

Statistics of civil cases for debt P0041

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Statistician-General: Statistics South Africa

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Key figures for the month ended March 2001

Actual estimates	March 2001	% change between March 2000 and March 2001	% change between January 2000 to March 2000 and January 2001 to March 2001
Number of civil summonses issued for debt	137 817	-2,8	-3,4
Number of civil judgements recorded for debt	84 337	-6,2	+0,3
Value of civil judgements recorded for debt (R million)	652,5	+2,8	+29,7

Seasonally adjusted estimates	March 2001	% change between February 2001 and March 2001	% change between October 2000 to December 2000 and January 2001 to March 2001
Number of civil summonses issued for debt	127 483	-0,7	-1,2
Number of civil judgements recorded for debt	79 898	-8,4	+16,3
Value of civil judgements recorded for debt (R million)	600,5	-26,2	+23,5

Key findings for the month ended March 2001

The total number of civil summonses issued for debt decreases

The total number of civil summonses issued for debt for the first quarter of 2001 decreased by 3,4% compared with the first quarter of 2000. Furthermore, the total number of civil summonses issued for debt for the first quarter of 2001, after seasonal adjustment, decreased by 1,2% compared with the fourth quarter of 2000.

The major contributors to the decrease of 3,4% in civil summonses issued for debt for the first quarter of 2001 compared with the first quarter of 2000 were civil summonses issued in respect of "other" services

(-3,3 percentage points) and goods sold on open account (-1,9 percentage points). However, these decreases were partially counteracted by increases in summonses issued for debt relating to "other " debts (+1,0 percentage point) and money lent (+0,7 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 first quarter of 2001 increased by 0,3% compared with the first quarter of 2000. Furthermore, the total number of civil judgements recorded for debt for the first quarter of 2001, after seasonal adjustment, increased by 16,3% compared with the fourth quarter of 2000.

The major contributors to the increase of 0,3% in the number of civil judgements recorded for debt for the first quarter of 2001 compared with the first quarter of 2000 were civil judgements recorded in respect of "other" debts (+5,8 percentage points) and money lent (+4,0 percentage points). However, these increases were partially counteracted by decreases in the number of judgements recorded for debt relating to "other " services (-4,3 percentage points), goods sold on open account (-2,1 percentage points), promissory note (-1,8 percentage points) and professional services (-0,9 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 first quarter of 2001 increased by 29,7% compared with the first quarter of 2000. Furthermore, the total value of civil judgements recorded for debt for the first quarter of 2001, after seasonal adjustment, increased by 23,5% compared with the fourth quarter of 2000.

The major contributor to the increase of 29,7% in the value of civil judgements recorded for debt for the first quarter of 2001 compared with the first quarter of 2000 was civil judgements recorded in respect of "other" debts (+31,7 percentage points).

During March 2001, 84 337 civil judgements for debt amounted to R652,5 million. The largest contributors to the R652,5 million were civil judgements relating to "other" debts (35,6% or R232, 2 million) and money lent (30,6% or R199,7 million).

Notes

Forthcoming issues Issue Expected release date

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 March 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). These 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.

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 Mar.	2001 Feb.	2001 Mar.	2000	2000 Mar.
1. Cases recorded						
1.1 Actual figures	1 760 497	160 973	154 629	160 842	1 586 756	143 758
1.2 Seasonally adjusted		147 458	151 052	146 553		131 193
2. Civil summonses for debt						
2.1 Goods sold						
2.1.1 Open account	256 641	26 553	19 665	21 305	228 116	23 702
2.1.2 Instalment sale transactions	38 925	4 030	3 546	3 934	32 682	3 405
2.2 Services						
2.2.1 Professional	181 781	16 857	14 157	14 937	167 527	15 707
2.2.2 Other	389 835	35 526	30 062	30 898	361 543	32 221
2.3 Rent	67 089	6 269	6 413	7 252	52 754	4 837
2.4 Money lent	317 857	26 954	29 613	28 543	297 104	25 074
2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	106 237	7 069	9 163	9 116	92 363	6 010
2.6 Other	220 191	18 547	18 438	21 832	194 939	16 538
2.7 Total						
2.7.1 Actual figures	1 578 556	141 805	131 057	137 817	1 427 028	127 494
2.7.2 Seasonally adjusted		132 039	128 387	127 483		117 939

