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Statistics of civil cases for debt (Preliminary)

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SUMMARY OF FINDINGS: STATISTICS OF CIVIL CASES FOR DEBT (DECEMBER 2009)**Table A – Key figures for the month of December 2009**

Actual estimates	December 2009	% change between December 2008 and December 2009	% change between October to December 2008 and October to December 2009	Annual % change between 2008 and 2009
Number of civil summonses issued for debt	87 552	4,8	4,8	10,9
Number of civil judgements recorded for debt	50 266	11,0	16,8	10,4
Value of civil judgements recorded for debt (R million)	483,0	13,3	25,7	20,3

The number of civil summonses issued for debt

The year 2009 reflected a 10,9% increase in the total number of civil summonses issued for debt compared with 2008. An increase of 4,8% was recorded between the fourth quarter of 2008 and the fourth quarter of 2009 (see Table A and Tables 5 and 8).

The major contributors to the increase in civil summonses issued for debt in 2009 compared with 2008 were civil summonses issued in respect of money lent (contributing 3,5 percentage points), promissory notes and other acknowledgements of debt (contributing 3,3 percentage points) (this category includes credit card debt), goods sold (includes goods sold on an open account and instalment sale transactions categories) (contributing 1,9 percentage points) and professional services (contributing 1,6 percentage points). The only negative contributors were the 'other services' and the rent categories (see Table 9).

The number of civil judgements recorded for debt

Following the trend in the number of civil summonses issued for debt, the total number of civil judgements recorded for debt in 2009 increased by 10,4% compared with 2008. An increase of 16,8% was recorded between the fourth quarter of 2008 and the fourth quarter of 2009 (see Table A and Tables 5 and 8).

The main drivers behind the 10,4% increase between 2008 and 2009 were civil judgements in respect of money lent (contributing 7,8 percentage points), professional services (contributing 2,3 percentage points) and promissory notes and other acknowledgements of debt (contributing 1,8 percentage points). The 'other debts', 'other services' and rent categories were the only negative contributors (see Table 9).

The value of civil judgements recorded for debt

The total value of civil judgements recorded for debt for 2009 increased by 20,3% compared with 2008. A 25,7% increase was recorded between the fourth quarter of 2008 and the fourth quarter of 2009, after a 23,4% annual increase in the third quarter of 2009 (see Table A and Tables 5 and 8).

The major contributors to the 20,3% increase in the value of civil judgements for 2009 compared with 2008 were money lent (contributing 9,9 percentage points), rent (contributing 2,3 percentage points) and instalment sale transactions (contributing 2,2 percentage points) (see Table 9).

During 2009, 729 093 civil judgements for debt amounting to R7 240,6 million were recorded. The largest contributors to the R7 240,6 million were (see Tables 3 and 4):

- money lent (R2 554,6 million or 35,3%)
- 'other debts' (R1 234,6 million or 17,1%)
- promissory notes and other acknowledgements of debt (R791,1 million or 10,9%) and
- goods sold on an open account (R754,9 million or 10,4%).

