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# Statistical release

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## Statistics of civil cases for debt (Preliminary)

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## Key figures

Table A – Key figures for 2007

Actual estimates	December 2007	% change between December 2006 and December 2007	% change between October 2006 to December 2006 and October 2007 to December 2007	Annual % change between 2006 and 2007
Number of civil summonses issued for debt	69 198	-19,6	-17,5	-9,9
Number of civil judgements recorded for debt	46 472	-17,3	-9,6	-10,3
Value of civil judgements recorded for debt (R million)	382,2	-11,3	-9,5	-6,7

## SUMMARY OF FINDINGS: STATISTICS OF CIVIL CASES FOR DEBT (2007)

### Key findings for 2007

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

*The total number of civil summonses issued for debt for 2007 decreased by 9,9% compared with 2006 after an 8,3% rise in 2006 compared with 2005.*

The major contributors to this decrease were civil summonses issued in respect of 'other debts' (-4,1 percentage points), money lent (-4,0 percentage points) and goods sold on an open account (-2,9 percentage points). There was, however, an increase of 3,9 percentage points with regard to civil summonses issued for promissory notes and other acknowledgements for debt (this category includes credit cards) (see Table 9 column 2, page 10).

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

*The total number of civil judgements recorded for debt for 2007 decreased by 10,3% compared with 2006 after a 5,4% decline in 2006 compared with 2005.*

Civil judgements in respect of 'other debts' (-3,7 percentage points), goods sold on an open account (-3,5 percentage points) and 'other services' (-1,5 percentage points) were the main drivers behind the 10,3% decrease (see Table 9 column 3, page 10).

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

*The total value of civil judgements recorded for debt for 2007 decreased by 6,7% compared with 2006 after a 1,0% decline in 2006 compared with 2005.*

The major contributors to this decrease were civil judgements recorded in respect of 'other debts' (-5,7 percentage points) and money lent (-1,4 percentage points). There was, however, a positive contribution of 1,6 percentage points from promissory notes and other acknowledgements of debt (see Table 9 column 4, page 10).

During 2007, 755 913 civil judgements for debt, amounting to R6 140,3 million, were recorded. The largest contributors to the R6 140,3 million were civil judgements relating to money lent (R1 994,8 million or 32,5%) and 'other debts' (R1 411,7 million or 23,0%) (see Table 3 and 4, page 7 and 8).

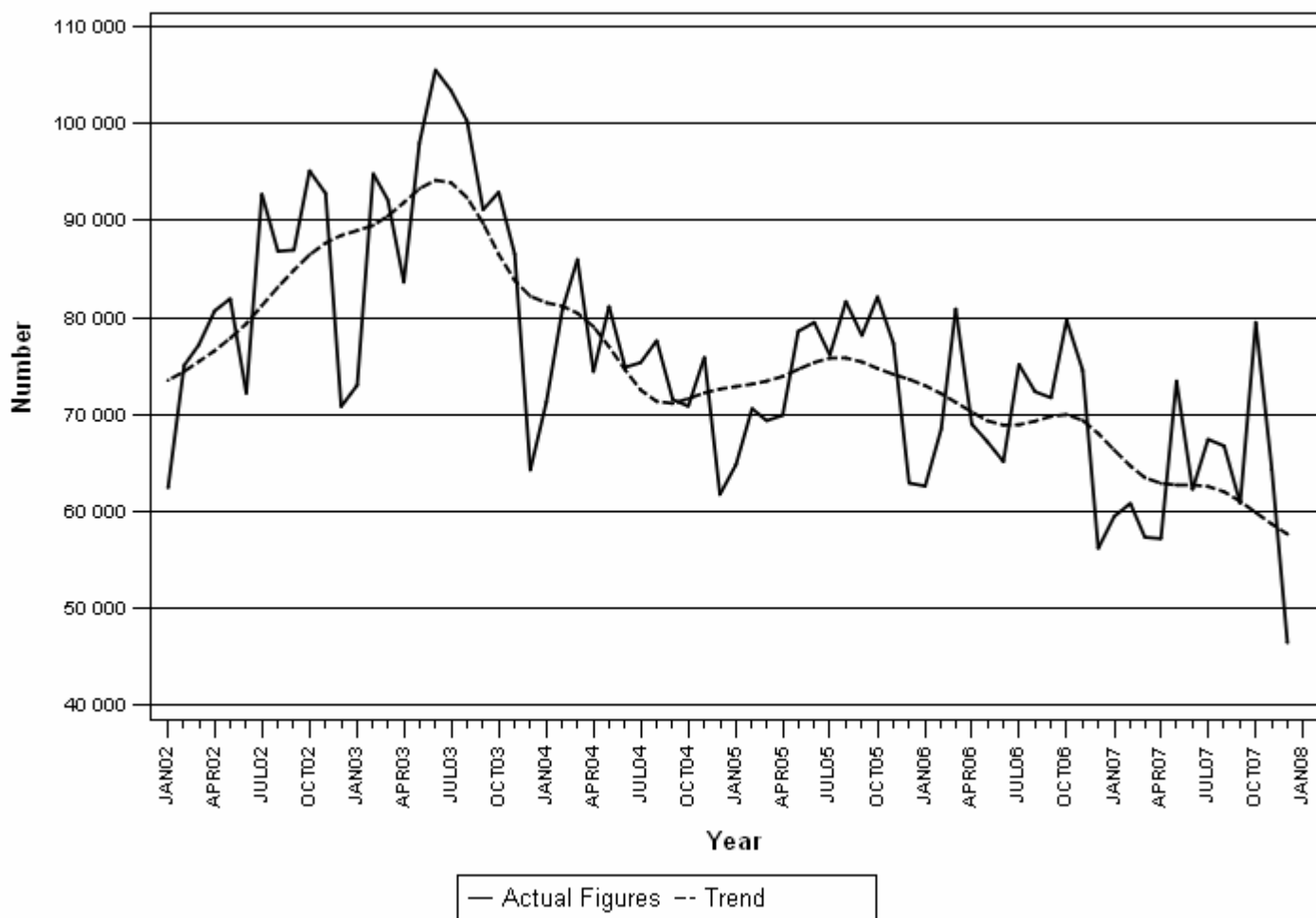
Figures 1 and 2 outline the number of civil summonses issued and civil judgements recorded for debt from 2002 to December 2007 respectively. In figure 1 from January 2002 the trend estimates for the total number of civil summonses issued for debt showed an upward increase until April 2003. The trend decreased from May 2003 to June 2005 but increased again to August 2006. Thereafter the trend decreased again.

