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Statistics of Civil Cases for Debt

May 2000

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Embargo: 09:30
Date: 27 July 2000

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Key figures for the month ended May 2000

Actual estimates

	May 2000	% change between May 1999 and May 2000	% change between March 1999 to May 1999 and March 2000 to May 2000	% change between January 1999 to May 1999 and January 2000 to May 2000
Number of civil summonses for debt	148 834	+7,2	-3,5	-1,7
Number of civil judgements for debt	98 148	+18,9	+5,8	+12,7
Value of civil judgements for debt (R million)	627,4	-12,3	-11,8	-12,2

Seasonally adjusted estimates

	May 2000	% change between April 2000 and May 2000	% change between December 1999 to February 2000 and March 2000 to May 2000
Number of civil summonses for debt	142 371	+32,5	-4,4
Number of civil judgements for debt	92 888	+33,0	+5,0
Value of civil judgements for debt (R million)	608,1	+5,8	+2,8

Key findings for the month ended May 2000

The total number of civil summonses for debt issued lower than a year ago

The total number of civil summonses for debt issued for the three months up to May 2000 decreased by 3,5% (from 409 356 to 394 936) compared with the corresponding period of 1999. Furthermore, the total number of civil summonses for debt recorded for the three months up to May 2000, after seasonal adjustment, decreased by 4,4% compared with the previous three months.

The major contributors to the decrease of 3,5% in civil summonses for debt issued were civil summonses issued in respect of promissory notes (-1,7 percentage points), "other services" (-1,3 percentage points) and money lent (-0,3 of a percentage point).

The total number of civil judgements for debt recorded higher than a year ago

The total number of civil judgements for debt recorded for the three months up to May 2000 increased by 5,8% (from 239 457 to 253 444) compared with the corresponding period of 1999. Furthermore, the total number of civil judgements for debt recorded for the three months up to May 2000, after seasonal adjustment, is 5,0% lower than the previous three months.

The major contributors to the increase of 5,8% in civil judgements for debt recorded were civil judgements recorded in respect of "other services" (+3,3 percentage points), promissory notes (+3,1 percentage points) and money lent (+1,8 percentage points).

The total value of civil judgements for debt recorded lower than a year ago

The total value of civil judgements for debt recorded for the three months up to May 2000 decreased by 11,8% (from R2 036,8 million to R1 796,3 million) compared with the corresponding period of 1999. Furthermore, the total number of civil judgements for debt recorded for the three months up to May 2000, after seasonal adjustment, decreased by 2,8% compared with the previous three months.

The major contributors to the decrease of 11,8% in the value of civil judgements for debt recorded were civil judgements recorded in respect of money lent (-7,2 percentage points), instalment sale transactions (-0,7 of a percentage point) and professional services (-0,3 of a percentage point).

During May 2000, 98 148 civil judgements for debt were issued amounting to R627,4 million. The largest contributors to the R627,4 million were civil judgements relating to money lent (37,7% or R236,5 million), "other services" (12,8% or R80,0 million) and promissory notes (12,7% or R79,7 million).