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

Figure 1 – Civil summonses issued for debt

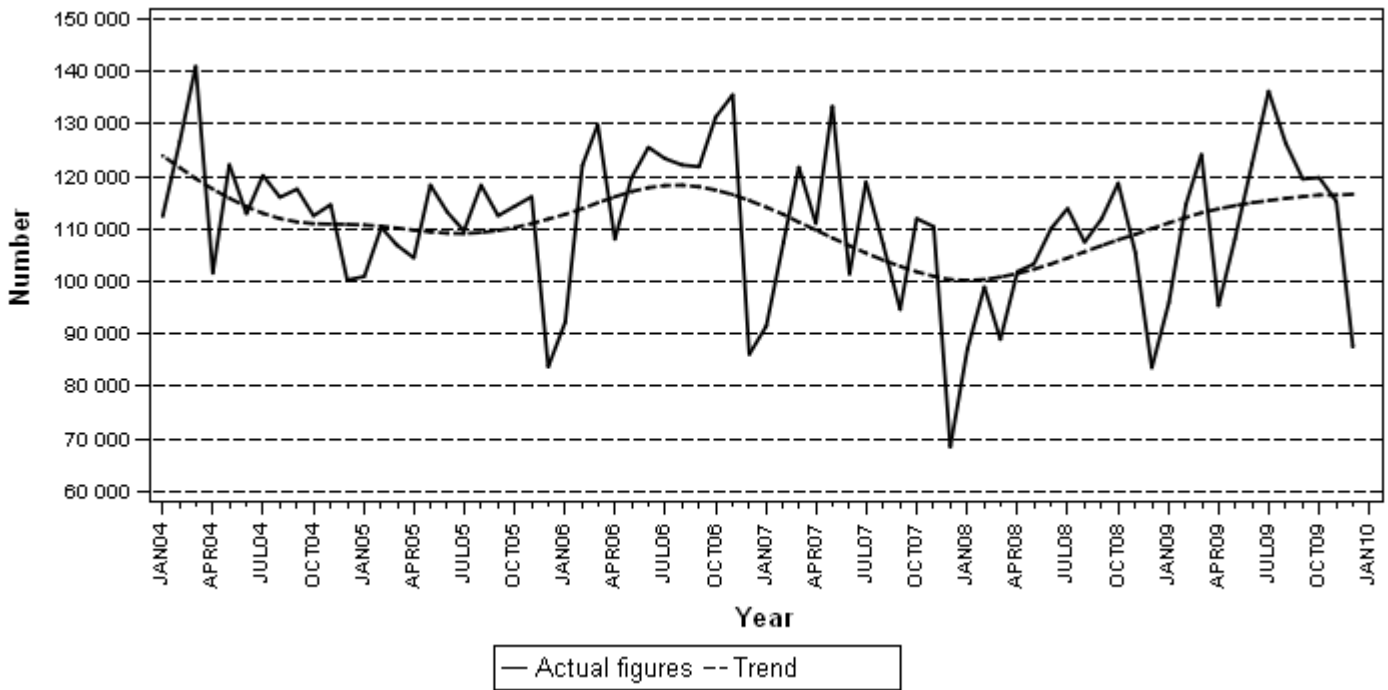
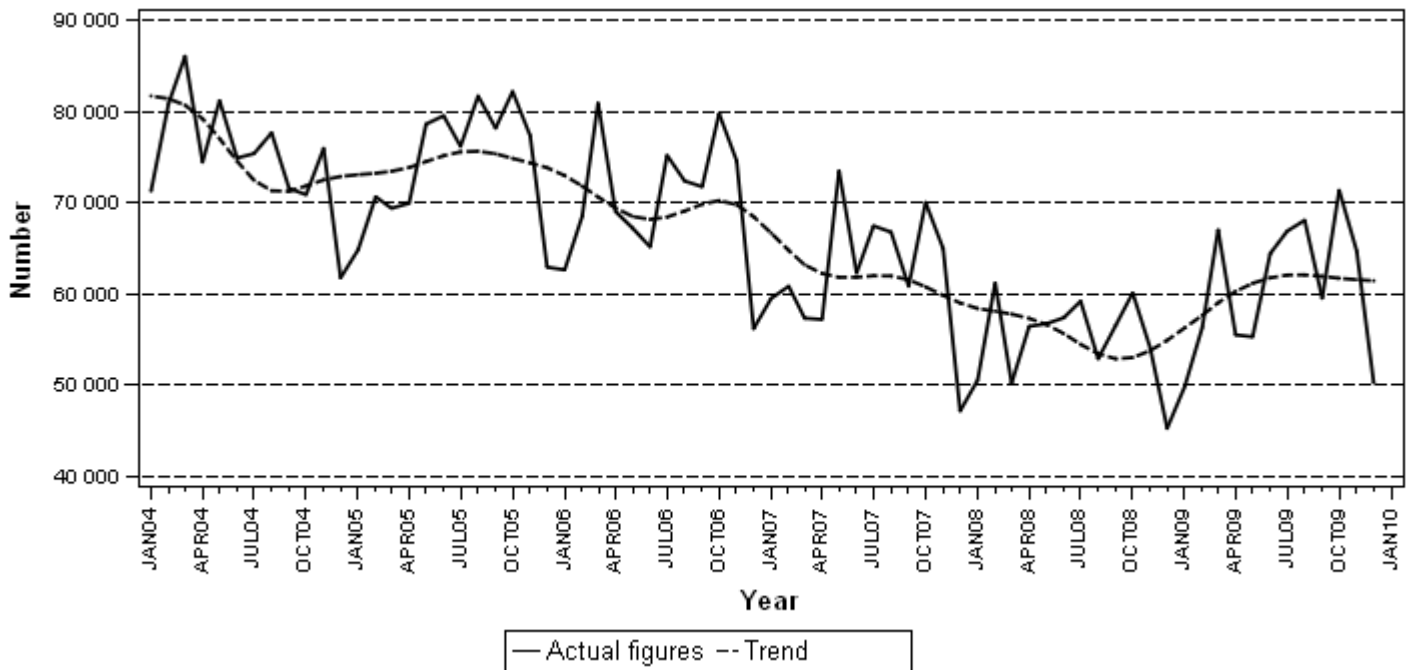


