

# **Statistics of civil cases for debt**

## **April 2005**

**Embargoed until:  
23 June 2005  
9:30**

**Key figures for the month ended April 2005**

	<b>April 2005</b>	<b>% change between April 2004 and April 2005</b>	<b>% change between February 2004 to April 2004 and February 2005 to April 2005</b>
<b>Actual estimates</b>			
Number of civil summonses issued for debt	105 566	3,9	-10,7
Number of civil judgements recorded for debt	67 824	-8,9	-13,8
Value of civil judgements recorded for debt (R million)	493,9	-24,2	-11,6

## **Key findings as at the end of April 2005**

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

*The total number of civil summonses issued for debt for the three months ended April 2005 decreased by 10,7% compared with three months ended April 2004.*

The major contributors to the decrease of 10,7% in civil summonses issued for debt for the three months ended April 2005 compared with three months ended April 2004, were civil summonses issued in respect of money lent (-4,9 percentage points), 'other' services (-2,0 percentage points), rent (-1,3 percentage points) and professional services (-1,2 percentage points) (see table 5 column 2).

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

*The total number of civil judgements recorded for debt for the three months ended April 2005 decreased by 13,8% compared with three months ended April 2004.*

The major contributors to the decrease of 13,8% in the number of civil judgements recorded for debt for the three months ended April 2005 compared with three months ended April 2004, were civil judgements in respect of money lent (-5,1 percentage points), promissory notes (-2,0 percentage points), rent (-1,5 percentage points), 'other services' (-1,5 percentage points) and goods sold on open account (-1,3 percentage points) (see table 5 column 3).

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

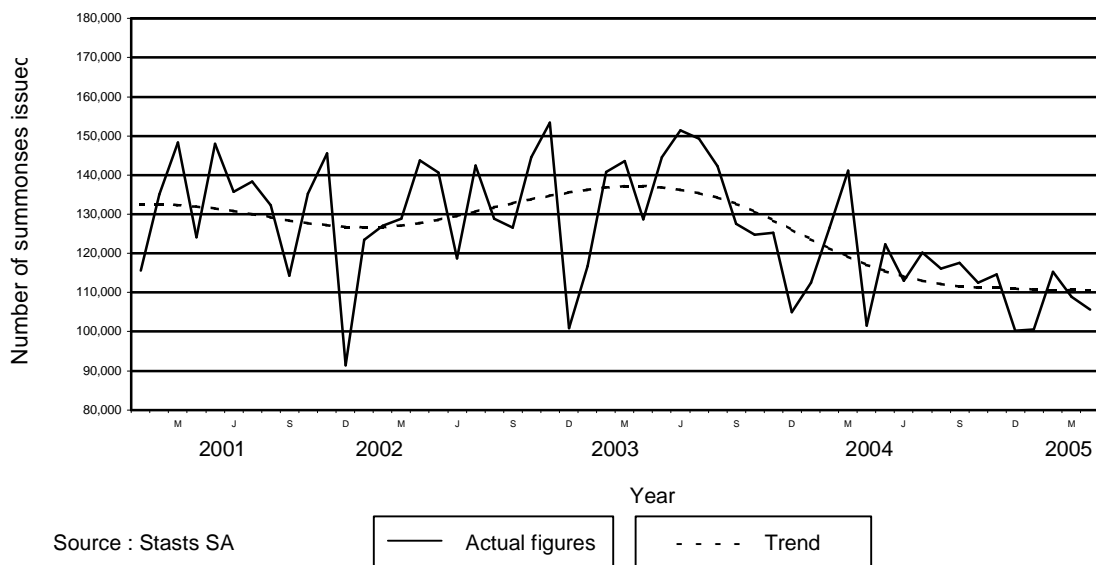
*The total value of civil judgements recorded for debt for three months ended April 2005 decreased by 11,6% compared with three months ended April 2004.*

The major contributors to the decrease of 11,6% in the value of civil judgements recorded for the three months ended April 2005 compared with three months ended April 2004, were civil judgements recorded in respect of promissory notes (-4,5 percentage points) and money lent (-4,4 percentage points) (see table 5 column 4).

