

# Statistical release

## P0041

# Statistics of civil cases for debt (Preliminary)

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### **Enquiries**

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<b>Contents</b>	<b>Page</b>
<b>SUMMARY OF FINDINGS: STATISTICS OF CIVIL CASES FOR DEBT (APRIL 2009)</b> .....	<b>2</b>
<b>Detailed results: Tables</b> .....	<b>4</b>
Table 1 – Number of civil cases recorded and summonses issued for debt according to business enterprises and private persons .....	4
Table 2 – Number of civil cases recorded according to selected magistrates’ offices.....	5
Table 3 – Number of civil default and consent judgements for debt according to business enterprises and private persons .....	6
Table 4 – Value of civil default and consent judgements for debt according to business enterprises and private persons (R’000) .....	7
Table 5 – Percentage change in the total number of civil summonses, judgements and the value of judgements recorded between the current quarter and the corresponding quarter of the previous year.....	8
Table 6 – Contribution of the different kinds of debts to the total number of civil summonses, judgements and the value of judgements recorded for the current quarter and the corresponding quarter of the previous year.. .....	8
Table 7 – Percentage change in the total number of civil summonses, judgements and the value of judgements recorded between the current month and the corresponding month of the previous year.....	8
<b>Explanatory notes</b> .....	<b>9</b>
<b>Glossary</b> .....	<b>10</b>
<b>General information</b> .....	<b>11</b>

## Key figures

**Table A – Key figures for the month of April 2009**

Actual estimates	April 2009	% change between April 2008 and April 2009	% change between February to April 2008 and February to April 2009
Number of civil summonses issued for debt	96 320	-5,5	15,6
Number of civil judgements recorded for debt	55 523	-1,6	6,6
Value of civil judgements recorded for debt (R million)	566,9	17,4	13,1

## SUMMARY OF FINDINGS: STATISTICS OF CIVIL CASES FOR DEBT (APRIL 2009)

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

*The total number of civil summonses issued for debt for the three months ended April 2009 increased by 15,6% compared with the three months ended April 2008. There was, however a 5,5% decrease between April 2008 and April 2009 (see Table A and Tables 5 and 7).*

The major contributors to the increase in civil summonses issued for debt for the three months ended April 2009 compared with the three months ended April 2008 were civil summonses issued in respect of goods sold on an open account (4,2 percentage points), money lent (4,0 percentage points), promissory notes and other acknowledgements of debt (3,1 percentage points) and professional services (3,0 percentage points). The 'other services' category was the only negative contributor (with -0,7 of a percentage point) (see Table 6 column 2, page 8).

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

*The total number of civil judgements recorded for debt for the three months ended April 2009 was 6,6% higher compared with the three months ended April 2008. There was, however a 1,6% decrease between April 2008 and April 2009 (see Table A and Tables 5 and 7).*

Civil judgements in respect of money lent (5,9 percentage points) and professional services (2,9 percentage points) were the main drivers behind the 6,6% increase in the number of civil judgements recorded for debt (see Table 6 column 3, page 8).

### The value of civil judgements recorded for debt increases

*The total value of civil judgements recorded for debt for the three months ended April 2009 increased by 13,1% compared with the three months ended April 2008. There was also a 17,4% increase between April 2008 and April 2009 (see Table A and Tables 5 and 7).*

The major contributors to the 13,1% increase in the value of civil judgements for the three months ended April 2009 compared with the same period last year were money lent (11,2 percentage points), other services (1,9 percentage points), professional services (1,8 percentage points) and rent (1,6 percentage points) (see Table 6 column 4, page 8).