Figure 2 – Civil judgements recorded for debt



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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			
	2009	2008	1/ 2009		2009	2008	1/ 2009	
		December	November	December		December	November	December
1. Cases recorded								
1.1 Actual figures	1 595 558	93 856	135 734	99 733	1 420 528	83 353	121 574	88 100
1.2 Seasonally adjusted		129 716	129 924	138 376		114 836	113 992	122 009
2 Civil summonses for debt								
2.1 Goods sold								
2.1.1 Open account	135 245	7 088	10 853	7 367	112 701	5 665	8 931	6 153
2.1.2 Instalment sale transactions	35 892	2 146	3 269	2 851	30 767	1 814	2 832	2 483
2.2 Services								
2.2.1 Professional	153 189	9 040	13 643	10 160	128 101	7 442	11 574	8 442
2.2.2 Other	164 694	9 875	15 352	10 013	142 300	8 451	12 964	8 371
2.3 Rent	51 457	3 156	4 646	2 997	43 182	2 483	3 909	2 387
2.4 Money lent	326 312	18 591	27 233	20 520	308 781	17 398	25 999	19 802
2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	242 407	15 224	20 180	16 833	227 465	14 427	18 699	15 741
2.6 Other debts	256 527	18 425	20 088	16 811	210 400	16 375	16 422	13 044
2.7 Total								
2.7.1 Actual figures	1 365 723	83 545	115 264	87 552	1 203 697	74 055	101 330	76 423
2.7.2 Seasonally adjusted		113 535	111 523	119 318		99 753	97 867	103 366

