

# Statistics of civil cases for debt

## March 2004

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### Key figures for the month ended March 2004

	<b>March 2004</b>	<b>% change between March 2003 and March 2004</b>	<b>% change between January 2003 to March 2003 and January 2004 to March 2004</b>
<b>Actual estimates</b>			
Number of civil summonses issued for debt	141 040	-1,8	-5,2
Number of civil judgements recorded for debt	86 101	-6,6	-8,4
Value of civil judgements recorded for debt (R million)	605,7	-16,0	-5,5

	<b>March 2004</b>	<b>% change between February 2004 and March 2004</b>	<b>% change between October 2003 to December 2003 and January 2004 to March 2004</b>
<b>Seasonally adjusted estimates</b>			
Number of civil summonses issued for debt	132 322	+5,4	+1,7
Number of civil judgements recorded for debt	85 565	+5,1	+2,6
Value of civil judgements recorded for debt (R million)	529,5	-1,2	-18,2

## **Key findings as at the end of March 2004**

### **The number of civil summonses issued for debt increases**

*The number of civil summonses issued for debt for the first quarter of 2004, after seasonal adjustment, increased by 1,7% compared with the last quarter of 2003. However, the total number of civil summonses issued for debt for the first quarter of 2004 decreased by 5,2% compared with the first quarter of 2003.*

The major contributor to the decrease of 5,2% in civil summonses issued for debt for the first quarter of 2004 compared with the first quarter of 2003 was civil summonses issued in respect of money lent (-7,7 percentage points). However, this decrease was partially counteracted by an increase in summonses issued relating to 'other' debts (+2,9 percentage points).

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

*The number of civil judgements recorded for debt for the first quarter of 2004, after seasonal adjustment, increased by 2,6% compared with last quarter of 2003. However, the total number of civil judgements recorded for debt for the first quarter of 2004 decreased by 8,4% compared with the first quarter of 2003.*

The major contributor to the decrease of 8,4% in the number of civil judgements recorded for debt for the first quarter of 2004 compared with the first quarter of 2003 was civil judgements in respect of money lent (-7,5 percentage points).

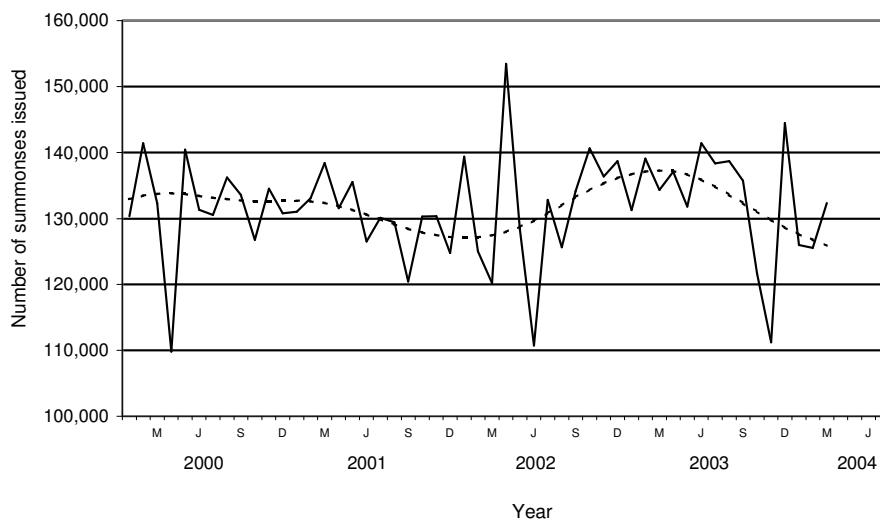
### **The value of civil judgements recorded for debt decreases**

*The value of civil judgements recorded for debt for first quarter of 2004, after seasonal adjustment, decreased by 18,2% compared with the last quarter of 2003. Furthermore, the total value of civil judgements recorded for debt for the first quarter of 2004 decreased by 5,5% compared with the first quarter of 2003.*

The major contributor to the decrease of 5,5% in the value of civil judgements recorded for debt for the first quarter of 2004 compared with the first quarter of 2003 was civil judgements recorded in respect of money lent (-7,3 percentage points). However, this decrease was partially counteracted by an increase in judgements recorded relating to promissory notes (+2,1 percentage points).