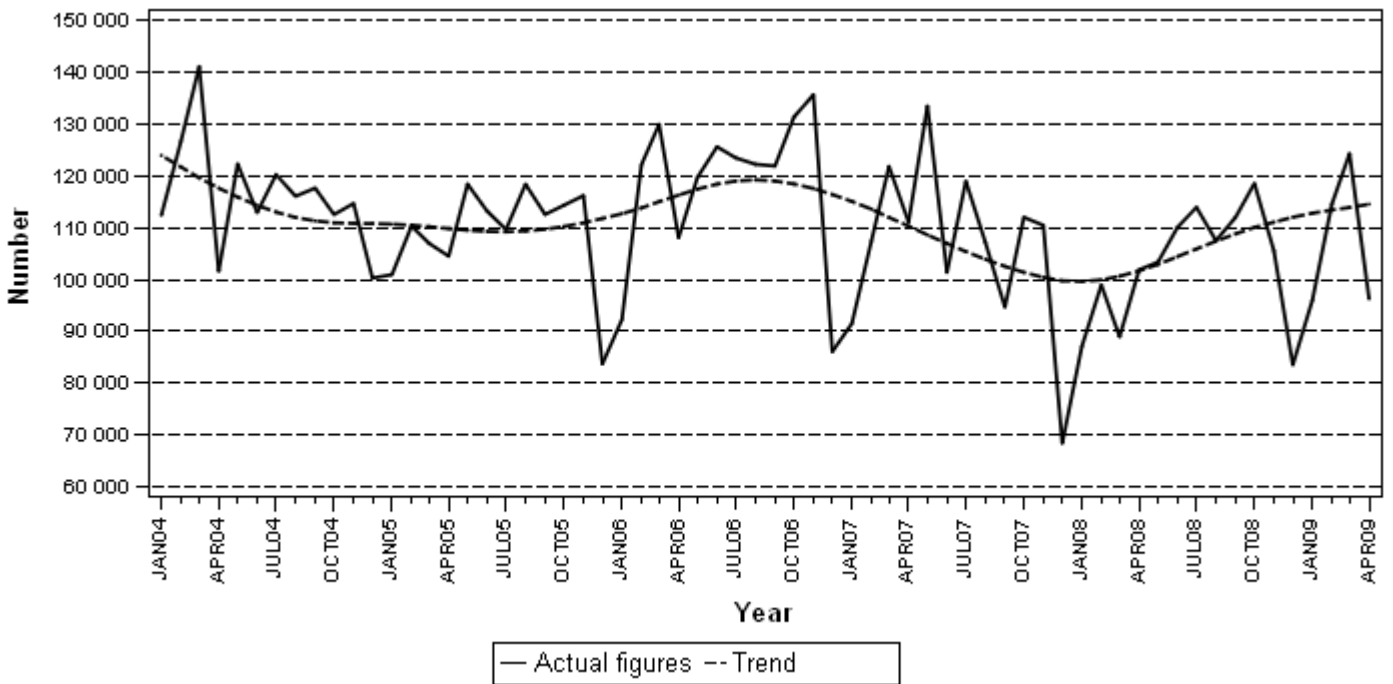
During April 2009, 55 523 civil judgements for debt amounting to R566,9 million were recorded. The largest contributors to the R566,9 million were:

- Civil judgements relating to money lent (R216,4 million or 38,2%)
- 'Other debts' (R92,7 million or 16,4%)
- Goods sold on an open account (R60,6 million or 10,7%) and
- Promissory notes and other acknowledgements of debt (R55,9 million or 9,9%).

