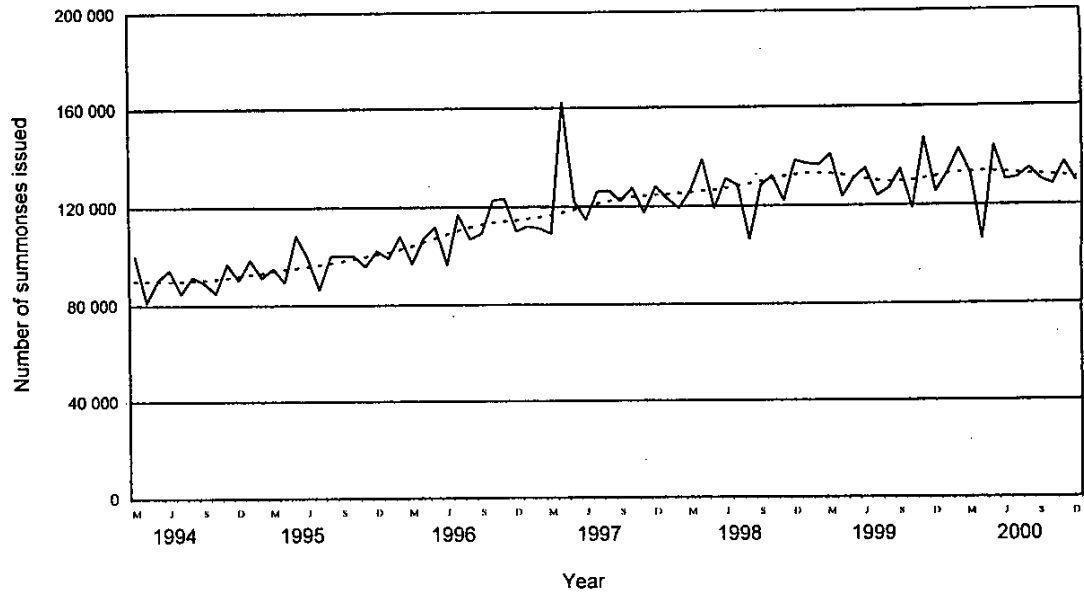
The total value of civil judgements recorded for debt higher than a year ago

The total value of civil judgements recorded for debt for the fourth quarter of 2000 increased by 7,8% compared with the fourth quarter of 1999. Furthermore, the total value of civil judgements recorded for debt for the fourth quarter of 2000, after seasonal adjustment, increased by 4,9% compared with the third quarter of 2000.

The major contributors to the increase of 7,8% in the value of civil judgements recorded for debt for the fourth quarter of 2000 compared with the fourth quarter of 1999 were civil judgements recorded in respect of money lent (+5,2 percentage points) and "other" debts (+2,9 percentage points) and rent (+1,1 percentage points). However, these increases were partially counteracted by decreases in the value of judgements recorded for debt relating to instalment sale transactions (-0,9 of a percentage point) and goods sold on open account (-0,5 of a percentage point).

During December 2000, 60 074 civil judgements for debt amounted to R457,7 million. The largest contributors to the R457,7 million were civil judgements relating to money lent (32,5% or R148,9 million) and "other" debts (32,4% or R148,1 million).