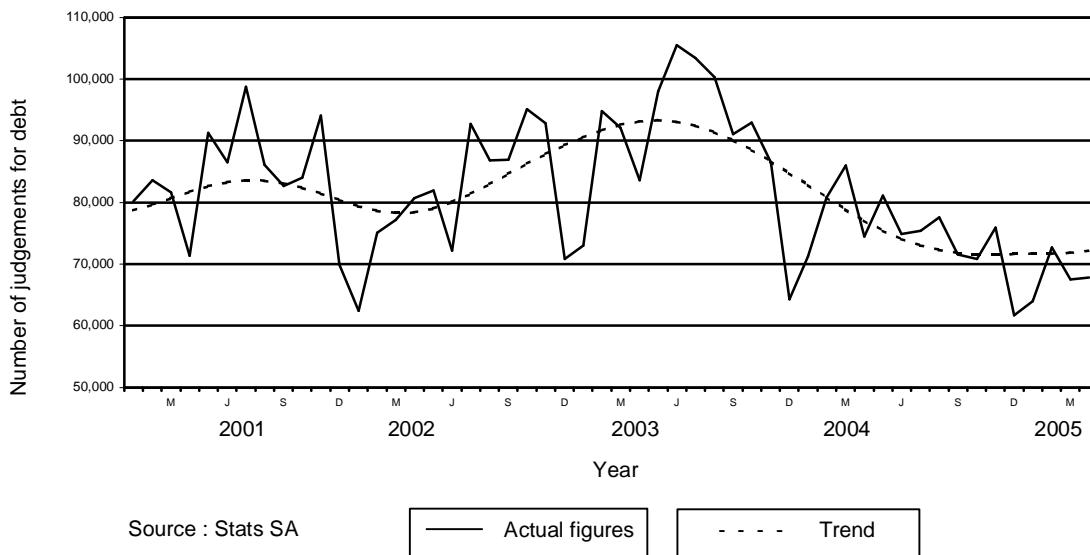
During April 2005, 67 824 civil judgements for debt, amounting to R493,9 million, were recorded. The largest contributors to the R493,9 million were civil judgements relating to money lent (R200,2 million or 40,5%), 'other' debts (R86,3 million or 17,5%) and promissory notes (R61,2 million or 12,4,%) (see table 4 column 5).

**Figures 1 and 2 outline the number of civil summonses issued and civil judgements recorded from 2001 to 2005**

**Figure 1 - Civil summonses issued for debt**



**Figure 2 - Civil judgements recorded for debt**



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## Notes

<b>Forthcoming issue</b>	<b>Issue</b>	<b>Expected release date</b>
	May 2005	21 July 2005
<b>Purpose of the survey</b>	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.	
<b>Response rate</b>	The response rate for April 2005 was 82,4%.	

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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			
	2004	2004	2005	2005	2004	2004	2005	2005
		Apr.	Mar.*	Apr.		Apr.	Mar.*	Apr.
1. Cases recorded								
1.1 Actual figures	1 594 269	114 396	124 368	122 892	1 468 203	105 157	115 885	113 195
1.2 Seasonally adjusted		124 797	118 499	134 613		115 190	114 190	124 504
2. Civil summonses for debt								
2.1 Goods sold								
2.1.1 Open account	166 745	12 602	14 386	14 376	146 808	11 154	13 255	12 980
2.1.2 Instalment sale transactions	50 254	3 349	3 512	3 907	46 274	3 048	3 255	3 549
2.2 Services								
2.2.1 Professional	167 273	12 306	12 759	12 000	158 478	11 736	12 027	11 439
2.2.2 Other	261 068	18 589	18 560	18 851	244 594	17 447	17 365	17 428
2.3 Rent	59 425	4 833	4 341	3 532	45 218	3 751	3 566	2 873
2.4 Money lent	325 544	25 417	23 197	23 222	310 493	23 958	22 125	21 758
2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	131 093	10 465	10 615	10 896	121 148	9 742	9 873	10 065
2.6 Other	236 821	14 049	21 506	18 782	214 152	12 664	19 266	16 384
2.7 Total								
2.7.1 Actual figures	1 398 223	101 610	108 876	105 566	1 287 165	93 500	100 732	96 476
2.7.2 Seasonally adjusted		109 428	102 974	113 928		101 745	94 881	105 250

\* Revised

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
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
2004	143 146	81 408	37 375	13 044	19 321	121 484	169 721	87 621	51 872	128 803	25 498	55 835
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
A	10 087	5 786	2 243	1 957	1 215	8 415	11 018	5 510	3 806	7 605	2 252	4 542
M	11 545	8 252	3 521	990	1 712	11 633	14 059	7 474	4 564	9 739	2 504	4 542
J	12 390	3 174	3 521	790	1 682	11 346	12 525	6 408	4 375	9 692	1 442	4 542
J	12 988	3 174	4 823	1 100	2 052	10 239	14 059	5 847	4 347	10 652	2 015	5 292
A	11 424	7 185	3 034	710	1 663	10 867	14 059	8 433	4 750	9 826	2 021	5 676
S	10 897	5 063	3 087	710	1 837	10 867	14 059	7 954	4 369	10 797	1 494	5 676
O	9 933	5 483	3 087	488	1 112	8 878	14 059	9 423	3 928	11 728	3 001	5 676
N	10 688	8 920	3 087	488	1 574	10 239	14 059	8 729	4 388	14 231	2 134	4 195
D	11 613	8 920	3 087	527	1 085	10 239	14 059	6 792	2 714	7 673	1 727	3 995
2005 - J	11 896	6 551	2 247	545	1 578	10 239	14 059	3 943	3 547	9 006	2 093	4 441
F	14 772	6 551	7 256	895	1 781	9 815	14 059	4 927	4 152	12 240	2 592	4 182
M	14 438	5 099	3 172	632	1 439	5 740	13 198	4 906	3 850	10 904	2 980	4 604
A	15 381	4 474	2 504	801	1 526	3 230	13 299	5 094	3 967	14 042	2 991	4 808