Figure 1 - Civil summonses for debt

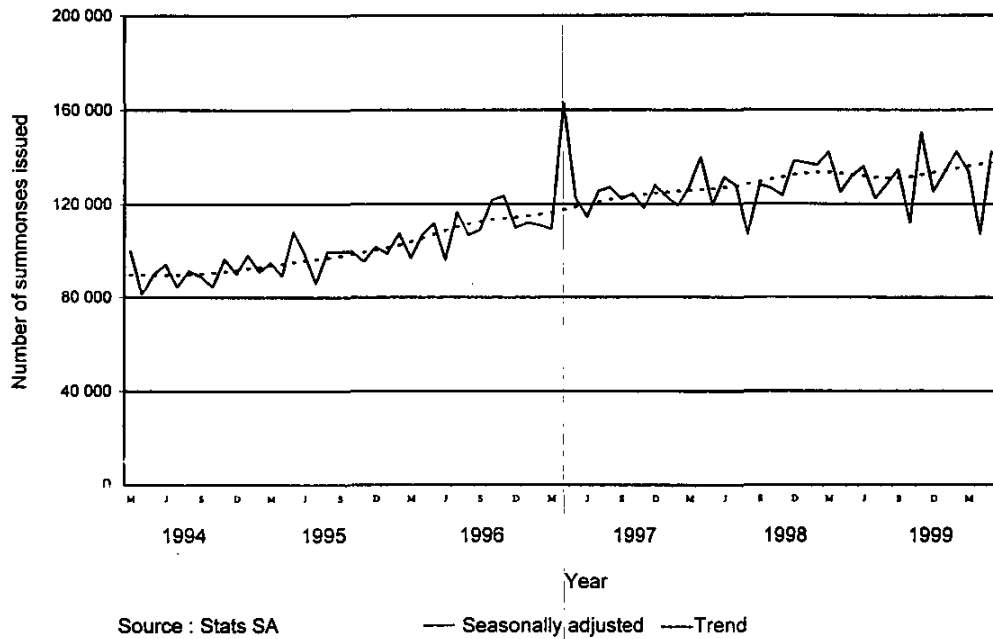
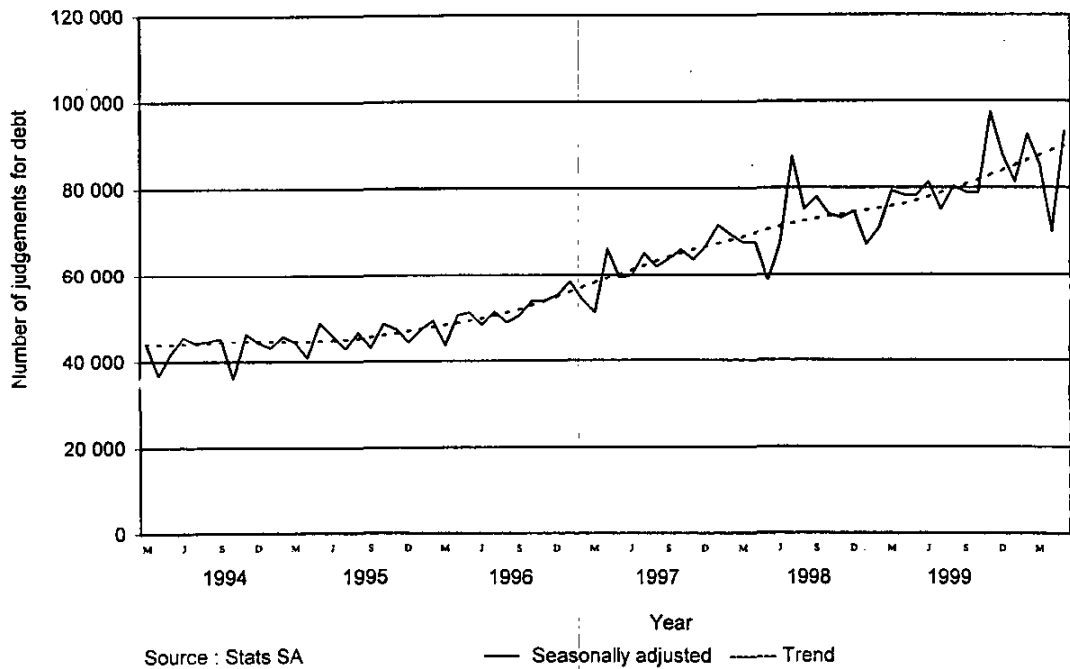


Figure 2 - Civil judgements for debt



pp *Mazwani*
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Notes**Forthcoming issues****Issue****Expected release date**

