



# Statistics of civil cases for debt

December 2003

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.

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.

**Embargoed until: 11:00  
Date: 19 February 2004**

### Key figures for the month ended December 2003

<b>Actual estimates</b>	<b>December 2003</b>	<b>% change between December 2002 and December 2003</b>	<b>% change between October 2002 to December 2002 and October 2003 to December 2003</b>	<b>% change between January 2002 to December 2002 and January 2003 to December 2003</b>
Number of civil summonses issued for debt	106 234	+5,3	-10,5	+1,4
Number of civil judgements recorded for debt	62 967	-11,1	-6,3	+11,2
Value of civil judgements recorded for debt (R million)	840,8	+64,5	+52,3	+9,1

<b>Seasonally adjusted estimates</b>	<b>December 2003</b>	<b>% change between November 2003 and December 2003</b>	<b>% change between July 2003 to September 2003 and October 2003 to December 2003</b>
Number of civil summonses issued for debt	146 022	+31,1	-8,3
Number of civil judgements recorded for debt	78 018	-2,8	-10,6
Value of civil judgements recorded for debt (R million)	879,2	+17,5	+24,5

## **Key findings for the year 2003**

### **The number of civil summonses for debt higher than a year ago**

*The number of civil summonses issued for debt for the year 2003 increased by 1,4% compared with the year 2002.*

The major contributor to the increase of 1,4% in civil summonses issued for debt for the year 2003 compared with the year 2002 was civil summonses issued in respect of 'other' debts (+1,9 percentage points). However, this increase was partially counteracted by a decrease in civil summonses issued relating to goods sold (-0,9 of a percentage point).

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

*The number of civil judgements recorded for debt for the year 2003 increased by 11,2% compared with the year 2002.*

The major contributors to the increase of 11,2% in the number of civil judgements recorded for debt for the year 2003 compared with the year 2002 were civil judgements recorded in respect of money lent (+3,6 percentage points), 'other' debts (+3,0 percentage points), goods sold (+1,5 percentage points), instalment sale transactions (+1,5 percentage points) and rent (+1,2 percentage points).

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

*The value of recorded civil judgements for debt for the year 2003 increased by 9,1% compared with the year 2002.*

The major contributors to the increase of 9,1% in the value of civil judgements recorded for debt for the year 2003 compared with the year 2002 were civil judgements recorded in respect of promissory notes (+3,8 percentage points), money lent (+3,7 percentage points) and goods sold (+2,8 percentage points). However, this increase was partially counteracted by a decrease in the value of civil judgements recorded relating to instalment sale transactions (+1,2 percentage points).

## **Key findings as at the end of December 2003**

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

*The number of civil summonses issued for debt for the fourth quarter of 2003, after seasonal adjustment, decreased by 8,3% compared with the previous quarter. Furthermore, the total number of civil summonses issued for debt for the fourth quarter of 2003 decreased by 10,5% compared with the fourth quarter of 2002.*

The major contributor to the decrease of 10,5% in civil summonses issued for debt for the fourth quarter of 2003 compared with the fourth quarter of 2002 was civil summonses issued in respect of money lent (-8,0 percentage points).

### **The number of recorded civil judgements for debt decreases**

*The number of civil judgements recorded for debt for the fourth quarter of 2003, after seasonal adjustment, decreased by 10,6% compared with the previous quarter. Furthermore, the total number of civil judgements recorded for debt for the fourth quarter of 2003 decreased by 6,3% compared with the fourth quarter of 2002.*

The major contributor to the decrease of 6,3% in the number of civil judgements recorded for debt for the fourth quarter of 2003 compared with the fourth quarter of 2002 was civil judgements in respect of money lent (-7,4 percentage points). However, this decrease was partially counteracted by an increase in judgements recorded relating to rent (+2,0 percentage points).