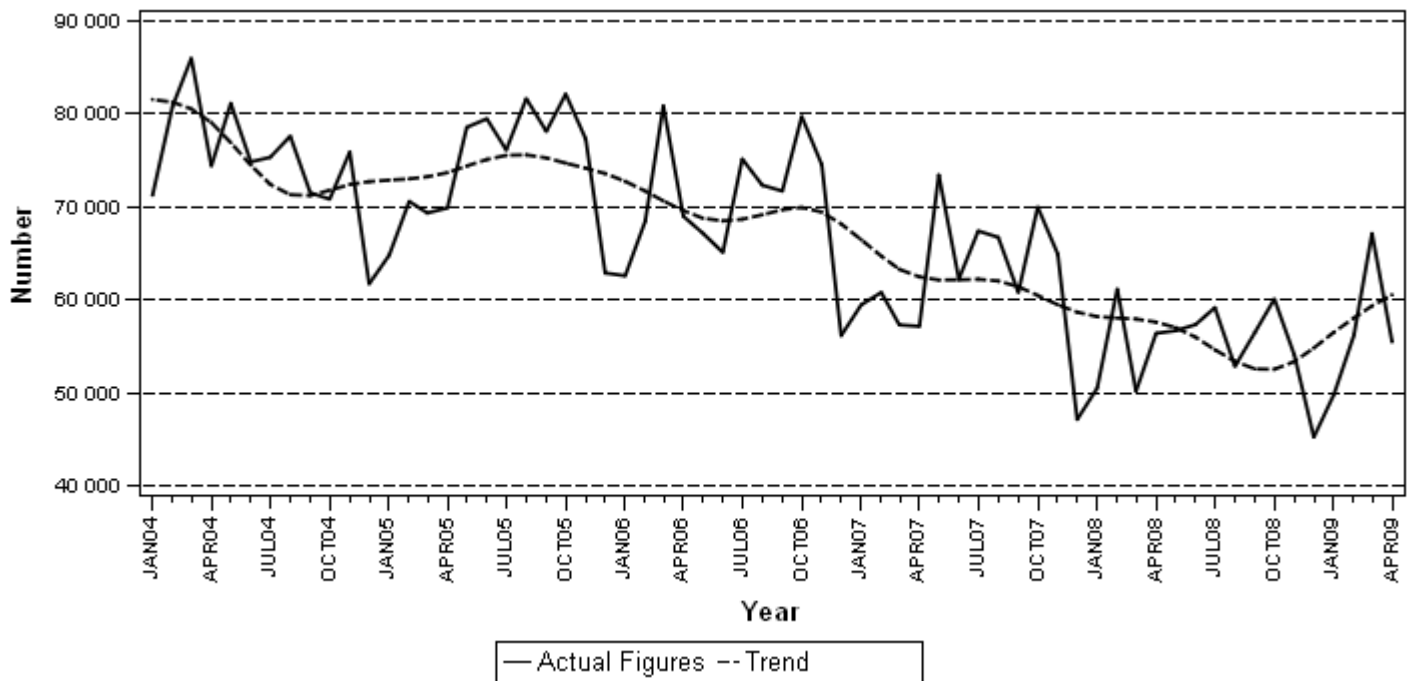
**The decrease in the number of civil cases in April 2009 may be partly attributed to a shorter working month in April 2009 compared with April 2008 owing to the Easter period that switched from March in 2008 to April in 2009.**

Figures 1 and 2 outline the number of civil summonses issued and civil judgements recorded for debt respectively from January 2004 to April 2009.