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
2007	Year Total	117 403	65 797	32 766	9 226	17 420	77 021	215 297	51 978	40 863	153 646	26 219	45 913
2008	January	6 304	5 151	1 278	274	1 136	5 286	10 193	3 392	1 905	15 008	4 496	3 068
	February	9 395	4 538	2 187	431	1 132	5 476	11 003	4 424	3 242	11 748	3 638	2 842
	March	9 382	4 278	1 399	822	1 447	6 079	11 776	4 716	2 482	7 997	1 470	2 905
	April	8 158	6 398	1 807	465	1 851	6 648	17 776	5 253	2 858	9 995	1 815	2 658
	May	9 157	6 544	1 695	597	1 814	5 513	17 667	5 407	2 499	10 008	2 666	3 087
	June	8 499	6 045	1 578	928	1 557	5 572	19 524	5 494	2 673	12 313	1 865	2 987
	July	11 015	3 344	1 144	869	1 954	7 370	22 450	4 484	2 922	11 901	2 710	2 992
	August	9 558	4 502	1 180	500	1 615	6 213	20 052	4 552	3 490	11 136	2 236	3 050
	September	10 882	3 738	825	555	1 707	6 312	22 753	5 257	2 816	14 527	1 839	2 962
	October	12 480	3 866	1 549	405	1 966	7 767	18 597	5 758	3 777	14 812	1 975	2 374
	November	12 497	3 655	1 535	844	2 050	8 149	18 480	5 704	2 879	11 611	1 375	2 356
	December	9 844	2 415	1 376	546	1 055	7 707	15 598	4 619	1 867	7 328	774	2 093
	Year Total	117 171	54 474	17 553	7 236	19 284	78 092	205 869	59 060	33 410	138 384	26 859	33 374
2009	January	8 353	1 955	1 259	515	1 713	7 400	20 427	5 126	2 299	10 835	1 265	4 435
	February	10 331	3 211	1 619	795	1 557	7 766	22 126	5 592	2 742	12 559	1 449	3 645
	March	14 242	5 191	1 759	755	1 807	7 604	20 163	5 618	4 660	14 922	2 339	3 728
	April	9 791	3 286	1 384	538	1 403	7 336	18 223	4 108	2 668	9 863	1 671	2 494
	May	11 016	3 555	1 439	641	1 839	7 483	20 872	4 878	3 120	11 931	3 448	3 554
	June	14 060	3 298	2 364	639	1 537	7 470	24 521	4 495	3 063	12 165	2 698	2 670
	July	12 682	4 276	1 620	806	1 895	7 186	26 907	4 373	3 861	17 167	2 629	3 758
	August	10 659	5 756	1 721	871	1 693	7 967	22 448	3 667	3 181	21 921	2 034	2 971
	September	10 082	3 067	1 394	948	2 161	8 227	25 483	4 587	2 890	11 846	2 781	3 056
	1/ October	12 376	3 973	1 349	542	2 478	7 429	20 819	5 002	3 420	11 304	1 589	3 200
	1/ November	12 435	3 747	1 395	537	2 439	7 795	20 688	4 467	3 710	11 049	1 581	4 000
	1/ December	8 605	2 101	777	439	1 096	7 469	17 460	3 344	2 496	6 799	818	3 020
	Year Total	134 632	43 416	18 080	8 026	21 618	91 132	260 137	55 257	38 110	152 361	24 302	40 531

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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			
	2009	2008	1/ 2009		2009	2008	1/ 2009	
		December	November	December		December	November	December
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	86 073	5 592	7 995	4 638	73 716	4 958	6 722	4 043
1.1.2 Instalment sale transactions	13 379	657	1 191	859	11 235	546	1 008	767
1.2 Services								
1.2.1 Professional	92 826	6 096	8 108	7 331	81 010	5 255	7 428	6 710
1.2.2 Other	78 771	5 782	6 991	4 760	69 544	5 225	6 239	4 216
1.3 Rent	29 044	2 236	2 874	1 934	22 534	1 765	1 965	1 625
1.4 Money lent	273 988	14 750	22 536	20 057	268 045	14 448	22 030	19 772
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	59 672	2 399	7 259	4 616	51 777	2 102	6 337	3 926
1.6 Other debts	95 340	7 769	7 726	6 071	86 777	7 264	7 056	5 508
1.7 Total								
1.7.1 Actual figures	729 093	45 281	64 680	50 266	664 638	41 563	58 785	46 567
1.7.2 Seasonally adjusted		55 209	61 430	61 601		50 570	55 579	56 858

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Table 4 – Value of civil default and consent judgements for debt according to business enterprises and private persons (R000)