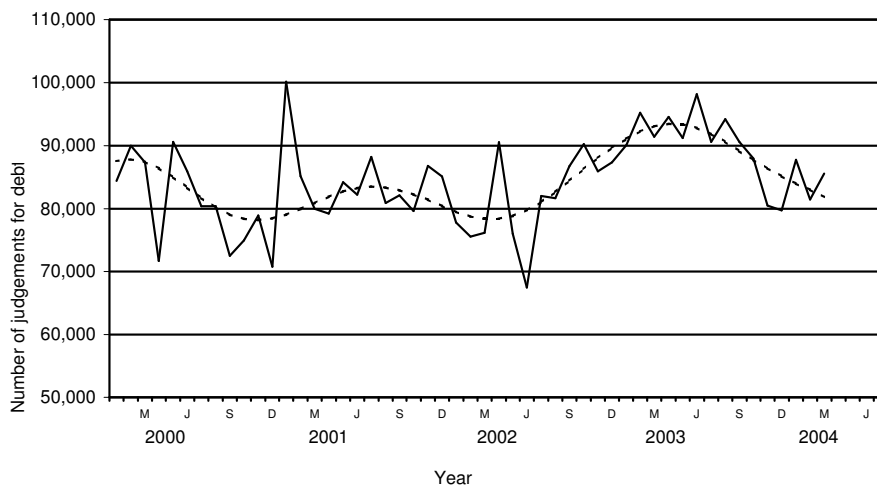
During March 2004, 86 101 civil judgements for debt, amounting to R605,7 million, were recorded. The largest contributors to the R605,7 million were civil judgements relating to money lent (R195,0 million or 32,2%), 'other' debts (R134,3 million or 22,2%) and promissory notes (R104,2 million or 17,2%).

**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

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**PJ Lehohla**  
 Statistician-General

## Notes

<b>Forthcoming issues</b>	<b>Issue</b>	<b>Expected release date</b>
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	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

**Purpose of the survey**

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.

**Response rate**

The response rate for March 2004 was 80,3%.

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Table1 - Number of civil cases and summonses issued for debt according to business enterprises and private persons

Item	Business enterprise and private persons				Private persons			
	2003	2003 Mar.	2004 Feb.	2004 Mar.	2003	2003 Mar.	2004 Feb.	2004 Mar.
1 Cases recorded								
1.1 Actual figures	1 801 274	159 264	143 116	157 855	1 671 791	147 201	131 996	145 587
1.2 Seasonally adjusted		149 622	142 255	149 059		138 054	131 494	137 164
2 Civil summonses for debt								
2.1 Goods sold								
2.1.1 Open account	209 016	20 003	15 695	16 914	186 204	17 605	13 901	14 897
2.1.2 Instalment sale transactions	52 568	3 915	4 207	4 469	48 169	3 459	3 921	4 143
2.2 Services								
2.2.1 Professional	165 715	13 193	14 080	15 800	157 675	12 429	13 410	15 017
2.2.2 Other	272 603	26 054	22 843	28 283	252 824	24 290	21 596	26 816
2.3 Rent	79 342	7 351	6 552	5 654	65 329	5 907	5 264	4 260
2.4 Money lent	417 605	42 496	28 135	33 196	405 557	41 086	26 765	31 816
2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	132 743	10 601	12 109	12 645	123 156	9 797	11 350	11 715
2.6 Other	270 276	19 953	23 008	24 079	247 876	17 977	20 396	21 549
2.7 Total								
2.7.1 Actual figures	1 599 868	143 566	126 629	141 040	1 486 791	132 550	116 601	130 214
2.7.2 Seasonally adjusted		134 333	125 564	132 322		124 239	115 830	122 381