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



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



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**Statistician-General**

## Detailed results: Tables

**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			
	2008	2008	1/ 2009		2008	2008	1/ 2009	
		April	March	April		April	March	April
<b>1. Cases recorded</b>								
<b>1.1 Actual figures</b>	<b>1 442 447</b>	<b>119 968</b>	<b>144 340</b>	<b>116 760</b>	<b>1 265 052</b>	<b>106 891</b>	<b>130 063</b>	<b>104 192</b>
<b>1.2 Seasonally adjusted</b>		127 951	132 378	124 558		113 886	118 565	111 190
<b>2. Civil summonses for debt</b>								
<b>2.1 Goods sold</b>								
<b>2.1.1 Open account</b>	116 610	9 096	16 053	11 436	95 651	7 402	13 998	9 964
<b>2.1.2 Instalment sale transactions</b>	31 176	3 147	3 381	2 605	26 449	2 629	2 948	2 296
<b>2.2 Services</b>								
<b>2.2.1 Professional</b>	132 864	10 511	14 058	11 538	112 121	9 181	12 399	9 750
<b>2.2.2 Other</b>	173 715	14 522	14 712	11 590	151 948	12 642	13 251	9 947
<b>2.3 Rent</b>	52 994	4 258	5 077	3 773	42 946	3 430	4 339	3 298
<b>2.4 Money lent</b>	283 693	23 921	28 967	22 888	262 929	22 171	27 455	21 690
<b>2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	201 872	14 952	17 166	15 089	189 872	13 958	15 757	13 998
<b>2.6 Other debts</b>	238 254	21 466	24 852	17 401	205 945	18 648	20 937	13 644
<b>2.7 Total</b>								
<b>2.7.1 Actual figures</b>	<b>1 231 178</b>	<b>101 873</b>	<b>124 266</b>	<b>96 320</b>	<b>1 087 861</b>	<b>90 061</b>	<b>111 084</b>	<b>84 587</b>
<b>2.7.2 Seasonally adjusted</b>		105 597	113 720	99 627		94 004	100 658	88 268

1/ Preliminary

**Table 2 – Number of civil cases recorded according to selected magistrates' offices**

Year and month		Cape Peninsula	Port Elizabeth	East London	Kimberley	Pietermaritzburg	Durban	Johannesburg	East Rand	West Rand	Pretoria	Vereeniging and Vanderbijlpark	Bloemfontein
<b>2007</b>	<b>Year Total</b>	<b>117 403</b>	<b>65 797</b>	<b>32 766</b>	<b>9 226</b>	<b>17 420</b>	<b>77 021</b>	<b>215 297</b>	<b>51 978</b>	<b>40 863</b>	<b>153 646</b>	<b>26 219</b>	<b>45 913</b>
<b>2008</b>	<b>Year Total</b>	<b>117 171</b>	<b>54 474</b>	<b>17 553</b>	<b>7 236</b>	<b>19 284</b>	<b>78 092</b>	<b>205 869</b>	<b>59 060</b>	<b>33 410</b>	<b>138 384</b>	<b>26 859</b>	<b>33 374</b>
	<b>January</b>	6 304	5 151	1 278	274	1 136	5 286	10 193	3 392	1 905	15 008	4 496	3 068
	<b>February</b>	9 395	4 538	2 187	431	1 132	5 476	11 003	4 424	3 242	11 748	3 638	2 842
	<b>March</b>	9 382	4 278	1 399	822	1 447	6 079	11 776	4 716	2 482	7 997	1 470	2 905
	<b>April</b>	8 158	6 398	1 807	465	1 851	6 648	17 776	5 253	2 858	9 995	1 815	2 658
	<b>May</b>	9 157	6 544	1 695	597	1 814	5 513	17 667	5 407	2 499	10 008	2 666	3 087
	<b>June</b>	8 499	6 045	1 578	928	1 557	5 572	19 524	5 494	2 673	12 313	1 865	2 987
	<b>July</b>	11 015	3 344	1 144	869	1 954	7 370	22 450	4 484	2 922	11 901	2 710	2 992
	<b>August</b>	9 558	4 502	1 180	500	1 615	6 213	20 052	4 552	3 490	11 136	2 236	3 050
	<b>September</b>	10 882	3 738	825	555	1 707	6 312	22 753	5 257	2 816	14 527	1 839	2 962
	<b>October</b>	12 480	3 866	1 549	405	1 966	7 767	18 597	5 758	3 777	14 812	1 975	2 374
	<b>November</b>	12 497	3 655	1 535	844	2 050	8 149	18 480	5 704	2 879	11 611	1 375	2 356
<b>December</b>	9 844	2 415	1 376	546	1 055	7 707	15 598	4 619	1 867	7 328	774	2 093	
<b>1/ 2009</b>	<b>January</b>	8 353	1 955	1 259	515	1 713	7 400	20 427	5 126	2 299	10 835	1 265	4 435
	<b>February</b>	10 331	3 211	1 619	795	1 557	7 766	22 126	5 592	2 742	12 559	1 449	3 645
	<b>March</b>	14 242	5 191	1 759	755	1 807	7 604	20 163	5 618	4 660	14 922	2 339	3 728
	<b>April</b>	9 350	3 286	1 384	538	1 403	7 336	18 223	4 108	3 759	9 863	1 671	2 494