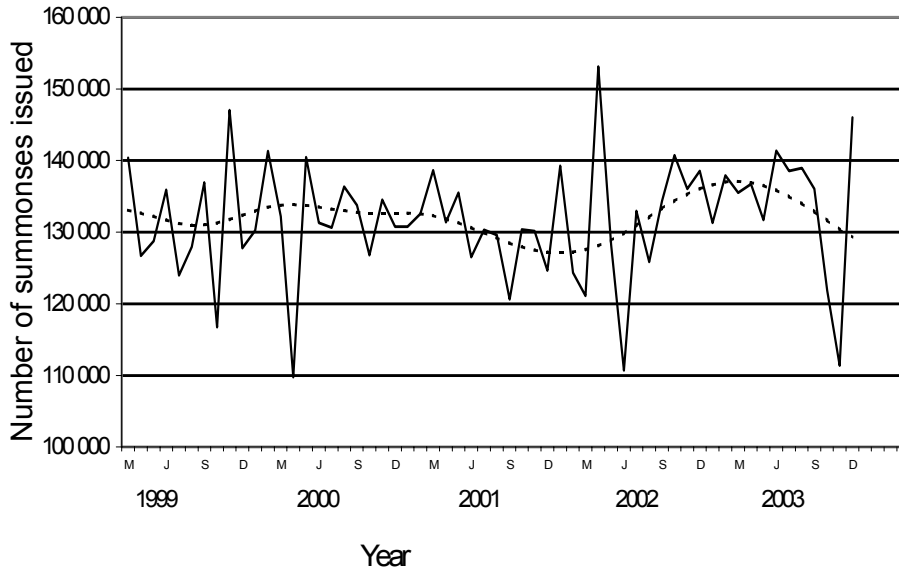
### **The value of recorded civil judgements for debt increases**

*The value of civil judgements recorded for debt for the fourth quarter of 2003, after seasonal adjustment, increased by 24,5% compared with the previous quarter. Furthermore, the total value of civil judgements recorded for debt for the fourth quarter of 2003 increased by 52,3% compared with the fourth quarter of 2002.*

The major contributors to the increase of 52,3% in the value of civil judgements recorded for debt for the fourth quarter of 2003 compared with the fourth quarter of 2002 were civil judgements recorded in respect of money lent (+26,7 percentage points), goods sold (+10,2 percentage points) and promissory notes (+5,5 percentage points).

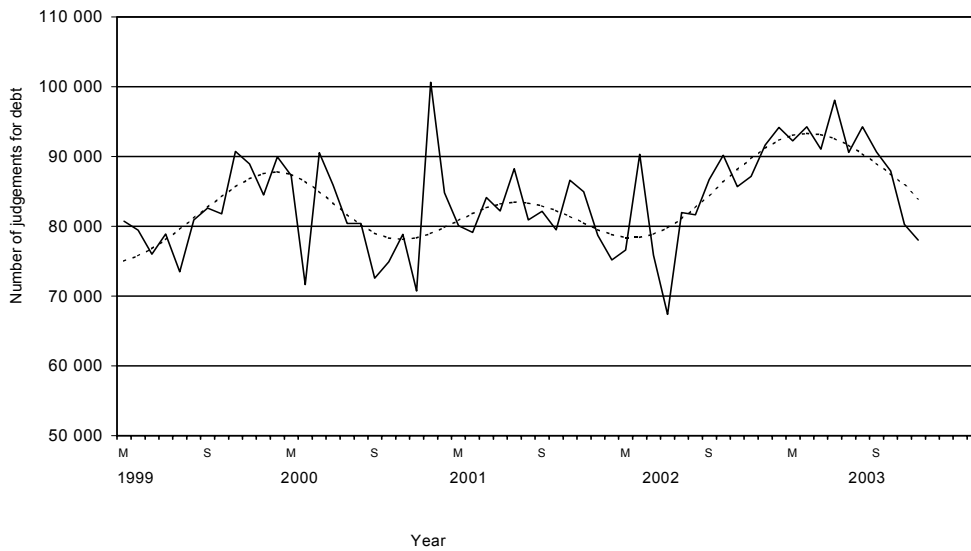
During December 2003, 62 967 civil judgements for debt, amounting to R840,8 million were recorded, the largest contributors to the R840,8 million were civil judgements relating to money lent (R302,2 million or 35,9% ) and 'other' debts (R191,3 million or 22,7%).

