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# Statistical release

## P0041

# Statistics of civil cases for debt (Preliminary)

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## Key findings as at the end of December 2006

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

**The total number of civil summonses issued for debt during 2006 increased by 8,5% (+111 445 summonses) compared with 2005. Compared with the last six years this has been the highest percentage increase.**

**The total number of civil summonses issued for debt for the fourth quarter of 2006 increased by 13,1% (+41 075 summonses) compared with the fourth quarter of 2005.**

The major contributors to the increase of 13,1% in civil summonses issued for debt for the fourth quarter of 2006 compared with the fourth quarter of 2005 were money lent (+13,6 percentage points) and promissory notes and other (+2,8 percentage points). There was, however, a decrease of 1,8 percentage points with regard to civil summonses issued for goods sold on an open account (see Table 6 column 2 page 9).

The total number of civil summonses issued for debt for December 2006 increased by 4,4% compared with December 2005.

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

**The total number of civil judgements recorded for debt during 2006 decreased by 5,4% (-47 953 judgements) compared with 2005.**

**The total number of civil judgements recorded for debt for the fourth quarter of 2006 decreased by 5,3% (-11 806 judgements) compared with the fourth quarter of 2005.**

The major contributors to the decrease of 5,3% in the number of civil judgements recorded for debt for the fourth quarter of 2006 compared with the fourth quarter of 2005 were civil judgements in respect of other debt (-3,2 percentage points), rent (-1,6 percentage points) and "other" services (-1,4 percentage points). However, this decrease was partially counteracted by an increase in goods sold on an open account (+3,2 percentage points) (see Table 6 column 3 page 9).

The total number of civil judgements recorded for debt for December 2006 decreased by 10,7% compared with December 2005.

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

**The total value of civil judgements recorded for debt during 2006 decreased by 1,0% (-R66,9 million) compared with 2005.**

**The total value of civil judgements recorded for debt for the fourth quarter of 2006 decreased by 1,2% (-R20,1 million) compared with the fourth quarter of 2005.**

The major contributors to the decrease of 1,2% in the value of civil judgements recorded for the fourth quarter of 2006 compared with the fourth quarter of 2005, were civil judgements recorded in respect of other debt (-5,7 percentage points) and "other" services (-0,6 of a percentage point). However, this decrease was partially counteracted by an increase in judgements recorded for money lent (+4,1 percentage points) (see Table 6 column 4 page 9).

In contrast the total value of civil judgements recorded for debt for December 2006 increased by 2,6% compared with December 2005.

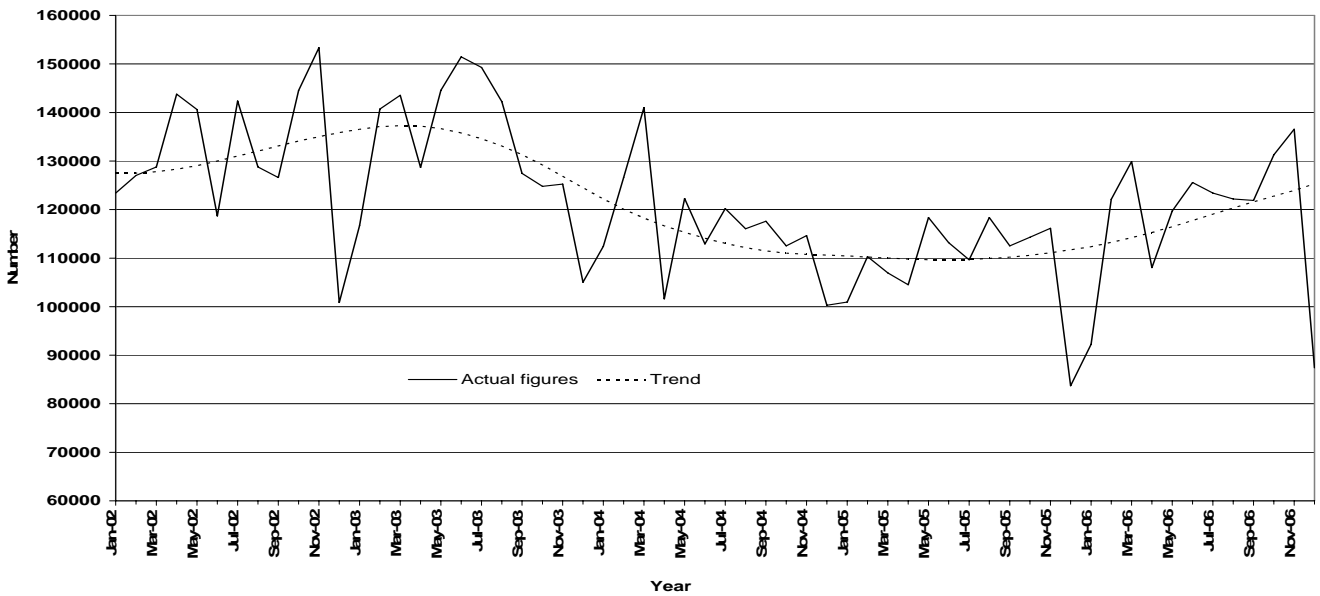
During December 2006, 56 217 civil judgements for debt, amounting to R431,3 million, were recorded. The largest contributors to the R431,3 million were civil judgements relating to money lent (R142,8 million or 33,1%) and other debts (R96,6 million or 22,4 %) (see Table 4 page 8).