1/ Preliminary

**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			
	2008	2008	1/ 2009		2008	2008	1/ 2009	
		April	March	April		April	March	April
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
<b>1.1.1 Open account</b>	85 782	9 195	7 986	6 959	75 647	8 449	7 136	6 191
<b>1.1.2 Instalment sale transactions</b>	9 656	658	1 143	1 026	8 048	558	1 009	874
<b>1.2 Services</b>								
<b>1.2.1 Professional</b>	77 332	6 092	7 895	7 673	67 962	5 439	6 833	6 902
<b>1.2.2 Other</b>	80 436	5 764	7 324	6 232	72 558	5 048	6 722	5 733
<b>1.3 Rent</b>	30 897	2 295	2 114	2 288	23 367	1 714	1 542	1 829
<b>1.4 Money lent</b>	222 381	19 574	26 442	20 257	216 756	19 235	25 903	19 883
<b>1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	47 923	3 518	5 853	3 430	42 598	3 161	5 227	3 056
<b>1.6 Other debts</b>	106 180	9 338	8 422	7 658	95 631	8 499	7 523	7 027
<b>1.7 Total</b>								
<b>1.7.1 Actual figures</b>	<b>660 587</b>	<b>56 434</b>	<b>67 179</b>	<b>55 523</b>	<b>602 567</b>	<b>52 103</b>	<b>61 895</b>	<b>51 495</b>
<b>1.7.2 Seasonally adjusted</b>		59 420	68 981	58 607		54 891	60 348	54 440

1/ Preliminary

**Table 4 – Value of civil default and consent judgements for debt according to business enterprises and private persons (R'000)**

Item	Business enterprises and private persons				Private Persons			
	2008	2008	1/ 2009		2008	2008	1/ 2009	
		April	March	April		April	March	April
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
<b>1.1.1 Open account</b>	631 153	70 427	64 193	60 583	442 281	52 077	41 957	38 980
<b>1.1.2 Instalment sale transactions</b>	254 214	21 639	33 674	31 375	199 470	13 393	27 650	25 355
<b>1.2 Services</b>								
<b>1.2.1 Professional</b>	281 952	22 139	38 871	21 614	217 664	15 904	32 809	18 097
<b>1.2.2 Other</b>	595 900	46 108	61 986	51 208	455 930	33 939	51 268	42 614
<b>1.3 Rent</b>	323 505	27 004	34 388	37 128	212 864	19 046	25 794	26 588
<b>1.4 Money lent</b>	1 956 402	145 166	212 680	216 356	1 827 316	136 421	203 779	204 229
<b>1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	662 674	39 016	67 165	55 928	555 530	27 898	51 465	44 213
<b>1.6 Other debts</b>	1 314 636	111 303	114 938	92 738	1 012 625	88 414	84 624	74 367
<b>1.7 Total</b>								
<b>1.7.1 Actual figures</b>	<b>6 020 436</b>	<b>482 802</b>	<b>627 895</b>	<b>566 930</b>	<b>4 923 680</b>	<b>387 092</b>	<b>519 346</b>	<b>474 443</b>
<b>1.7.2 Seasonally adjusted</b>		502 935	619 046	589 480		398 722	500 110	488 276

1/ Preliminary



**Table 5 – Percentage change in the total number of civil summonses, judgements and the value of judgements recorded between the current quarter and the corresponding quarter of the previous year**

