

P0041

Statistics of civil cases for debt

July 2003

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Key figures for the month ended July 2003

Actual estimates

	July 2003	% change between July 2002 and July 2003	% change between May 2002 to July 2002 and May 2003 to July 2003	% change between January 2002 to July 2002 and January 2003 to July 2003
Number of civil summonses issued for debt	149 716	+5,2	+11,5	+5,7
Number of civil judgements recorded for debt	103 476	+11,6	+24,2	+19,9
Value of civil judgements recorded for debt (R million)	667,1	+2,9	+7,7	-8,2

Seasonally adjusted estimates

	July 2003	% change between June 2003 and July 2003	% change between February 2003 to April 2003 and May 2003 to July 2003
Number of civil summonses issued for debt	140 108	-2,3	+1,4
Number of civil judgements recorded for debt	91 591	-6,9	+0,4
Value of civil judgements recorded for debt (R million)	660,1	-2,0	+5,2

Key findings as at the end of July 2003

The total number of civil summonses for debt increases

The total number of civil summonses issued for debt for the three months ended July 2003, after seasonal adjustment, increased by 1,4% compared with the previous three months. Furthermore, the total number of civil summonses issued for debt for the three months ended July 2003 increased by 11,5% compared with the three months ended July 2002. The total number of civil summonses issued for debt for the first seven months of 2003 increased by 5,7% compared with the first seven months of 2002.

The major contributors to the increase of 11,5% in civil summonses issued for debt for the three months ended July 2003 compared with the three months ended July 2002 were civil summonses issued in respect of 'other' debts (+6,3 percentage points), money lent (+3,8 percentage points) and promissory notes (+1,4 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 July 2003, after seasonal adjustment, increased by 0,4% compared with the previous three months. Furthermore, the total number of civil judgements recorded for debt for the three months ended July 2003 increased by 24,2% compared with the three months ended July 2002. The total number of civil judgements recorded for debt for the first seven months of 2003 increased by 19,9% compared with the first seven months of 2002.

The major contributors to the increase of 24,2% in the number of civil judgements recorded for debt for the three months ended July 2003 compared with the three months ended July 2002 were civil judgements recorded in respect of money lent (+8,6 percentage points), goods sold on account (+4,4 percentage points), instalment sale transactions (+3,8 percentage points), 'other' debts (+3,2 percentage points) and promissory notes (+2,3 percentage points).

The total value of civil judgements recorded for debt increases

The total value of civil judgements recorded for debt for the three months ended July 2003, after seasonal adjustment, increased by 5,2% compared with the previous three months. Furthermore, the total value of civil judgements recorded for debt for the three months ended July 2003 increased by 7,7% compared with the three months ended July 2002. However, the total value of civil judgements recorded for debt for the first seven months of 2003 decreased by 8,2% compared with the first seven months of 2002.

The major contributors to the increase of 7,7% in the value of civil judgements recorded for debt for the three months ended July 2003 compared with the three months ended July 2002 were civil judgements recorded in respect of money lent (+10,7 percentage points) and promissory notes (+3,6 percentage points). However, this increase was to a certain extent counteracted by a decrease in judgements for debt relating to 'other' debts (-7,7 percentage points).

During July 2003, 103 476 civil judgements for debt amounted to R667,1 million. The largest contributors to the R667,1 million were civil judgements relating to money lent (38,3% or R255,7 million) and 'other' debts (20,4% or R136,0 million).

Notes

Forthcoming issues

Issue	Expected release date
August 2003	23 October 2003
September 2003	20 November 2003
October 2003	18 December 2003
November 2003	22 January 2004
December 2003	19 February 2004

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 surveys collect 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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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	<p>9 The statistical unit for collection of information is a magistrate's office. Magistrate's offices include the small claims courts.</p> <p>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.</p>
Survey methodology and design	<p>11 The survey is conducted by mail each month from approximately 152 magistrates' offices.</p>
Seasonal adjustment	<p>12 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.</p>
Trend cycle	<p>13 Smoothed seasonally adjusted estimates are generated using the X-11 Seasonal Adjustment Programme.</p>
Publications	<p>14 Users may also wish to refer to the following publications:</p> <ul style="list-style-type: none"> • <i>Bulletin of Statistics issued quarterly.</i> • <i>SA Statistics issued annually.</i>
Unpublished statistics	<p>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.</p>
Symbols and abbreviations	<p>16 R/D Refer to Drawer CD Compact Disc Stats SA Statistics South Africa TBVC Transkei, Bophuthatswana, Venda, Ciskei.</p>
Technical notes	
Response rates	<p>The response rate for July was 82,9%</p>

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.
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 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 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
(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 will refuse to pay the bearer. The cheque will be referred back to the drawer.