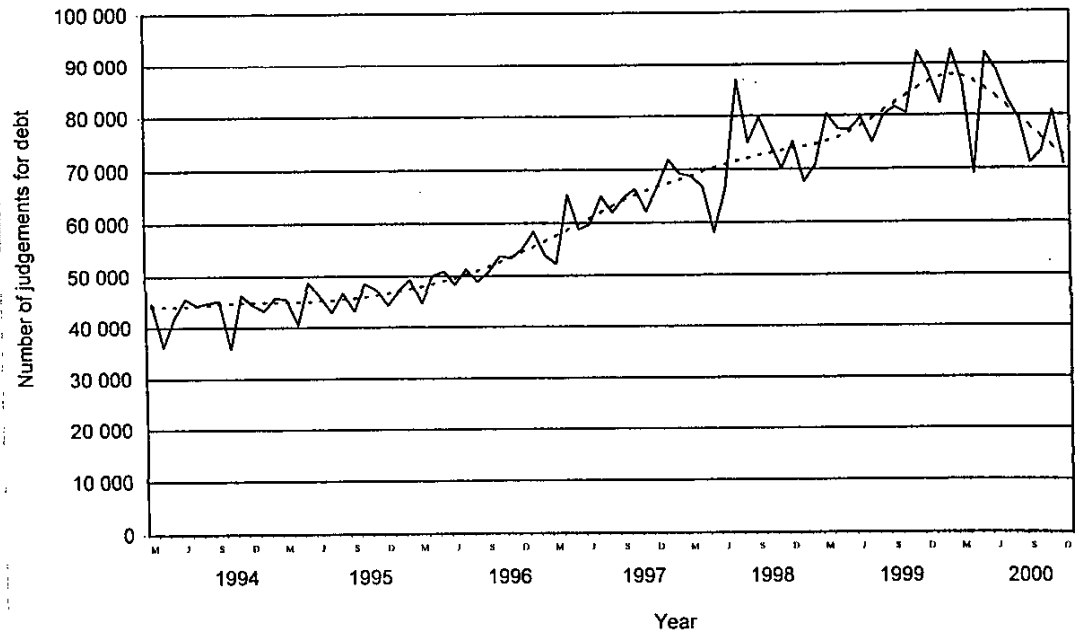
Figure 1 - Number of civil summonses issued for debt



Source : Stats SA

— Seasonally adjusted — Trend

Figure 2 - Number of civil judgements recorded for debt



Source : Stats SA

— Seasonally adjusted — Trend

PP *P J Lehohla*
 P J Lehohla
 Statistician-General: Statistics South Africa

Notes

Forthcoming issues	Issue	Expected release date
	January 2001	29 March 2001
Purpose of the survey	<p>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.</p>	

Contents

Editorial	Page
Notes	5
Tables	
Table 1 Number of civil cases recorded and summonses issued for debt according to business enterprises and private persons	7
Table 2 Number of civil cases recorded in selected magistrates' offices	8
Table 3 Number of civil default and consent judgements for debt according to business enterprises and private persons	9
Table 4 Value of civil default and consent judgements for debt according to business enterprises and private persons	10
Table 5 Number of small claims courts, litigants referred, summonses issued and hearings: 1990 to 1999 ...	11
Additional information	
Explanatory notes	12
Technical notes	13
Glossary	14
For more information	16

Table 1 - Number of civil cases recorded and summonses issued for debt according to business enterprises and private persons

Item	Business enterprises and private persons				Private persons			
	2000	1999	2000	2000	2000	1999	2000	2000
1. Cases recorded								
1.1 Actual figures	1 762 786	109 873	162 663	113 645	1 588 587	100 172	148 783	104 274
1.2 Seasonally adjusted		142 366	140 776	146 687		131 133	126 868	135 520
2. Civil summonses for debt								
2.1 Goods sold								
2.1.1 Open account	257 299	15 894	21 575	15 182	228 682	14 160	19 321	13 686
2.1.1.2 Instalment sale transactions	39 008	1 787	3 324	2 426	32 739	1 557	2 952	2 167
2.2 Services								
2.2.1 Professional	181 642	11 492	14 649	11 140	167 432	10 430	13 980	10 630
2.2.2 Other	390 396	19 026	38 025	22 785	362 041	17 424	35 937	21 016
2.3 Rent	67 258	3 597	5 411	5 429	52 912	2 888	4 163	4 256
2.4 Money lent	318 159	21 457	30 158	19 273	297 401	19 808	28 490	18 396
2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	106 432	7 999	10 390	6 362	92 545	7 508	9 085	5 575
2.6 Other	220 725	14 500	24 814	16 344	195 182	12 458	22 081	14 621
2.7 Total								
2.7.1 Actual figures	1 580 919	95 752	148 346	98 941	1 428 931	86 233	136 009	90 350
2.7.2 Seasonally adjusted		125 464	137 148	129 421		114 573	126 682	119 548