**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

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

## Notes

<b>Forthcoming issues</b>	<b>Issue</b>	<b>Expected release date</b>
	January 2004	25 March 2004
	February 2004	22 April 2004
	March 2004	27 May 2004
	April 2004	24 June 2004
	May 2004	22 July 2004
	June 2004	26 August 2004
	July 2004	23 September 2004
	August 2004	21 October 2004
	September 2004	25 November 2004
	October 2004	15 December 2004
	November 2004	20 January 2005
	December 2004	24 February 2005
<b>Purpose of the survey</b>	<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>	
<b>Response rate</b>	<p>The response rate for December 2003 was 78,4%.</p>	

## Contents

	<b>Page</b>
<b>Notes</b> .....	4
<b>Tables</b>	
Table 1 Number of civil cases recorded and summonses issued for debt according to business enterprises and private persons .....	6
Table 2 Number of civil cases recorded in selected magistrates' offices .....	7
Table 3 Number of civil default and consent judgements for debt according to business enterprises and private persons .....	8
Table 4 Value of civil default and consent judgements for debt according to business enterprises and private persons .....	9
<b>Explanatory notes</b> .....	10
<b>Glossary</b> .....	12
<b>General information</b> .....	13

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			
	2003	2002	2003	2003	2003	2002	2003	2003
		Dec.	Nov.	Dec.		Dec.	Nov.	Dec.
1. Cases recorded								
1.1 Actual figures	1 802 839	118 154	142 196	120 482	1 673 479	109 054	133 181	111 444
1.2 Seasonally adjusted		152 281	124 029	154 608		140 038	115 556	142 513
2. Civil summonses for debt								
2.1 Goods sold								
2.1.1 Open account	209 616	15 183	16 882	13 220	186 865	13 423	15 395	11 811
2.1.2 Instalment sale transactions	52 953	3 200	5 875	4 410	48 548	2 908	5 500	4 153
2.2 Services								
2.2.1 Professional	166 325	9 705	13 552	11 801	158 285	9 324	13 008	11 397
2.2.2 Other	273 089	13 999	22 795	20 877	253 336	12 737	21 549	20 144
2.3 Rent	79 827	5 435	7 224	6 281	65 793	4 781	6 048	5 129
2.4 Money lent	418 097	28 651	29 574	23 242	406 061	27 769	28 761	22 485
2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	132 352	8 298	9 701	9 266	122 755	7 860	9 042	8 534
2.6 Other	269 206	16 384	20 064	17 137	246 836	13 917	18 897	15 041
2.7 Total								
2.7.1 Actual figures	1 601 465	100 855	125 667	106 234	1 488 480	92 719	118 200	98 694
2.7.2 Seasonally adjusted		138 566	111 373	146 021		127 388	104 405	135 531



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	185 484	86 919	37 534	26 953	30 153	131 913	183 641	78 614	53 072	145 245	33 818	71 882
2002 - J	12 399	9 395	1 684	1 657	2 947	6 618	10 413	5 931	3 111	13 571	1 503	2 627
F	12 156	10 065	1 899	769	3 301	13 463	10 413	6 028	3 003	12 691	1 858	2 939
M	15 356	9 855	2 118	3 325	3 393	9 628	11 519	5 847	3 371	12 756	1 751	3 640
A	20 988	9 796	3 344	3 325	3 624	13 563	16 691	5 208	3 013	14 853	3 492	3 726
M	20 483	9 796	2 664	943	4 174	12 811	14 247	5 682	3 144	13 848	3 142	3 751
J	14 132	6 109	2 386	943	3 340	10 140	10 951	6 295	3 116	12 321	2 187	3 947
J	17 194	8 335	2 747	990	4 818	9 948	13 946	6 850	4 010	12 357	4 442	4 297
A	14 614	7 400	2 926	990	2 900	10 487	11 742	6 044	3 351	14 219	2 552	4 266
S	17 873	6 999	3 184	990	2 724	10 283	13 822	5 584	3 480	11 698	1 984	4 417
O	19 587	10 551	3 184	990	3 579	13 578	13 822	6 869	4 539	18 602	2 241	2 810
N	22 178	5 970	3 466	990	2 501	16 979	13 822	7 732	4 881	15 955	2 880	3 005
D	13 846	4 090	2 557	4 755	2 341	8 497	8 967	6 293	3 818	10 107	1 516	3 163
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	15 741	6 869	3 925	2 017	1 518	7 403	16 231	6 028	4 003	7 602	3 021	3 285
D	14 465	5 990	2 829	2 017	1 842	11 424	16 231	4 471	2 137	7 406	2 856	2 604