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
1999	183 828	134 728	39 462	15 786	33 568	118 178	127 479	88 827	46 564	153 9
2000	216 481	116 963	36 979	17 474	35 897	115 562	113 989	94 347	44 280	134 0
2000 - J	10 668	11 056	5 408	1 161	2 093	7 620	9 349	7 528	3 221	8 0
F	18 081	10 629	3 529	1 840	3 453	12 037	9 665	6 721	3 844	18 4
M	21 376	9 636	5 075	1 957	3 244	9 826	12 368	7 719	4 694	10 3
A	18 080	4 931	2 405	1 221	2 453	8 514	7 207	6 803	3 206	8 6
M	21 903	10 615	1 787	1 657	2 763	9 729	9 615	7 109	5 149	21 1
J	17 375	7 860	2 066	1 370	2 620	13 017	12 529	8 040	3 957	10 7
J	16 251	9 682	4 937	1 204	3 594	9 352	9 998	8 252	3 664	9 2
A	21 516	10 103	2 555	1 225	4 020	10 400	8 852	8 347	3 837	7 6
S	16 811	11 157	2 099	1 039	2 725	8 862	8 419	6 946	3 129	10 0
O	18 226	11 678	1 894	1 842	2 417	9 857	8 419	9 843	3 673	10 8
N	21 303	14 388	2 876	1 516	4 026	9 305	10 352	9 972	3 212	11 2
D	14 891	5 228	2 348	1 442	2 489	7 043	7 216	7 067	2 694	7 5
2001 - J	12 891	9 509	1 938	1 442	3 771	6 484	7 216	7 507	3 341	11 8
F	16 231	8 948	6 556	1 035	3 877	10 829	7 216	8 718	3 704	14 9
M	18 236	10 380	3 444	1 791	3 911	10 800	7 216	8 955	3 379	16 4

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	2001	2001	2000	2000
		Mar.	Feb.	Mar.		Mar.
1. Judgements						
1.1 Goods sold						
1.1.1 Open account	144 400	13 851	11 079	10 774	133 571	12 983
1.1.2 Instalment sale transactions	18 236	1 997	1 424	1 420	16 229	1 874
1.2 Services						
1.2.1 Professional	98 282	9 640	8 602	6 742	95 164	9 412
1.2.2 Other	175 794	18 439	13 976	12 542	167 720	17 706
1.3 Rent	39 544	3 414	3 567	3 278	31 900	2 977
1.4 Money lent	256 734	21 147	24 867	24 985	250 212	20 731
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	82 897	8 688	5 977	6 845	78 796	8 286
1.6 Other	154 030	12 704	16 180	17 751	144 421	11 893
1.7 Total						
1.7.1 Actual figures	969 917	89 880	85 672	84 337	918 016	85 863
1.7.2 Seasonally adjusted		85 565	87 224	79 898		81 750

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	2000	2001	2001	2000	2000
		Mar.	Feb.	Mar.		Mar.
R1 000						
1. Judgements						
1.1 Goods sold						
1.1.1 Open account	742 143	64 441	58 420	51 361	575 200	51 807
1.1.2 Instalment sale transactions	357 168	36 879	36 942	32 781	303 783	33 264
1.2 Services						
1.2.1 Professional	184 641	16 042	18 822	13 706	166 096	14 699
1.2.2 Other	593 386	56 109	39 952	39 994	529 087	47 126
1.3 Rent	308 836	21 202	22 945	27 595	214 718	15 853
1.4 Money lent	2 722 774	226 378	224 619	199 653	2 467 465	206 953
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	733 959	87 516	61 285	55 243	632 506	81 127
1.6 Other	1 441 291	126 438	370 474	232 200	1 118 335	101 145
1.7 Total						
1.7.1 Actual figures	7 084 198	635 006	833 459	652 533	6 007 189	551 974
1.7.2 Seasonally adjusted		586 262	813 900	600 534		508 024

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. 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 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 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 6 The survey is conducted by mail each month from approximately 152

design 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 March was 78%

Glossary

Acknowledgement of Acknowledgement of debt is a statement by a person/debtor in which he admits that

debt 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 Instalment sale transactions relates to where a person buys goods on credit and pays

transactions 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 Open account transactions are revolving credit, i.e. where an account does not have a

transaction 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 debts" 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 refer to dishonoured cheques. The drawer is the owner of the cheque.

(RD) cheques 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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(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

This page was designed by [Zelma de Bruin](#)