

Statistics of civil cases for debt P0041

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Key figures for the month ended January 2001

Actual estimates	January 2001	% change between January 2000 and January 2001	% change between November 1999 to January 2000 and November 2000 to

			January 2001
Number of civil summonses issued for debt	108 804	-4,3	-4,0
Number of civil judgements recorded for debt	71 046	+4,0	-10,2
Value of civil judgements recorded for debt (R million)	587,2	+15,6	+5,1

Seasonally adjusted estimates	January 2001	% change between December 2000 and January 2001	% change between August 2000 to October 2000 and November 2000 to January 2001
Number of civil summonses issued for debt	126 735	-0,8	-0,6
Number of civil judgements recorded for debt	86 591	+23,1	+5,8
Value of civil judgements recorded for debt (R million)	636,2	+12,9	-3,0

Key findings for the month ended January 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 January 2001 decreased by 4,0% compared with the three months ended January 2000. Furthermore, the total number of civil summonses issued for debt for the three months ended January 2001, after seasonal adjustment, decreased by 0,6% compared with the previous three months.

The major contributors to the decrease of 4,0% in civil summonses issued for debt for the three months ended January 2001 compared with the three months ended January 2000 were civil summonses issued in respect of money lent (-5,8 percentage points) and "other" services (-1,0 percentage point). However, these decreases were partially counteracted by increases in summonses issued for debt relating to "other" debts (+1,9 percentage points) and rent (+1,0 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 three months ended January 2001 decreased by 10,2% compared with the three months ended January 2000. However, the total number of civil judgements recorded for debt for three months ended January 2001, after seasonal adjustment, increased by 5,8% compared with the previous three months.

The major contributors to the decrease of 10,2% in the number of civil judgements recorded for debt for the three months ended January 2001 compared with the three months ended January 2000 were civil judgements recorded in respect of "other" services (-6,1 percentage points), goods sold on open account (-2,7 percentage points), promissory notes (-0,7 of a percentage point), professional services (-0,6 of a percentage point) and instalment sale transactions (-0,6 of a percentage point). However, these decreases were partially counteracted by increases in "other" debt (+0,8 of a percentage point).

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 three months ended January 2001 increased by 5,1% compared with the three months ended January 2000. However, the total value of civil judgements recorded for debt for the fourth quarter of 2000, after seasonal adjustment, decreased by 3,0% compared with the previous three months.

The major contributors to the increase of 5,1% in the value civil judgements recorded for debt for the three months ended January 2001 compared with the three months ended January 2000 were civil judgements recorded in respect of "other" debts (+7,3 percentage points) and "other" services (+2,5 percentage points). However, these increases were partially counteracted by a decrease in the value of judgements recorded for debt relating to money lent (-4,0 percentage points).

During January 2001, 71 046 civil judgements for debt amounted to R587,2 million. The largest contributors to the R587,2 million were civil judgements relating to "other" debts (31,2% or R183,3 million) and money lent (30,2% or R177,2 million).

Notes		
Forthcoming issues	Issue	Expected release date
	February 2001	26 April 2001
	March 2001	24 May 2001
	April 2001	21 June 2001
	May 2001	26 July 2001
	June 2001	23 August 2001
	July 2001	27 September 2001
	August 2001	15 October 2001
	September 2001	22 November 2001
	October 2001	20 December 2001
	November 2001	24 January 2002
	December 2001	21 February 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). 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.
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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	2000	2000	2001	2000	2000	2000	2001
		Jan.	Dec.	Jan.		Jan.	Dec.	Jan.
1. Cases recorded								
1.1 Actual figures	1 761 317	124 080	112 393	127 707	1 587 382	114 690	103 276	118 118
1.2 Seasonally adjusted		145 789	145 727	149 214		134 199	134 971	137 456
2. Civil summonses for debt								
2.1 Goods sold								
2.1.1 Open account	257 066	15 405	15 038	17 391	228 461	13 734	13 556	15 807
2.1.2 Instalment sale transactions	38 963	2 532	2 378	2 719	32 715	2 296	2 140	2 431
2.2 Services								
2.2.1 Professional	181 908	12 039	11 459	12 401	167 643	11 169	10 893	11 825
2.2.2 Other	389 746	31 659	22 322	23 687	361 434	29 899	20 582	22 179
2.3 Rent	67 178	3 709	5 280	5 069	52 837	3 073	4 114	3 988
2.4 Money lent	317 781	25 991	19 014	23 793	297 013	24 690	18 130	22 984
2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	106 416	8 504	6 346	8 006	92 536	8 101	5 563	7 077
2.6 Other	220 315	13 846	15 867	15 738	195 012	12 688	14 390	13 974
2.7 Total								
2.7.1 Actual figures	1 579 373	113 685	97 704	108 804	1 427 651	105 650	89 368	100 265
2.7.2 Seasonally adjusted		132 973	127 806	126 735		122 791	118 208	116 012

Table 2 - Number of civil cases recorded in selected magistrates' offices

Year or month	Cape Peninsula	Port Elizabeth	East-London	Kimberley	Pieter-maritzburg	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	37 507	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	3 497
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	3 799	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
2001 - J	12 963	5 228	2 876	1 442	3 771	6 484	7 216	7 507	3 341	11 824	3 766	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	2000	2000	2001	2000	2000	2000	2001
		Jan.	Dec.	Jan.		Jan.	Dec.	Jan.
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	144 358	10 656	8 495	9 599	133 544	9 876	7 783	8 782
1.1.2 Instalment sale transactions	18 254	1 872	958	1 384	16 249	1 230	859	1 207
1.2 Services								
1.2.1 Professional	98 244	6 746	5 447	6 844	95 129	6 516	5 248	6 676
1.2.2 Other	175 754	13 459	9 625	10 327	167 690	12 855	9 061	9 691
1.3 Rent	39 554	2 426	1 941	2 948	31 906	2 006	1 466	2 444
1.4 Money lent	256 855	17 646	15 547	19 572	250 329	17 298	15 094	19 237
1.5 Promissory notes, bills,	82 873	5 905	4 797	5 798	78 776	5 521	4 283	5 514

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	<p>This survey covers:</p> <ul style="list-style-type: none"> • 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	<p>The following actions are excluded from the jurisdiction of small claims courts -</p> <ul style="list-style-type: none"> • 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 January 2001 was 62,0%.
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.

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