**Key figures for the month of December 2006**

	<b>December 2006</b>	<b>% change between December 2005 and December 2006</b>	<b>% change between October 2005 to December 2005 and October 2006 to December 2006</b>	<b>% change between January 2005 to December 2005 and January 2006 to December 2006</b>
<b>Actual estimates</b>				
Number of civil summonses issued for debt	87 392	4,4	13,1	8,5
Number of civil judgements recorded for debt	56 217	-10,7	-5,3	-5,4
Value of civil judgements recorded for debt (R million)	431,3	2,6	-1,2	-1,0

Figures 1 and 2 outline the number of civil summonses issued and civil judgements recorded for debt from January 2002 to December 2006 respectively. In figure 1 since March 2002 the trend estimates for the total number of civil summonses issued for debt showed an increasing trend until April 2003. The trend decreased from May 2003 to February 2005 but levelled off until October 2005. The trend has been rising since November 2005.

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



In figure 2 since May 2002 the trend estimates for civil judgements recorded for debt showed an increasing trend until May 2003. The trend decreased from June 2003 to October 2004 but since November 2004 it increased slightly until August 2005. Thereafter it decreased until April 2006. Since May 2006 the trend started to level off until present.

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



**PJ Lehohla**  
**Statistician-General**

**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			
	2005	2005	2006	2006	2005	2005	2006	2006
		Dec.	Nov.*	1/ Dec.		Dec.	Nov.*	1/ Dec.
1. Cases recorded								
1.1 Actual figures	1 514 116	94 716	158 043	99 014	1 373 027	87 106	144 561	89 385
1.2 Seasonally adjusted		123 290	146 057	129 636		110 779	133 128	114 022
2. Civil summonses for debt								
2.1 Goods sold								
2.1.1 Open account	159 679	8 961	13 078	8 546	138 886	7 824	11 162	7 368
2.1.2 Instalment sale transactions	51 566	2 681	3 470	2 089	46 903	2 298	2 842	1 733
2.2 Services								
2.2.1 Professional	152 858	8 186	11 802	8 377	133 286	7 285	10 399	7 103
2.2.2 Other	229 019	11 647	18 989	11 572	208 046	10 329	16 917	10 161
2.3 Rent	49 151	2 983	4 514	2 999	39 785	2 597	3 560	2 293
2.4 Money lent	296 341	21 926	47 675	25 391	277 400	21 178	46 150	24 144
2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	128 403	8 896	15 173	11 912	118 238	8 105	14 162	11 180
2.6 Other debts	241 952	18 437	21 871	16 506	215 513	16 705	19 050	14 496
2.7 Total								
2.7.1 Actual figures	1 308 969	83 717	136 572	87 392	1 178 057	76 321	124 242	78 478
2.7.2 Seasonally adjusted		114 230	129 909	119 486		99 252	116 981	102 120

1/ Preliminary.