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



Figure 2 shows that the trend in civil judgements for debt generally declined from mid-2003 and this long-term decreasing trend continued into 2007.

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



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**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			
	2007	2006	2007		2007	2006	2007	
		December	*November	1/ December		December	*November	1/ December
<b>1. Cases recorded</b>								
<b>1.1 Actual figures</b>	1 459 882	97 712	125 320	79 244	1 317 973	88 071	114 895	71 101
<b>1.2 Seasonally adjusted</b>		131 349	113 817	107 703		117 178	102 766	95 586
<b>2. Civil summonses for debt</b>								
<b>2.1 Goods sold</b>								
<b>2.1.1 Open account</b>	117 938	8 542	10 329	6 520	98 776	7 365	8 311	5 263
<b>2.1.2 Instalment sale transactions</b>	28 006	2 074	2 495	2 201	23 572	1 719	2 142	1 816
<b>2.2 Services</b>								
<b>2.2.1 Professional</b>	129 558	8 405	12 132	8 039	111 197	7 114	10 258	7 005
<b>2.2.2 Other</b>	183 096	11 467	14 769	9 878	162 517	10 075	13 302	8 831
<b>2.3 Rent</b>	45 878	2 998	4 457	3 866	38 571	2 292	3 978	3 381
<b>2.4 Money lent</b>	351 033	25 374	26 338	16 904	330 955	24 127	25 444	16 056
<b>2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	203 175	11 913	21 782	10 818	191 046	11 180	20 929	10 072
<b>2.6 Other debts</b>	219 753	15 317	18 062	10 972	191 430	13 292	16 117	9 228
<b>2.7 Total</b>								
<b>2.7.1 Actual figures</b>	1 278 437	86 090	110 364	69 198	1 148 064	77 164	100 481	61 652
<b>2.7.2 Seasonally adjusted</b>		116 328	100 864	94 006		103 300	90 948	83 199

