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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 the month of December 2008**

Actual estimates	December 2008	% change between December 2007 and December 2008	% change between October to December 2007 and October to December 2008	Annual % change between 2007 and 2008
Number of civil summonses issued for debt	74 901	9,4	2,6	-4,4
Number of civil judgements recorded for debt	45 574	-3,4	-12,5	-11,7
Value of civil judgements recorded for debt (R million)	427,4	11,5	-1,3	-1,9

## SUMMARY OF FINDINGS: STATISTICS OF CIVIL CASES FOR DEBT (DECEMBER 2008)

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

*The total number of civil summonses issued for debt in 2008 decreased by 4,4% compared with 2007 after a 9,9% decrease in 2007 compared with 2006. However, there was an increase of 2,6% in the fourth quarter of 2008 compared with the fourth quarter of 2007 (see Table A).*

The major contributors to the decrease in civil summonses issued for debt in 2008 compared with 2007 were civil summonses issued in respect of money lent (-5,5 percentage points), other services (-0,8 of a percentage point) and promissory notes and other acknowledgements of debt (-0,5 of a percentage point) (see Table 9 column 2, page 9).

### The number of civil judgements recorded for debt continues to decrease

*The total number of civil judgements recorded for debt in 2008 decreased by 11,7% compared with 2007 after an 11,3% decrease in 2007 compared with 2006. There was also a decrease of 12,5% in the fourth quarter of 2008 compared with the fourth quarter of 2007 (see Table A).*

Civil judgements in respect of money lent (-8,3 percentage points), promissory notes and other acknowledgements of debt (-4,2 percentage points) and goods sold on an open account (-0,7 of a percentage point) were the main drivers behind the 11,7% decrease in the number of civil judgements recorded for debt (see Table 9 column 3, page 9).

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

*The total value of civil judgements recorded for debt in 2008 decreased by 1,9% compared with 2007 after a 6,8% decrease in 2007 compared with 2006. There was also a 1,3% decrease in the fourth quarter of 2008 compared with the fourth quarter of 2007 (see Table A).*

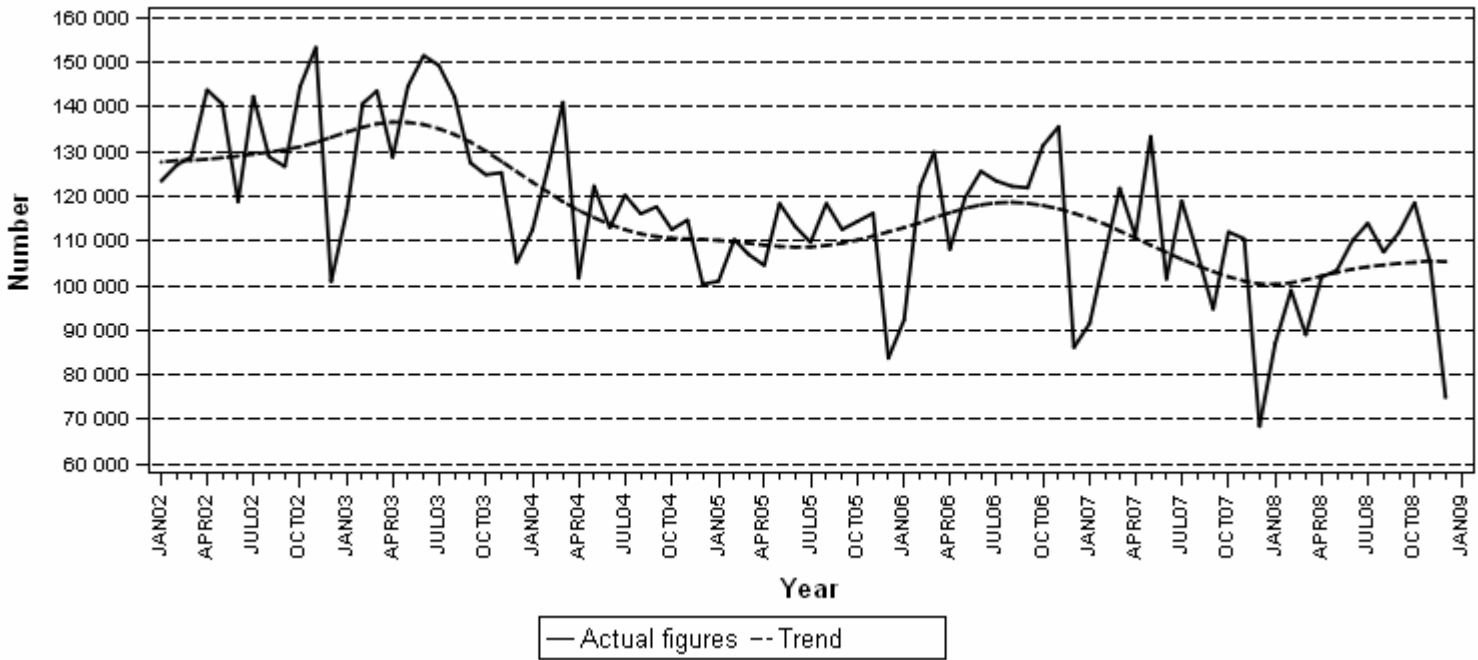
The major contributors to the annual decrease in the value of civil judgements were promissory notes and other acknowledgements of debt (-2,6 percentage points), 'other debt' (-1,4 percentage points) and money lent (-0,7 of a percentage point) (see Table 9 column 4, page 9).