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	Fontein
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	37 507	17 474	35 897	115 562	113 989	94 347	44 280	134 031	44 556	33 581
1999 - J	12 520	14 821	4 475	774	2 372	7 524	6 389	5 737	2 312	8 543	4 197	1 338
F	16 758	7 212	1 889	1 266	2 840	9 869	20 995	6 772	4 753	10 529	5 099	2 566
M	17 963	7 700	5 594	1 470	2 791	13 314	13 003	7 606	3 608	14 386	4 282	3 298
A	14 598	11 130	3 018	870	2 692	9 251	9 928	7 216	2 713	8 187	3 516	2 160
M	19 003	15 590	1 753	1 899	3 535	9 182	8 993	7 297	3 758	10 494	4 797	3 305
J	19 674	16 411	4 782	1 044	2 947	9 158	11 020	8 377	3 862	10 513	6 478	2 694
J	16 015	11 566	1 626	1 841	3 054	9 218	10 123	8 409	4 876	10 215	7 121	2 127
A	15 112	11 085	3 892	1 328	2 739	10 273	8 433	8 155	5 221	10 248	5 695	1 711
S	14 367	9 193	4 618	653	2 125	10 730	10 404	8 882	4 026	11 747	3 620	2 402
O	12 648	8 700	2 915	1 706	2 631	11 390	10 994	6 937	4 049	13 102	2 119	2 958
N	14 376	16 092	3 529	1 900	3 298	11 126	10 171	7 248	4 107	34 532	3 588	2 731
D	10 794	5 228	1 371	1 035	2 544	7 143	7 026	6 191	3 279	11 481	4 399	1 750
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	3 497
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	3 810	3 096
D	14 891	5 228	2 876	1 442	2 489	7 043	7 216	7 067	2 694	7 599	3 307	2 485

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	1999	2000	2000	2000	1999	2000	2000
		Dec.	Nov.	Dec.	Dec.	Nov.	Dec.	Dec.
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	144 354	11 010	11 365	8 622	133 583	10 197	10 462	7 929
1.1.1.2 Instalment sale transactions	18 292	1 331	1 322	1 008	16 278	1 209	1 183	895
1.2 Services								
1.2.1 Professional	98 442	6 630	8 488	5 525	95 396	6 450	8 219	5 390
1.2.2 Other	175 395	15 989	14 072	9 802	167 309	15 215	13 319	9 213
1.3 Rent	39 865	2 229	3 283	2 144	32 226	1 856	2 619	1 674
1.4 Money lent	257 484	17 244	22 487	15 901	251 011	16 968	21 023	15 474
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	82 951	6 520	7 445	4 881	78 959	6 308	7 155	4 469
1.6 Other	153 792	13 944	16 524	12 191	144 225	13 365	15 489	11 404
1.7 Total								
1.7.1 Actual figures	970 576	74 897	84 986	60 074	918 987	71 569	79 468	56 447
1.7.2 Seasonally adjusted		88 344	80 856	70 764		84 531	74 387	66 613