Actual estimates	Actual estimates February to April 2008	Actual estimates February to April 2009	% change between February to April 2008 and February to April 2009	Difference between February to April 2008 and February to April 2009
Number of summonses for debt	289 776	335 109	15,6	45 333
Number of judgements for debt	167 840	178 932	6,6	11 092
Value of judgements for debt (R million)	1 515,1	1 713,2	13,1	198,1

**Table 6 – Contribution of the different kinds of debts to the total number of civil summonses, judgements and the value of judgements recorded for the current quarter and the corresponding quarter of the previous year 1/**

Item	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	4,2	-1,7	0,5
--Instalment sale transactions	0,3	0,5	1,1
Professional services	3,0	2,9	1,8
Other services	-0,7	0,0	1,9
Rent	0,3	-0,3	1,6
Money lent	4,0	5,9	11,2
Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	3,1	0,1	-1,9
Other debts	1,4	-0,7	-3,2
<b>Total</b>	<b>15,6</b>	<b>6,6</b>	<b>13,1</b>

1/ 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 2008 to April 2008, divided by 100. Figures have been rounded off.

**Table 7 – Percentage change in the total number of civil summonses, judgements and the value of judgements recorded between the current month and the corresponding month of the previous year**

Actual estimates	Actual estimates April 2008	Actual estimates April 2009	% change between April 2008 and April 2009	Difference between April 2008 and April 2009
Number of summonses for debt	101 873	96 320	-5,5	-5 553
Number of judgements for debt	56 434	55 523	-1,6	-911
Value of judgements for debt (R million)	482,8	566,9	17,4	84,1

## Explanatory notes

<b>Introduction</b>	<b>1</b>	<p>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.</p> <p>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.</p>
<b>Purpose of the survey</b>	<b>3</b>	<p>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.</p>
<b>Scope of the survey</b>	<b>4</b>	<p>This survey covers-</p> <ul style="list-style-type: none"> <li>• number of civil cases recorded;</li> <li>• number of civil summonses issued for debt;</li> <li>• number of civil judgements recorded for debt; and</li> <li>• value of civil judgements recorded for debt.</li> </ul>
<b>Statistical unit</b>	<b>5</b>	<p>The statistical unit for collection of information is a magistrate' office. Magistrates' offices include the small claims courts.</p> <p>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 151 magistrates' offices was drawn using only the number of civil cases recorded as measure of size.</p>
<b>Survey methodology and design</b>	<b>6</b>	<p>The survey is conducted by mail each month from 151 magistrates' offices.</p>
<b>Response rate</b>	<b>7</b>	<p>The response rate for the civil cases for debt survey for April 2009 was 89,4%.</p>
<b>Trend cycle</b>	<b>8</b>	<p>Smoothed seasonally adjusted and trend estimates are generated using the X-11 Seasonal Adjustment Programme.</p>
<b>Publications</b>	<b>9</b>	<p>Users may also wish to refer to the following publications:</p> <ul style="list-style-type: none"> <li>• <i>Bulletin of Statistics issued quarterly.</i></li> <li>• <i>SA Statistics issued annually.</i></li> </ul>
<b>Unpublished statistics</b>	<b>10</b>	<p>In some cases Stats SA can also make available statistics, which are not published. The statistics can be made available as computer printouts or CD. Generally a charge is made for providing unpublished statistics.</p>
<b>Symbols and abbreviations</b>	<b>11</b>	<p>R/D        Refer to Drawer          CD         Compact Disc          Stats SA   Statistics South Africa          TBVC      Transkei, Bophuthatswana, Venda, Ciskei          *          Revised figures</p>

## Glossary

<b>Acknowledgement of debt</b>	Acknowledgement of debt is a statement by a person/debtor 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 debt he owes without defending the action. This usually happens before the debtor signs a binding contract, e.g. 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 transaction 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 to 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 refer to medical doctors/ dentists, advocates/attorneys, auditors/accountants, architects, engineers and hospital services.
<b>Promissory note</b>	Promissory note is a written note, 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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