During 2008, 660 461 civil judgements for debt amounting to R6 021,3 million were recorded. The largest contributors to the R6 021,3 million were:

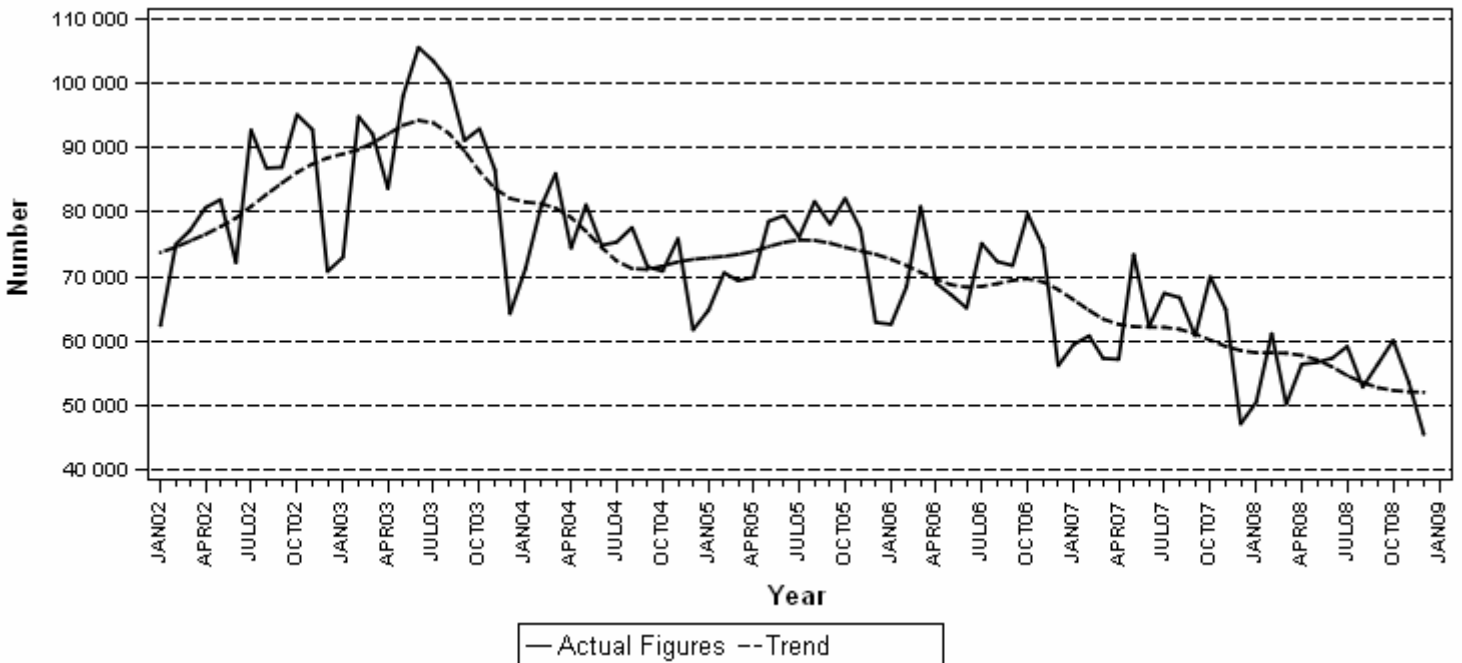
- Civil judgements relating to money lent (R1 955,9 million or 32,5%)
- 'Other debts' (R1 316,7 million or 21,9%)
- Promissory notes and other acknowledgements of debt (R662,5 million or 11,0%) and
- Goods sold on an open account (R631,2 million or 10,5%) (see Table 3 and 4, page 6 and 7).

