



Statistics of civil cases for debt

June 2003

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Key figures for the month ended June 2003

Actual estimates	June 2003	% change between June 2002 and June 2003	% change between April 2002 to June 2002 and April 2003 to June 2003	% change between January 2002 to June 2002 and January 2003 to June 2003
Number of civil summonses issued for debt	153 562	+29,4	+5,9	+5,8
Number of civil judgements recorded for debt	105 112	+45,6	+22,1	+21,6
Value of civil judgements recorded for debt (R million)	686,6	+21,5	+4,4	-10,0

Seasonally adjusted estimates

	June 2003	% change between May 2003 and June 2003	% change between January 2003 to March 2003 and April 2003 to June 2003
Number of civil summonses issued for debt	143 337	+8,7	+2,0
Number of civil judgements recorded for debt	99 058	+8,5	+2,7
Value of civil judgements recorded for debt (R million)	693,6	+21,9	+8,0

Key findings as at the end of June 2003

The total number of civil summonses for debt decreases

The total number of civil summonses issued for debt for the second quarter of 2003, after seasonal adjustment, increased by 2,0% compared with the first quarter of 2003. Furthermore, the total number of civil summonses issued for debt for the second quarter of 2003 increased by 5,9% compared with the second quarter of 2002. The total number of civil summonses issued for debt for the first six months of 2003 increased by 5,8% compared with the first six months of 2002.

The major contributor to the increase of 5,9% in civil summonses issued for debt for the second quarter of 2003 compared with the second quarter of 2002 was civil summonses issued in respect of 'other' debts (+5,7 percentage points).

The total number of civil judgements recorded for debt increases

The total number of civil judgements recorded for debt for the second quarter of 2003, after seasonal adjustment, increased by 2,7% compared with the first quarter of 2003. Furthermore, the total number of civil judgements recorded for debt for the second quarter of 2003 increased by 22,1% compared with the second quarter of 2002. The total number of civil judgements recorded for debt for the first six months of 2003 increased by 21,6% compared with the first six months of 2002.

The major contributors to the increase of 22,1% in the number of civil judgements recorded for debt for the second quarter of 2003 compared with the second quarter of 2002 were civil judgements recorded in respect of money lent (+7,8 percentage points), goods sold on account (+5,7 percentage points), instalment sale transactions (+3,7 percentage points) and promissory notes (+2,5 percentage points).

The total value of civil judgements recorded for debt increases

The total value of civil judgements recorded for debt for the second quarter of 2003, after seasonal adjustment, increased by 8,0% compared with the first quarter of 2003. Furthermore, the total value of civil judgements recorded for debt for the second quarter of 2003 increased by 4,4% compared with the second quarter of 2002. However, the total value of civil judgements recorded for debt for the first six months of 2003 decreased by 10,0% compared with the first six months of 2002.

The major contributors to the increase of 4,4% in the value of civil judgements recorded for debt for the second quarter of 2003 compared with the second quarter of 2002 were civil judgements recorded in respect of money lent (+8,7 percentage points) goods sold on account (+1,2 percentage points). However, this increase was to a certain extent counteracted by a decrease in judgements for debt relating to 'other' debts (-5,8 percentage points).

During June 2003, 105 112 civil judgements for debt amounted to R686,6 million. The largest contributors to the R686,6 million were civil judgements relating to money lent (45,4% or R312,0 million) and 'other' debts (17,2% or R118,3 million).

Notes

Forthcoming issues	Issue	Expected release date
	July 2003	25 September 2003
	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**
- 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**
- 11 The survey is conducted by mail each month from approximately 152 magistrates' offices.
- Seasonal adjustment**
- 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.
- 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 June was 83,4%

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

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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
anthonyC@statssa.gov.za

Postal address: Private Bag X44, Pretoria, 0001

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
		Jun.	May	Jun.		Jun.	May	Jun.
1. Cases recorded								
1.1 Actual figures	1 768 056	130 617	157 984	168 593	1 621 463	120 881	145 148	156 967
1.2 Seasonally adjusted		123 455	143 964	159 736		113 913	132 766	148 303
2. Civil summonses for debt								
2.1 Goods sold								
2.1.1 Open account	223 915	14 543	16 849	17 266	199 118	12 995	14 708	15 774
2.1.2 Instalment sale transactions	49 296	3 944	3 106	3 668	44 571	3 536	2 621	3 359
2.2 Services								
2.2.1 Professional	160 952	12 279	13 819	15 089	153 189	11 761	13 030	14 396
2.2.2 Other	279 149	22 601	23 425	24 169	261 533	20 952	21 084	22 143
2.3 Rent	82 475	5 472	6 981	7 256	67 581	4 337	5 730	5 930
2.4 Money lent	424 569	29 296	38 690	42 853	408 513	28 557	37 692	41 624
2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	120 049	10 169	13 755	12 074	108 623	9 402	12 999	11 017
2.6 Other	238 485	20 408	28 071	31 187	208 719	18 149	25 140	29 113
2.7 Total								
2.7.1 Actual figures	1 578 890	118 712	144 696	153 562	1 451 846	109 689	133 004	143 356
2.7.2 Seasonally adjusted		110 677	131 863	143 337		98 762	117 543	131 383

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

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
		Jun.	May	Jun.		Jun.	May	Jun.
1. Judgements								
1.2 Goods sold								
1.2.1 Open account	126 610	8 883	13 623	16 766	117 230	8 266	12 476	15 668
1.2.2 Instalment sale transactions	19 195	1 445	2 328	8 919	17 499	1 319	2 094	8 771
1.3 Services								
1.3.1 Professional	87 469	6 716	7 547	7 275	84 702	6 475	7 137	6 896
1.3.2 Other	141 994	11 339	12 740	12 303	134 442	10 676	11 797	11 592
1.4 Rent	40 913	2 842	5 576	4 560	33 338	2 489	4 455	3 847
1.5 Money lent	353 517	26 674	35 576	35 234	342 083	22 143	35 043	34 957
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	89 663	6 458	9 281	9 651	84 314	6 033	8 984	9 308
1.7 Other	115 450	7 821	11 296	10 404	107 655	7 199	10 623	9 655
1.1 Total								
1.1.1 Actual figures	974 811	72 178	97 967	105 112	921 266	64 601	92 609	100 693
1.1.2 Seasonally adjusted		68 231	91 338	99 058		60 815	86 010	94 428

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
		Jun.	May	Jun.		Jun.	May	Jun.
	R1 000							
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	700 324	41 335	54 713	66 552	565 746	30 248	41 541	54 382
1.1.2 Instalment sale transactions	372 719	57 470	21 561	21 382	319 888	53 575	16 417	17 249
1.2 Services								
1.2.1 Professional	198 577	13 290	15 722	25 806	178 994	12 843	14 051	24 234
1.2.2 Other	704 882	41 751	49 586	56 016	634 912	31 462	47 636	51 153
1.3 Rent	285 956	18 582	33 702	28 878	200 310	14 005	26 714	21 487
1.4 Money lent	2 913 813	176 483	240 485	311 977	2 715 548	165 251	211 024	302 307
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	629 694	33 668	47 431	57 740	515 737	26 492	58 804	50 703
1.6 Other	1 663 909	182 570	100 062	118 287	1 170 812	56 943	82 259	108 287
1.7 Total								
1.7.1 Actual figures	7 469 874	565 149	563 262	686 638	6 301 946	390 818	498 447	629 802
1.7.1 Seasonally adjusted		566 652	569 216	693 595		375 637	495 130	612 137