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	1999	2000	2000	2000	1999	2000	2000
	Dec.	Dec.	Nov.	Dec.	Dec.	Dec.	Nov.	Dec.
	R1 000							
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	742 760	43 624	55 691	37 384	575 918	30 753	41 082	27 625
1.1.1.2 Instalment sale transactions	354 668	29 473	29 566	18 238	302 653	20 506	23 452	16 559
1.2 Services								
1.2.1 Professional	184 080	11 642	15 336	9 072	165 727	9 596	13 824	8 263
1.2.2 Other	595 485	41 774	56 365	36 533	530 969	35 328	52 356	33 198
1.3 Rent	311 437	17 072	30 279	15 506	217 123	12 774	18 745	10 105
1.4 Money lent	2 727 194	176 219	219 152	148 903	2 470 377	159 602	195 838	134 063
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	733 538	42 868	58 581	43 968	632 473	37 001	48 675	38 236
1.6 Other	1 440 802	104 317	130 764	148 059	1 117 225	84 491	90 727	117 080
1.7 Total								
1.7.1 Actual figures	7 089 964	466 989	595 734	457 663	6 012 465	390 051	484 698	385 130
1.7.2 Seasonally adjusted		577 577	579 126	564 592		486 698	468 672	478 806

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 excluding the former Transkei, Bophuthatswana, Venda and Ciskei (TBVC states). This information is obtained from selected magistrates' offices.
 - 2 This statistical release reflects the results of civil cases recorded and summonses issued against business enterprises and private persons in a sample of 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 business enterprises. Only the general public may use the small claims courts and not 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 May 1995. A comparison with the period prior to May 1995 must thus be handled with circumspection.

Statistical unit	9	The statistical unit for collection of information is a magistrates' office. Magistrates' offices include the small claims courts.
Survey methodology and design	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.
	11	The survey is conducted by mail each month from 152 magistrates' offices.
Seasonal adjustment	12	Seasonally adjusted estimates of all items are generated each month, using the X-11 Seasonal Adjustment Program developed by US Bureau of the Census Economic Research and Analyses Division, 1968. 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	The trend is the long-term pattern or movement of a time series. The X-11 Seasonal Adjustment Program is used for smoothing seasonally adjusted estimates.
Publications	14	Users may also wish to refer to the following publications: <ul style="list-style-type: none"> • 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		R/D Refer to Drawer CD Compact Disc Stats SA Statistics South Africa TBVC Transkei, Bophuthatswana, Venda, Ciskei.
 Technical notes		
Response rate		The response rate for December was 80%.

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 transactions	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.
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 debt" 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 the Unemployment Insurance and Compensation Funds, 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.
Reference month	Reference month refers to one calendar month.

**Refer to drawer
(R/D) cheques**

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.

Small claims courts

Small claims courts refer to courts where claims of R3 000 or less are heard. 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

Stats SA publishes approximately 300 different statistical releases each year. It is not economically viable to produce them in more than one of South Africa's eleven official languages. Since the releases are used extensively, *not only* locally but also by international economic and social-scientific communities, Stats SA releases are published in English only.

Stats SA has copyright on this publication. Users may apply the information as they wish, provided that they acknowledge Stats SA as the source of the basic data wherever they process, apply, utilise, publish or distribute the data: and also that they specify that the relevant application and analysis (where applicable) result from their own processing of the data.

Stats SA products

A complete set of Stats SA publications is available at the Stats SA Library and the following libraries:

National Library of South Africa, Pretoria Division
National Library of South Africa, Cape Town Division
Natal Society Library, Pietermaritzburg
Library of Parliament, Cape Town
Bloemfontein Public Library
Johannesburg Public Library
Eastern Cape Library Services, King William's Town
Central Regional Library, Pietersburg
Central Reference Library, Nelspruit
Central Reference Collection, Kimberley
Central Reference Library, Mmabatho

Stats SA also provides a subscription service.

Electronic services

A large range of data are available via on-line services, diskette, CD and computer printouts. For more details about our electronic data services, contact (012) 310 8095.

You can visit us on the Internet at: <http://www.statssa.gov.za>

Enquiries

Telephone number: (012) 310 8095/8390/8351 (user enquiries)
(012) 310 8220 (technical enquiries)
(012) 310 8161 (publications)
(012) 310 8490 (library)

Fax number: (012) 310 8332

e-mail: CorrieB@statssa.pwv.gov.za
DeidreN@statssa.pwv.gov.za

Postal address: Private Bag X44, Pretoria, 0001