Figures 1 and 2 outline the number of civil summonses issued and civil judgements recorded for debt respectively from January 2002 to December 2008.

**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	2007	2008		2008	2007	2008	
		December	1/ November	1/ December		December	1/ November	1/ December
<b>1. Cases recorded</b>								
<b>1.1 Actual figures</b>	<b>1 433 381</b>	<b>78 653</b>	<b>128 490</b>	<b>85 269</b>	<b>1 255 639</b>	<b>70 584</b>	<b>114 674</b>	<b>74 868</b>
<b>1.2 Seasonally adjusted</b>		110 460	119 234	121 015		97 832	103 701	104 864
<b>2 Civil summonses for debt</b>								
<b>2.1 Goods sold</b>								
<b>2.1.1 Open account</b>	116 608	6 383	11 813	7 064	95 727	5 166	9 961	5 729
<b>2.1.2 Instalment sale transactions</b>	31 167	2 033	3 187	2 143	26 410	1 698	2 780	1 792
<b>2.2 Services</b>								
<b>2.2.1 Professional</b>	132 839	7 499	11 738	9 001	112 068	6 461	9 494	7 425
<b>2.2.2 Other</b>	173 307	9 804	12 302	9 353	151 381	8 962	10 370	7 979
<b>2.3 Rent</b>	53 125	4 538	4 621	3 232	43 058	4 092	3 739	2 548
<b>2.4 Money lent</b>	281 111	16 274	24 318	16 321	260 295	15 211	22 874	15 152
<b>2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	196 602	10 945	18 720	10 374	184 550	9 985	17 825	9 572
<b>2.6 Other debts</b>	237 287	10 966	18 320	17 413	204 910	9 393	15 333	15 336
<b>2.7 Total</b>								
<b>2.7.1 Actual figures</b>	<b>1 222 046</b>	<b>68 442</b>	<b>105 019</b>	<b>74 901</b>	<b>1 078 399</b>	<b>60 968</b>	<b>92 376</b>	<b>65 533</b>
<b>2.7.2 Seasonally adjusted</b>		94 901	97 778	104 627		83 949	86 890	91 029

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>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>
<b>2007</b>	<b>January</b>	7 940	6 102	1 275	729	1 282	5 789	22 003	3 455	2 138	14 856	1 635	4 238
	<b>February</b>	9 788	5 904	2 832	581	1 452	6 018	18 368	4 228	5 791	11 214	954	3 922
	<b>March</b>	12 802	7 935	3 553	1 123	1 613	8 978	15 648	4 318	5 925	13 803	2 186	4 010
	<b>April</b>	9 349	5 013	3 167	1 123	1 748	8 518	15 648	5 118	4 826	12 558	4 822	3 652
	<b>May</b>	10 792	6 650	5 105	1 332	2 346	5 245	25 094	5 655	2 760	16 251	2 714	4 242
	<b>June</b>	10 167	4 387	5 688	503	638	7 164	8 213	3 077	3 142	10 948	4 326	4 105
	<b>July</b>	13 170	4 784	1 799	983	2 173	7 164	20 470	5 775	2 865	14 144	3 004	4 110
	<b>August</b>	8 805	5 275	2 532	764	1 178	4 977	18 632	4 513	3 950	13 494	1 895	4 189
	<b>September</b>	8 734	4 614	1 922	470	1 442	5 154	16 515	3 804	2 855	11 363	1 217	4 070
	<b>October</b>	9 056	6 584	2 181	469	1 558	5 671	23 806	4 444	2 559	13 617	1 515	3 261
	<b>November</b>	9 144	5 153	1 202	788	1 065	6 383	22 542	4 899	3 027	13 026	1 367	3 236
	<b>December</b>	7 656	3 396	1 510	361	925	5 960	8 358	2 692	1 025	8 372	584	2 878
	<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>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>1/ November</b>	12 497	3 655	1 535	844	2 050	8 149	17 936	5 777	2 879	11 611	1 375	2 356
	<b>1/ December</b>	9 844	2 415	1 376	546	1 055	7 707	6 799	5 231	1 867	7 328	774	2 093
		<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>196 526</b>	<b>59 745</b>	<b>33 410</b>	<b>138 384</b>	<b>26 859</b>