June 2000

24 August 2000

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, 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 2 - The 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	Vereeniging and Vanderbijlpark	Bloemfontein
1998	181 024	143 677	27 688	7 915	29 362	110 846	135 470	86 872	47 613	113 826	40 305	22 209
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
1999 - J	12 520	14 821	4 475	774	2 372	7 524	6 389	5 737	2 312	8 543	4 197	1 338
F	16 758	7 212	1 889	1 266	2 840	9 869	20 995	6 772	4 753	10 529	5 099	2 566
M	17 963	7 700	5 594	1 470	2 791	13 314	13 003	7 606	3 608	14 386	4 282	3 298
A	14 598	11 130	3 018	870	2 692	9 251	9 928	7 216	2 713	8 187	3 516	2 160
M	19 003	15 590	1 753	1 899	3 535	9 182	8 993	7 297	3 758	10 494	4 797	3 305
J	19 674	16 411	4 782	1 044	2 947	9 158	11 020	8 377	3 862	10 513	6 478	2 694
J	16 015	11 566	1 626	1 841	3 054	9 218	10 123	8 409	4 876	10 215	7 121	2 127
A	15 112	11 085	3 892	1 328	2 739	10 273	8 433	8 155	5 221	10 248	5 695	1 711
S	14 367	9 193	4 618	653	2 125	10 730	10 404	8 882	4 026	11 747	3 620	2 402
O	12 548	8 700	2 915	1 706	2 631	11 390	10 994	6 937	4 049	13 102	2 119	2 958
N	14 376	16 092	3 529	1 900	3 298	11 126	10 171	7 248	4 107	34 532	3 588	2 731
D	10 794	5 228	1 371	1 035	2 544	7 143	7 026	6 191	3 279	11 481	4 399	1 750
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	21 567	10 615	1 787	1 657	2 763	9 729	9 615	7 054	5 149	21 124	3 702	2 374

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			
	1999	1999	2000	2000	1999	1999	2000	2000
	May	Apr.	May	Apr.	May	Apr.	May	Apr.
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	154 385	13 331	11 141	14 569	141 197	12 068	10 361	13 526
1.1.1.2 Instalment sale transactions	19 410	1 697	1 242	1 761	17 842	1 556	1 158	1 614
1.2 Services								
1.2.1 Professional	99 284	9 455	6 524	10 180	95 548	9 163	6 280	9 832
1.2.2 Other	172 270	14 643	13 126	19 816	162 618	13 770	12 503	18 955
1.3 Rent	34 234	2 818	2 992	4 117	27 489	2 314	2 342	3 406
1.4 Money lent	237 531	20 724	16 728	25 973	233 668	20 279	15 818	25 604
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	74 310	6 443	6 218	9 579	69 580	6 029	5 883	9 247
1.6 Other	161 826	13 416	7 608	12 153	151 915	12 809	7 168	11 456
1.7 Total								
1.7.1 Actual figures	953 250	82 527	65 579	98 148	899 857	77 988	61 513	93 640
1.7.2 Seasonally adjusted		78 077	69 862	92 887	73 543	66 826	88 430	

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

Item	Business enterprises and private persons					
	Business enterprises			Private persons		
	1999	1999	2000	1999	2000	2000
		May	Apr.	May	Apr.	May
1. Judgements						
1.2 Goods sold						
1.2.1 Open account	682 500	60 255	110 055	60 472	37 011	97 798
1.2.2 Instalment sale transactions	410 259	36 800	31 244	29 535	31 383	27 654
1.3 Services						
1.3.1 Professional	203 834	17 187	10 531	17 747	14 657	9 367
1.3.2 Other	529 253	54 277	38 925	79 997	47 517	32 878
1.4 Rent	256 378	25 660	21 195	29 606	19 246	14 976
1.5 Money lent	3 070 082	253 737	210 255	236 451	234 631	178 826
1.6 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	643 181	62 676	34 841	79 741	56 765	28 411
1.7 Other	1 993 275	204 526	77 123	93 805	171 208	62 591
1.1 Total	7 788 762	715 118	534 169	627 354	612 418	452 501
				6 469 817	531 144	531 144

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 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 business enterprises. Only the general public may use the small claims courts and not 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 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:
- 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 May was 100%.

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	<i>Litigants referred</i> 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.
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.
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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