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			
	2003	2002	2003	2003	2003	2002	2003	2003
		Dec.	Nov.	Dec.		Dec.	Nov.	Dec.
Number								
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	141 610	8 699	12 700	8 316	131 020	8 096	11 781	7 722
1.1.2 Instalment sale transactions	33 380	1 245	3 496	1 343	31 376	1 153	3 247	1 219
1.2 Services								
1.2.1 Professional	93 794	6 359	6 830	5 481	84 474	6 176	6 468	5 258
1.2.2 Other	140 289	13 449	13 176	8 627	132 026	12 971	12 405	8 246
1.3 Rent	52 124	2 591	4 518	4 453	49 575	2 229	3 685	3 728
1.4 Money lent	388 319	24 438	26 532	20 881	362 964	24 040	26 243	20 654
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	99 882	4 664	9 067	5 478	96 345	4 512	8 613	5 233
1.6 Other	144 386	9 373	10 196	8 388	132 567	8 945	8 844	7 728
1.7 Total								
1.7.1 Actual figures	1 093 784	70 818	86 515	62 967	1 020 621	68 123	81 285	59 789
1.7.2 Seasonally adjusted		87 178	80 284	78 018		83 618	75 631	73 883

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			
	2003	2002	2003	2003	2003	2002	2003	2003
		Dec.	Nov.	Dec.		Dec.	Nov.	Dec.
	R1 000							
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	912 690	39 773	110 207	145 670	785 093	32 086	97 767	131 617
1.1.2 Instalment sale transactions	283 249	20 427	26 885	20 718	232 082	16 005	23 216	16 962
1.2 Services								
1.2.1 Professional	232 204	13 653	17 651	33 783	196 853	11 887	15 901	13 548
1.2.2 Other	642 061	42 958	66 111	64 203	572 018	39 649	60 859	51 501
1.3 Rent	306 018	20 600	24 436	28 119	250 100	16 379	19 594	17 199
1.4 Money lent	3 193 837	249 539	270 891	302 182	2 940 490	198 482	264 158	228 983
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	909 861	37 821	68 440	54 868	845 820	34 713	63 104	48 849
1.6 Other	1 672 699	86 407	153 972	191 266	1 254 573	78 093	121 288	65 508
1.7 Total								
1.7.1 Actual figures	8 152 619	511 178	738 593	840 809	7 077 030	427 295	665 887	574 167
1.7.1 Seasonally adjusted		540 813	748 065	879 224		484 663	665 072	645 597



## 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, ejectment 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.



## General 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 only published in English.

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, Polokwane  
 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 8600/8390/8351/4892/8496/8095.

You can visit us on the Internet at: [www.statssa.gov.za](http://www.statssa.gov.za)

## Enquiries

Telephone number: (012) 310 8600/8390/8351/4892/8496/8095 (user information services)  
 (012) 310 8220 (technical enquiries)  
 (012) 310 8161 (publications)  
 (012) 310 8490 (orders)

Fax number: (012) 310 8332 (technical enquiries)

Email: MpeliM@statssa.gov.za  
 DeirdreN@statssa.gov.za

Postal address: Private Bag X44, Pretoria, 0001

*Produced by Stats SA*

*Statistics of civil cases for debt: December*