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			
	2004	2004	2005	2005	2004	2004	2005	2005
		Apr.	Mar.*	Apr.		Apr.	Mar.*	Apr.
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	112 511	10 109	10 306	9 032	103 007	9 508	9 760	8 449
1.1.2 Instalment sale transactions	16 017	1 190	977	1 009	14 307	1 032	931	923
1.2 Services								
1.2.1 Professional	84 612	6 917	6 919	6 249	80 025	6 651	6 750	6 063
1.2.2 Other	139 466	10 266	9 240	10 853	131 269	9 591	8 780	10 212
1.3 Rent	41 418	2 767	1 916	1 603	31 039	1 934	1 529	1 352
1.4 Money lent	308 851	26 091	21 178	23 940	303 361	25 706	20 933	23 597
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	94 137	8 886	7 524	6 766	89 724	8 145	7 436	6 518
1.6 Other	104 609	8 199	9 433	8 372	96 031	7 560	8 580	7 768
1.7 Total								
1.7.1 Actual figures	901 621	74 425	67 493	67 824	848 763	70 128	64 699	64 882
1.7.2 Seasonally adjusted		80 343	67 485	72 852		76 283	64 461	70 220

\* Revised

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			
	2004	2004	2005	2005	2004	2004	2005	2005
		Apr.	Mar.*	Apr.		Apr.	Mar.*	Apr.
	R' 000							
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	585 615	69 817	51 781	55 458	453 401	59 459	41 685	46 059
1.1.2 Instalment sale transactions	284 507	19 016	16 250	14 331	233 000	15 552	14 438	11 377
1.2 Services								
1.2.1 Professional	260 267	21 619	23 399	14 303	226 121	19 945	20 551	12 166
1.2.2 Other	744 612	53 252	44 309	47 003	642 577	45 928	38 714	41 811
1.3 Rent	316 836	26 685	19 329	15 203	226 720	19 488	11 709	10 937
1.4 Money lent	2 285 479	256 028	159 596	200 163	2 200 833	247 666	152 265	193 766
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	902 100	71 079	76 887	61 161	826 289	64 156	72 774	57 362
1.6 Other	1 523 389	134 193	138 576	86 277	1 068 799	103 844	91 291	67 664
1.7 Total								
1.7.1 Actual figures	6 902 805	651 689	530 127	493 899	5 877 740	576 038	443 427	441 142
1.7.2 Seasonally adjusted		725 127	488 777	546 874		652 563	405 903	497 656

\* Revised

Table 5 - Contribution of the different kinds of debts to the total number and value of debts recorded

Different kinds of debts	Contribution percentage points to the percentage change in the total number of summonses for debt	Contribution percentage points to the percentage change in the total number of civil judgements for debt	Contribution percentage points to the percentage change in the total value of civil judgements for debt
Goods sold			
Open account	-0,7	-1,3	-0,6
Instalment sale transactions	0,4	-0,7	0,2
Professional services	-1,2	-0,9	0,5
Other services	-2,0	-1,5	-0,5
Rent	-1,3	-1,5	-1,1
Money lent	-4,9	-5,1	-4,4
Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	-0,9	-2,0	-4,5
Other debts	-0,1	-0,8	-1,2
<b>Total</b>	<b>-10,7</b>	<b>-13,8</b>	<b>-11,6</b>

The contribution (percentage points) is calculated by multiplying the quarterly percentage change of each kind of debt with the percentage contribution to the total number or value of cases recorded during February 2004 to April 2004, divided by 100.

Table 6 - Percentage change in the total number and value of debts recorded between the current month and the corresponding month of the previous year.

	Actual estimates April 2004	Actual estimates April 2005	% change between April 2004 and April 2005	Difference between April 2004 and April 2005
Number of summonses for debt	101 610	105 566	3,9%	3 956
Number of judgements for debt	74 425	67 824	-8,9%	-6 601
Value of judgements for debt (R million)	651,7	493,9	-24,2%	-157,8

Table 7 - Percentage change in the total number and value of debts recorded between the current quarter and the corresponding quarter of the previous year.

	Actual estimates February 2004 to April 2004	Actual estimates February 2005 to April 2005	% change between February 2004 to April 2004 and February 2005 to April 2005	Difference between February 2004 to April 2004 and February 2005 to April 2005
Number of summonses for debt	369 279	329 788	-10,7%	-39 491
Number of judgements for debt	241 280	207 978	-13,8%	-33 302
Value of judgements for debt (R million)	1 839,3	1 626,8	-11,6%	-212,5

## 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 adjustment (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 included in standard publications. 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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