Table 2- Number of civil cases recorded according to 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	184 499	86 919	37 534	26 953	30 153	131 913	183 463	78 614	53 072	145 245	33 818	71 882
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	15 315	6 869	3 925	2 017	1 518	7 403	16 231	6 028	4 003	7 602	3 021	3 285
D	13 906	5 990	2 829	2 017	1 842	11 424	16 053	4 471	2 137	7 406	2 856	2 604
2004 - J	13 627	7 634	2 149	1 370	1 249	8 053	14 070	5 493	3 745	11 949	1 568	3 417
F	15 167	6 921	2 149	1 957	1 713	9 997	16 006	6 014	5 127	11 989	2 513	4 337
M	12 787	10 896	3 587	1 957	2 427	10 711	17 689	9 544	5 759	12 922	2 827	3 945



Table 3 - Number of civil default and consent judgements for debt according to business enterprises and private persons

Item	Business enterprise and private persons				Private persons			
	2003	2003	2004	2004	2003	2003	2004	2004
		Mar.	Feb.	Mar.		Mar.	Feb.	Mar.
1 Judgements								
1.1 Goods sold								
1.1.1 Open account	141 959	12 328	9 857	10 545	130 779	11 465	9 072	9 641
1.1.2 Instalment sale transactions	33 293	1 753	1 821	1 337	31 280	1 596	1 691	1 162
1.2 Services								
1.2.1 Professional	84 324	7 339	6 973	7 445	80 648	7 093	6 654	6 847
1.2.2 Other	139 914	11 661	11 340	14 920	131 607	11 018	10 829	14 054
1.3 Rent	52 190	3 109	4 538	3 408	49 615	2 462	3 884	2 594
1.4 Money lent	389 269	33 864	28 186	27 927	363 367	33 058	27 890	27 524
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	99 998	8 189	8 280	9 528	96 461	7 915	7 824	9 142
1.6 Other	144 846	13 914	9 859	10 991	133 024	12 708	9 101	10 078
1.7 Total								
1.7.1 Actual figures	1 085 793	92 157	80 854	86 101	1 029 783	87 314	76 945	81 042
1.7.2 Seasonally adjusted		91 420	81 432	85 565		86 528	77 692	80 485

Table 4 - Value of civil default and consent judgements for debt according to business enterprises and private persons

Item	Business enterprise and private persons				Private persons			
	2003	2003 Mar.	2004 Feb.	2004 Mar.	2003	2003 Mar.	2004 Feb.	2004 Mar.
R' 000								
1 Judgements								
1.1 Goods sold								
1.1.1 Open account	761 616	59 938	47 384	47 937	637 224	55 507	37 342	35 893
1.1.2 Instalment sale transactions	282 935	23 563	22 264	19 039	231 641	19 878	19 536	16 544
1.2 Services								
1.2.1 Professional	213 641	16 800	17 083	16 042	197 073	14 775	14 986	13 773
1.2.2 Other	634 169	51 990	48 465	61 860	571 847	45 454	41 329	56 429
1.3 Rent	300 680	22 764	26 238	27 389	250 426	15 782	18 375	19 590
1.4 Money lent	3 050 038	234 288	192 232	195 005	2 858 101	212 831	182 130	184 242
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	917 163	148 451	117 827	104 155	853 522	140 306	111 516	93 149
1.6 Other	1 569 427	163 234	110 780	134 318	1 256 410	165 845	71 133	88 378
1.7 Total								
1.7.1 Actual figures	7 729 669	721 028	582 273	605 745	6 856 245	670 378	496 347	507 998
1.7.2 Seasonally adjusted		628 997	535 720	529 463		565 050	449 658	428 113

## 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, ejection 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.

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## Enquiries

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

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

Email: [MpeliM@statssa.gov.za](mailto:MpeliM@statssa.gov.za)  
[DeirdreN@statssa.gov.za](mailto:DeirdreN@statssa.gov.za)

Postal address: Private Bag X44, Pretoria, 0001

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