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
<b>2005</b>	<b>Year Total</b>	<b>165 535</b>	<b>69 776</b>	<b>38 487</b>	<b>9 248</b>	<b>20 091</b>	<b>77 468</b>	<b>156 641</b>	<b>58 486</b>	<b>58 984</b>	<b>138 300</b>	<b>27 437</b>	<b>59 361</b>
<b>2006</b>	<b>Year Total</b>	<b>147 564</b>	<b>69 334</b>	<b>50 557</b>	<b>5 922</b>	<b>18 095</b>	<b>69 501</b>	<b>181 787</b>	<b>64 780</b>	<b>59 891</b>	<b>142 102</b>	<b>39 909</b>	<b>60 344</b>
	January	10 205	5 091	4 446	209	1 171	5 751	6 505	4 097	4 441	10 867	2 437	5 120
	February	11 387	7 860	5 785	756	1 751	5 751	13 143	4 652	7 231	12 266	2 492	5 117
	March	14 010	8 082	6 013	732	1 742	6 285	14 398	5 761	6 259	14 272	2 994	4 789
	April	11 657	5 239	4 285	311	1 290	6 364	12 046	5 658	4 454	8 127	3 028	5 191
	May	13 981	5 393	2 620	741	1 893	4 925	15 758	5 585	5 489	11 299	3 200	5 253
	June	13 359	6 628	5 688	555	1 254	4 999	16 849	5 418	4 411	10 018	5 307	5 244
	July	12 981	5 770	5 218	442	1 348	5 867	16 060	6 478	5 190	10 318	3 847	5 449
	August	11 196	3 824	4 814	480	1 348	5 796	15 146	6 702	5 147	8 550	2 712	5 513
	September	12 137	5 315	2 350	507	1 140	5 291	18 632	5 593	5 057	13 258	1 869	5 368
	October	13 397	6 537	2 616	532	1 577	5 291	19 761	6 699	5 199	14 758	5 172	5 174
	November	13 082	6 315	4 499	271	1 837	6 571	21 268	4 784	4 347	19 625	4 144	4 145
December	10 172	3 280	2 223	386	1 744	6 610	12 221	3 353	2 666	8 744	2 707	3 981	
<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>77 249</b>	<b>215 297</b>	<b>52 013</b>	<b>40 863</b>	<b>153 646</b>	<b>26 219</b>	<b>45 913</b>
	January	7 940	6 102	1 275	729	1 282	5 789	22 003	3 455	2 138	14 856	1 635	4 238
	February	9 788	5 904	2 832	581	1 452	6 018	18 368	4 228	5 791	11 214	954	3 922
	March	12 802	7 935	3 553	1 123	1 613	8 978	15 648	4 318	5 925	13 803	2 186	4 010
	April	9 349	5 013	3 167	1 123	1 748	8 518	15 648	5 118	4 826	12 558	4 822	3 652
	May	10 792	6 650	5 105	1 332	2 346	5 245	25 094	5 655	2 760	16 251	2 714	4 242
	June	10 167	4 387	5 688	503	638	7 164	8 213	3 077	3 142	10 948	4 326	4 105
	July	13 170	4 784	1 799	983	2 173	7 164	20 470	5 775	2 865	14 144	3 004	4 110
	August	8 805	5 275	2 532	764	1 178	4 977	18 632	4 513	3 950	13 494	1 895	4 189
	September	8 734	4 614	1 922	470	1 442	5 154	16 515	3 804	2 855	11 363	1 217	4 070
	October	9 056	6 584	2 181	469	1 558	5 476	23 806	4 444	2 559	13 617	1 515	3 261
	*November	9 144	5 153	1 202	788	1 065	6 383	22 542	4 775	3 027	13 026	1 367	3 236
1/December	7 656	3 396	1 510	361	925	6 383	8 358	2 851	1 025	8 372	584	2 878	

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			
	2007	2006	2007		2007	2006	2007	
		December	*November	1/ December		December	*November	1/ December
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
<b>1.1.1 Open account</b>	91 397	8 631	8 276	5 664	82 640	8 009	7 512	5 222
<b>1.1.2 Instalment sale transactions</b>	8 678	594	619	591	7 424	505	522	502
<b>1.2 Services</b>								
<b>1.2.1 Professional</b>	70 187	5 108	6 080	4 823	63 906	4 667	5 623	4 458
<b>1.2.2 Other</b>	83 291	6 938	7 773	5 582	78 192	6 532	7 406	5 179
<b>1.3 Rent</b>	25 024	1 833	2 119	2 056	20 220	1 458	1 729	1 695
<b>1.4 Money lent</b>	292 150	20 965	24 608	18 035	286 616	20 650	24 329	17 529
<b>1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	79 958	4 333	6 411	3 516	76 255	4 026	6 188	3 190
<b>1.6 Other debts</b>	105 228	7 790	8 447	6 205	96 966	7 064	7 963	5 787
<b>1.7 Total</b>								
<b>1.7.1 Actual figures</b>	755 913	56 192	64 333	46 472	712 219	52 911	61 272	43 562
<b>1.7.2 Seasonally adjusted</b>		67 148	59 779	55 422		63 265	56 781	51 999

1/ Preliminary.