\* 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
2005	165 535	69 776	38 487	9 248	20 091	77 468	156 641	58 486	58 984	138 300	27 437	59 361
2006	147 564	69 334	50 557	5 922	18 095	69 501	181 787	64 780	62 057	142 102	39 909	60 344
2005 - J	11 896	6 551	2 247	545	1 578	10 239	14 059	3 943	4 003	9 006	2 093	4 441
F	14 772	6 551	3 172	895	1 781	9 815	11 918	5 120	5 274	12 240	2 592	4 182
M	11 976	5 099	2 889	632	1 439	5 740	13 198	4 899	4 666	10 904	2 980	4 604
A	13 600	4 474	2 504	801	1 526	3 230	13 299	5 143	3 967	14 042	2 991	4 808
M	12 386	7 915	3 151	997	2 268	5 435	14 706	6 654	5 028	12 756	1 832	4 884
J	15 193	6 117	3 350	721	1 636	4 921	12 201	4 335	5 686	12 114	1 794	5 073
J	13 402	4 474	3 240	873	1 894	4 921	12 726	4 973	5 567	11 494	2 127	5 083
A	18 630	5 573	2 941	861	2 220	7 311	14 095	4 914	5 759	11 839	3 311	5 249
S	15 391	5 612	3 517	911	1 539	7 311	13 090	5 117	4 851	12 216	1 112	5 371
O	14 575	7 432	3 951	871	1 433	6 397	13 889	4 751	4 479	11 456	1 901	5 291
N	16 106	6 489	4 009	740	1 410	6 397	11 730	5 502	5 731	12 428	2 469	5 214
D	7 608	3 489	3 516	401	1 367	5 751	11 730	3 135	3 973	7 805	2 235	5 161
2006 - J	10 205	5 091	4 446	209	1 171	5 751	6 505	4 097	4 441	10 867	2 437	5 120
F	11 387	7 860	5 785	756	1 751	5 751	13 143	4 652	7 231	12 266	2 492	5 117
M	14 010	8 082	6 013	732	1 742	6 285	14 398	5 761	6 259	14 272	2 994	4 789
A	11 657	5 239	4 285	311	1 290	6 364	12 046	5 658	4 454	8 127	3 028	5 191
M	13 981	5 393	2 620	741	1 893	4 925	15 758	5 585	5 489	11 299	3 200	5 253
J	13 359	6 628	5 688	555	1 254	4 999	16 849	5 418	4 411	10 018	5 307	5 244
J	12 981	5 770	5 218	442	1 348	5 867	16 060	6 478	5 190	10 318	3 847	5 449
A	11 196	3 824	4 814	480	1 348	5 796	15 146	6 702	5 147	8 550	2 712	5 513
S	12 137	5 315	2 350	507	1 140	5 291	18 632	5 593	5 057	13 258	1 869	5 368
O	13 397	6 537	2 616	532	1 577	5 291	19 761	6 699	5 199	14 758	5 172	5 174
N	*13 082	6 315	*4 499	271	1 837	*6 571	21 268	4 784	5 278	19 625	4 144	4 145
1/ D	10 172	3 280	2 223	386	1 744	6 610	12 221	3 353	3 901	8 744	2 707	3 981

1/Preliminary.

\* Revised.

**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			
	2005	2005	2006	2006	2005	2005	2006	2006
		Dec.	Nov.*	1/ Dec.		Dec.	Nov.*	1/ Dec.
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	114 109	7 738	10 670	8 638	104 472	6 855	9 870	8 016
1.1.2 Instalment sale transactions	16 620	1 296	863	597	14 927	1 136	748	508
1.2 Services								
1.2.1 Professional	83 017	6 199	7 024	5 106	77 613	5 448	6 437	4 668
1.2.2 Other	122 987	7 346	7 977	6 963	115 538	6 615	7 483	6 567
1.3 Rent	29 088	2 203	2 127	1 844	22 870	1 851	1 627	1 469
1.4 Money lent	309 063	22 638	30 369	20 923	304 434	22 241	29 980	20 626
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	82 229	5 219	6 114	4 333	77 741	3 732	5 866	4 026
1.6 Other debts	134 032	10 283	9 472	7 813	121 147	9 223	8 600	7 092
1.7 Total								
1.7.1 Actual figures	891 145	62 922	74 616	56 217	838 742	57 101	70 611	52 972
1.7.2 Seasonally adjusted		76 518	71 569	68 018		69 870	67 591	64 592

1/ Preliminary.