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.

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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			
	2002	2002	2003	2003	2002	2002	2003	2003
		Jul.	Jun.	Jul.		Jul.	Jun.	Jul.
1. Cases recorded								
1.1 Actual figures	1 768 056	157 798	168 226	164 831	1 621 463	144 783	156 605	153 306
1.2 Seasonally adjusted		152 703	160 204	158 913		140 273	148 835	148 128
2. Civil summonses for debt								
2.1 Goods sold								
2.1.1 Open account	223 915	19 249	17 254	18 984	199 118	17 284	15 763	16 936
2.1.2 Instalment sale transactions	49 296	4 130	3 667	5 028	44 571	3 689	3 358	4 611
2.2 Services								
2.2.1 Professional	160 952	13 829	15 060	15 872	153 189	13 196	14 368	15 096
2.2.2 Other	279 149	23 897	24 179	23 968	261 533	22 102	22 152	21 872
2.3 Rent	82 475	7 347	7 251	6 268	67 581	5 918	5 926	4 997
2.4 Money lent	424 569	39 667	42 755	38 685	408 513	37 510	41 526	37 556
2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	120 049	11 752	11 963	12 479	108 623	10 857	10 904	11 358
2.6 Other	238 485	22 479	31 110	28 432	208 719	20 190	29 039	26 276
2.7 Total								
2.7.1 Actual figures	1 578 890	142 351	153 238	149 716	1 451 846	130 747	143 035	138 703
2.7.2 Seasonally adjusted		133 908	143 427	140 108		123 163	133 407	130 048

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
2001	200 575	126 257	30 998	19 520	42 098	109 605	116 694	85 965	43 278	186 626	38 956	48 186
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
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	15 554	6 813	3 472	2 017	2 276	12 049	19 623	7 395	4 213	12 343	2 113	8 446
J	17 051	7 379	3 584	2 017	2 426	11 438	18 292	8 742	4 736	13 751	3 394	9 502

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			
	2002	2002	2003	2003	2002	2002	2003	2003
		Jul.	Jun.	Jul.		Jul.	Jun.	Jul.
1. Judgements								
1.2 Goods sold								
1.2.1 Open account	126 610	11 975	16 774	11 322	117 230	10 949	15 666	10 325
1.2.2 Instalment sale transactions	19 195	1 407	8 919	2 527	17 499	1 248	8 771	2 385
1.3 Services								
1.3.1 Professional	87 469	8 447	7 207	7 503	84 702	8 185	6 826	7 136
1.3.2 Other	141 994	14 779	12 218	13 483	134 442	14 120	11 509	12 841
1.4 Rent	40 913	3 318	4 563	4 971	33 338	2 603	3 850	4 737
1.5 Money lent	353 517	33 406	35 276	39 027	342 083	32 489	34 998	32 436
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	89 663	8 483	9 661	9 594	84 314	7 480	9 318	9 396
1.7 Other	115 450	10 926	10 434	15 049	107 655	10 114	9 684	13 501
1.7 Total								
1.7.1 Actual figures	974 811	92 741	105 052	103 476	921 266	87 188	100 622	92 757
1.7.2 Seasonally adjusted		82 734	98 367	91 590		77 696	94 112	87 371

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			
	2002	2002	2003	2003	2002	2002	2003	2003
		Jul.	Jun.	Jul.		Jul.	Jun.	Jul.
	R1 000							
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	700 324	56 690	66 513	64 804	565 746	43 815	54 320	53 710
1.1.2 Instalment sale transactions	372 719	23 027	21 382	23 560	319 888	18 759	17 249	18 415
1.2 Services								
1.2.1 Professional	198 577	19 984	25 579	15 006	178 994	18 645	23 995	13 559
1.2.2 Other	704 882	58 175	55 873	54 586	634 912	52 390	51 022	49 887
1.3 Rent	285 956	32 397	28 882	25 386	200 310	23 429	21 492	20 669
1.4 Money lent	2 913 813	243 137	311 970	255 661	2 715 548	231 727	302 273	214 129
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	629 694	43 881	57 436	92 057	515 737	37 007	50 484	80 597
1.6 Other	1 663 909	171 254	118 371	136 011	1 170 812	100 797	108 371	112 859
1.7 Total								
1.7.1 Actual figures	7 469 874	648 544	686 006	667 071	6 301 946	526 567	629 206	563 825
1.7.2 Seasonally adjusted		611 365	673 201	660 095		501 097	607 037	550 340