\* Revised.



**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			
	2007	2006	2007		2007	2006	2007	
		December	*November	1/ December		December	*November	1/ December
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
<b>1.1.1 Open account</b>	643 283	46 020	48 065	36 249	498 986	36 786	37 819	26 786
<b>1.1.2 Instalment sale transactions</b>	220 068	11 030	29 548	23 686	179 394	8 362	26 299	18 767
<b>1.2 Services</b>								
<b>1.2.1 Professional</b>	234 301	16 416	20 409	16 105	188 890	13 116	17 959	13 375
<b>1.2.2 Other</b>	568 788	42 441	41 068	34 251	442 056	35 167	32 783	26 312
<b>1.3 Rent</b>	247 015	16 775	20 272	19 368	178 507	10 010	14 612	14 783
<b>1.4 Money lent</b>	1 994 752	142 736	160 179	133 706	1 865 509	133 731	146 796	108 048
<b>1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	820 433	59 156	49 942	46 429	739 660	53 205	45 044	34 103
<b>1.6 Other debts</b>	1 411 689	96 331	90 479	72 410	1 153 802	80 013	73 608	57 579
<b>1.7 Total</b>								
<b>1.7.1 Actual figures</b>	6 140 329	430 905	459 962	382 204	5 246 804	370 390	394 920	299 753
<b>1.7.2 Seasonally adjusted</b>		537 165	430 752	476 385		452 447	357 274	366 334

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 2006 to December 2006	Actual estimates October 2007 to December 2007	% change between October 2006 to December 2006 and October 2007 to December 2007	Difference between October 2006 to December 2006 and October 2007 to December 2007
Number of summonses for debt	352 992	291 187	-17,5	-61 805
Number of judgements for debt	210 494	190 298	-9,6	-20 196
Value of judgements for debt (R million)	1 686,9	1 526,6	-9,5	-160,3

**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.**

	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	-2,1	-5,0	-1,6
--Instalment sale transactions	-0,3	-0,2	0,5
Professional Services	0,0	-0,8	-1,3
Other Services	-2,4	-0,8	-0,4
Rent	0,3	0,3	0,2
Money lent	-14,4	-1,9	-5,1
Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	4,7	0,8	0,6
Other debts	-3,2	-2,1	-2,5
Total	-17,5	-9,6	-9,5

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 2006 to December 2006, divided by 100. Figures have been rounded off.

**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 2006	Actual estimates December 2007	% change between December 2006 and December 2007	Difference between December 2006 and December 2007
Number of summonses for debt	86 090	69 198	-19,6	-16 892
Number of judgements for debt	56 192	46 472	-17,3	-9 720
Value of judgements for debt (R million)	430,9	382,2	-11,3	-48,7

**Table 8 – Percentage change in the total number and value of debts recorded for 2007 and 2006.**

	Actual estimates for 2006	Actual estimates for 2007	% change between 2006 and 2007	Difference between 2006 and 2007
<b>Number of summonses for debt</b>	1 418 131	1 278 437	-9,9	-139 694
<b>Number of judgements for debt</b>	843 111	755 913	-10,3	-87 198
<b>Value of judgements for debt (R million)</b>	6 583,2	6 140,3	-6,7	-442,9

**Table 9 – Contribution of the different kinds of debts to the percentage change in the total number and value of debts recorded for 2007 and 2006.**

	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
<b>Goods sold</b>			
<b>--Open Account</b>	-2,9	-3,5	-0,5
<b>--Instalment sale transactions</b>	-0,5	-0,4	-0,6
<b>Professional Services</b>	-0,6	-1,0	-0,5
<b>Other Services</b>	-1,3	-1,5	-0,2
<b>Rent</b>	-0,4	-0,1	0,4
<b>Money lent</b>	-4,0	-0,6	-1,4
<b>Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt</b>	3,9	0,5	1,6
<b>Other debts</b>	-4,1	-3,7	-5,7
<b>Total</b>	-9,9	-10,3	-6,7

The contribution (percentage points) is calculated by multiplying the annual percentage change of each kind of debt with the percentage contribution to the total number or value of cases recorded during January 2006 to December 2006, divided by 100. Figures have been rounded off.

## 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 is 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 approximately 151 magistrates' offices.</p>
<b>Response rate</b>	<b>7</b>	<p>The response rate for the civil cases for debt for December 2007 was 88,7%.</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, on diskette 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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