\* 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			
	2005	2005	2006	2006	2005	2005	2006	2006
		Dec.	Nov.*	1/ Dec.		Dec.	Nov.*	1/ Dec.
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	661 352	40 557	58 216	46 085	540 967	32 512	46 005	36 850
1.1.2 Instalment sale transactions	273 731	13 926	27 165	11 049	227 774	12 254	19 085	8 377
1.2 Services								
1.2.1 Professional	258 691	15 369	26 909	16 434	219 341	11 765	22 224	13 137
1.2.2 Other	601 147	36 164	49 127	42 449	507 366	29 099	38 464	35 180
1.3 Rent	217 608	11 552	21 089	16 796	155 938	8 588	13 190	10 032
1.4 Money lent	2 152 458	130 002	245 881	142 757	2 028 303	123 312	236 190	133 768
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	822 425	35 519	74 314	59 156	729 677	26 942	69 819	53 205
1.6 Other debts	1 663 448	137 145	158 201	96 566	1 281 651	118 510	133 291	80 210
1.7 Total								
1.7.1 Actual figures	6 650 860	420 234	660 902	431 292	5 691 017	362 982	578 268	370 759
1.7.2 Seasonally adjusted		535 886	592 480	559 532		452 130	503 049	467 547

1/ Preliminary.

\* Revised.

**Table 5 - 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 October 2005 to December 2005	Actual estimates October 2006 to December 2006	% change between October 2005 to December 2005 and October 2006 to December 2006	Difference between October 2005 to December 2005 and October 2006 to December 2006
Number of summonses for debt	314 200	355 275	13,1%	41 075
Number of judgements for debt	222 381	210 575	-5,3%	-11 806
Value of judgements for debt (R million)	1 708,4	1 687,6	-1,2%	-20,8

**Table 6 – Contribution of the different kinds of debts to the total number and value of debts recorded for the current quarter and the corresponding quarter of the previous year.**

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	-1,8	3,2	1,2
Instalment sale transactions	-0,7	-0,8	-0,2
Professional services	-0,4	-0,7	0,2
Other services	0,6	-1,4	-0,6
Rent	-0,2	-1,6	0,3
Money lent	13,6	0,4	4,1
Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	2,8	-1,2	-0,5
Other debts	-0,8	-3,2	-5,7
<b>Total</b>	<b>13,1</b>	<b>-5,3</b>	<b>-1,2</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 October 2005 to December 2005, divided by 100.

**Table 7 - 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 December 2005	Actual estimates December 2006	% change between December 2005 and December 2006	Difference between December 2005 and December 2006
Number of summonses for debt	83 717	87 392	4,4%	3 675
Number of judgements for debt	62 922	56 217	-10,7%	-6 705
Value of judgements for debt (R million)	420,2	431,3	2,6%	11,1

**Table 8 - Percentage change in the total number and value of debts recorded between the year 2005 and 2006.**

	Actual estimates January 2005 to December 2005	Actual estimates January 2006 to December 2006	% change between January 2005 to December 2005 and January 2006 to December 2006	Difference between January 2005 to December 2005 and January 2006 to December 2006
Number of summonses for debt	1 308 969	1 420 414	8,5%	111 445
Number of judgements for debt	891 145	843 192	-5,4%	-47 953
Value of judgements for debt (R million)	6 650,9	6 584,0	-1,0%	-66,9

**Explanatory notes**

<b>Introduction</b>	<p>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.</p> <p>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.</p>
<b>Purpose of the survey</b>	<p>3 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>	<p>4 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>	<p>5 The statistical unit for collection of information is a magistrates' 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 is drawn using only the number of civil cases recorded as the measure of size.</p>
<b>Survey methodology and design</b>	<p>6 The survey is conducted by mail each month from approximately 151 magistrates' offices.</p>
<b>Response rate</b>	<p>7 The response rate for the civil cases for debt for December 2006 was 88,0%.</p>
<b>Trend cycle</b>	<p>8 Smoothed seasonally adjusted and trend estimates are generated using the X-11 Seasonal Adjustment Programme.</p>
<b>Publications</b>	<p>9 Users may also wish to refer to the following publications:</p> <ul style="list-style-type: none"> <li>• <i>Bulletin of Statistics</i> issued quarterly.</li> <li>• <i>SA Statistics</i> issued annually.</li> </ul>
<b>Unpublished statistics</b>	<p>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.</p>
<b>Symbols and abbreviations</b>	<p>11 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 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 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 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 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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