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			
	2008	2007	2008		2008	2007	2008	
			December	1/ November			1/ December	December
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
<b>1.1.1 Open account</b>	85 665	5 706	6 218	5 502	75 563	5 273	5 356	4 899
<b>1.1.2 Instalment sale transactions</b>	9 647	611	868	646	8 037	522	739	533
<b>1.2 Services</b>								
<b>1.2.1 Professional</b>	77 368	4 809	7 333	6 145	67 997	4 442	6 393	5 301
<b>1.2.2 Other</b>	80 507	5 675	6 428	5 907	72 626	5 275	5 800	5 340
<b>1.3 Rent</b>	30 887	2 477	2 117	2 233	23 357	1 911	1 670	1 762
<b>1.4 Money lent</b>	222 182	17 947	18 489	14 826	216 551	17 443	17 994	14 520
<b>1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	47 943	3 590	4 181	2 424	42 617	3 197	3 677	2 126
<b>1.6 Other debts</b>	106 262	6 352	8 016	7 891	95 711	5 829	7 346	7 373
<b>1.7 Total</b>								
<b>1.7.1 Actual figures</b>	<b>660 461</b>	<b>47 167</b>	<b>53 650</b>	<b>45 574</b>	<b>602 459</b>	<b>43 892</b>	<b>48 975</b>	<b>41 854</b>
<b>1.7.2 Seasonally adjusted</b>		55 886	50 133	54 164		52 316	45 441	50 015

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	2007	2008		2008	2007	2008	
			December	1/ November			1/ December	December
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
<b>1.1.1 Open account</b>	631 157	37 293	45 541	34 651	442 103	27 851	31 118	23 573
<b>1.1.2 Instalment sale transactions</b>	253 184	23 515	24 388	13 655	198 368	18 704	17 310	11 547
<b>1.2 Services</b>								
<b>1.2.1 Professional</b>	282 898	16 461	28 092	21 093	218 478	13 320	21 115	17 512
<b>1.2.2 Other</b>	595 985	34 227	50 153	38 530	456 075	26 224	41 888	32 142
<b>1.3 Rent</b>	322 965	21 107	31 156	23 423	212 508	16 416	21 949	17 409
<b>1.4 Money lent</b>	1 955 949	133 869	150 098	139 969	1 826 523	108 202	144 196	132 563
<b>1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	662 522	46 067	74 655	29 882	555 379	33 747	61 315	24 167
<b>1.6 Other debts</b>	1 316 652	70 714	118 972	126 192	1 013 447	56 217	95 266	97 374
<b>1.7 Total</b>								
<b>1.7.1 Actual figures</b>	<b>6 021 312</b>	<b>383 253</b>	<b>523 055</b>	<b>427 395</b>	<b>4 922 881</b>	<b>300 681</b>	<b>434 157</b>	<b>356 287</b>
<b>1.7.2 Seasonally adjusted</b>		477 327	500 150	528 336		371 212	401 498	438 350

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 October to December 2007	Actual estimates October to December 2008	% change between October to December 2007 and October to December 2008	Difference between October to December 2007 and October to December 2008
Number of summonses for debt	290 868	298 435	2,6	7 567
Number of judgements for debt	182 121	159 351	-12,5	-22 770
Value of judgements for debt (R million)	1 524,8	1 504,5	-1,3	-20,3

**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	1,9	-2,4	-0,6
--Instalment sale transactions	0,3	0,1	-0,7
Professional Services	1,2	2,2	1,3
Other Services	-1,1	-0,8	1,2
Rent	-0,5	-0,1	1,3
Money lent	-0,7	-9,0	-1,7
Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	-1,7	-3,4	-1,8
Other debts	3,2	0,9	-0,4
<b>Total</b>	<b>2,6</b>	<b>-12,5</b>	<b>-1,3</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 October to December 2007, 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 December 2007	Actual estimates December 2008	% change between December 2007 and December 2008	Difference between December 2007 and December 2008
Number of summonses for debt	68 442	74 901	9,4	6 459
Number of judgements for debt	47 167	45 574	-3,4	-1 593
Value of judgements for debt (R million)	383,3	427,4	11,5	44,1

**Table 8 – Percentage change in the total number and value of debts recorded for 2007 and 2008**

	Actual estimates for 2007	Actual estimates for 2008	% change between 2007 and 2008	Difference between 2007 and 2008
<b>Number of summonses for debt</b>	1 278 118	1 222 046	-4,4	-56 072
<b>Number of judgements for debt</b>	747 736	660 461	-11,7	-87 275
<b>Value of judgements for debt (R million)</b>	6 138,6	6 021,3	-1,9	-117,3

**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 2008 1/**

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

1/ 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 to December 2007, 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 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 survey of civil cases for debt for December 2008 was 92,1%.</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.

## General information

Stats SA publishes approximately 300 different statistical releases each year. It is not economically viable to produce them in more than one of South Africa's eleven official languages. Since the releases are used extensively, not only locally but also by international economic and social-scientific communities, Stats SA releases are published in English only.

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