Item	Business enterprises and private persons				Private Persons			
	2009	2008	1/ 2009		2009	2008	1/ 2009	
		December	November	December		December	November	December
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	754 904	34 574	70 488	47 039	500 934	23 775	46 517	31 595
1.1.2 Instalment sale transactions	386 371	15 026	32 877	25 065	317 560	12 990	26 649	20 072
1.2 Services								
1.2.1 Professional	336 385	20 477	35 113	23 831	269 586	17 040	29 482	20 799
1.2.2 Other	718 092	37 897	58 786	38 638	560 157	31 644	47 134	32 245
1.3 Rent	464 564	23 746	42 566	24 471	316 833	17 587	27 797	17 122
1.4 Money lent	2 554 600	140 973	212 112	191 008	2 415 226	133 771	201 798	179 417
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	791 074	29 774	103 191	52 939	627 511	24 058	87 527	41 281
1.6 Other debts	1 234 617	123 976	98 338	80 028	977 520	95 954	74 426	62 205
1.7 Total								
1.7.1 Actual figures	7 240 607	426 443	653 471	483 019	5 985 327	356 819	541 330	404 736
1.7.2 Seasonally adjusted		535 632	630 950	605 209		448 070	521 518	508 360

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 2008	Actual estimates October to December 2009	% change between October to December 2008 and October to December 2009	Difference between October to December 2008 and October to December 2009
Number of summonses for debt	307 796	322 614	4,8	14 818
Number of judgements for debt	159 447	186 285	16,8	26 838
Value of judgements for debt (R million)	1 503,1	1 889,6	25,7	386,5

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	-1,1	1,0	3,8
– Instalment sale transactions	0,4	0,7	3,1
Professional services	1,2	1,2	1,0
Other services	0,8	-0,2	1,9
Rent	0,0	0,6	2,0
Money lent	2,1	8,9	10,3
Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	1,4	5,8	6,3
Other debts	0,1	-1,3	-2,7
Total	4,8	16,8	25,7

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 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 December 2008	Actual estimates December 2009	% change between December 2008 and December 2009	Difference between December 2008 and December 2009
Number of summonses for debt	83 545	87 552	4,8	4 007
Number of judgements for debt	45 281	50 266	11,0	4 985
Value of judgements for debt (R million)	426,4	483,0	13,3	56,6

Table 8 – Percentage change in the total number of civil summonses, judgements and the value of judgements recorded between 2008 and 2009

Actual estimates	Actual estimates for 2008	Actual estimates for 2009	% change between 2008 and 2009	Difference between 2008 and 2009
Number of summonses for debt	1 231 407	1 365 723	10,9	134 316
Number of judgements for debt	660 557	729 093	10,4	68 536
Value of judgements for debt (R million)	6 020,0	7 240,6	20,3	1 220,6

Table 9 – Contribution of the different kinds of debts to the total number of civil summonses, judgements and the value of judgements recorded between 2008 and 2009 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	1,5	0,0	2,1
– Instalment sale transactions	0,4	0,6	2,2
Professional services	1,6	2,3	0,9
Other services	-0,7	-0,3	2,0
Rent	-0,1	-0,3	2,3
Money lent	3,5	7,8	9,9
Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	3,3	1,8	2,1
Other debts	1,5	-1,6	-1,3
Total	10,9	10,4	20,3

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 2008, divided by 100. Figures have been rounded off.

Explanatory notes

Introduction	1	<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>
Purpose of the survey	3	<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>
Scope of the survey	4	<p>This survey covers -</p> <ul style="list-style-type: none"> • 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	5	<p>The statistical unit for collection of information is a magistrate's 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 the number of civil cases recorded as measure of size.</p>
Survey methodology and design	6	<p>The survey is conducted by mail, fax and telephone each month from 151 magistrates' offices.</p>
Response rate	7	<p>The response rate for the civil cases for debt survey for December 2009 was 86,1%.</p>
Trend cycle	8	<p>Smoothed seasonally adjusted and trend estimates are generated using the X-11 Seasonal Adjustment Programme.</p>
Publications	9	<p>Users may also wish to refer to the following publications:</p> <ul style="list-style-type: none"> • <i>Bulletin of Statistics issued quarterly.</i> • <i>SA Statistics issued annually.</i>
Unpublished statistics	10	<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 electronic versions. Generally a charge is made for providing unpublished statistics.</p>
Symbols and abbreviations	11	<p>R/D Refer to Drawer Stats SA Statistics South Africa TBVC Transkei, Bophuthatswana, Venda, Ciskei * Revised figures</p>

Glossary

Acknowledgement of debt	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.
Bills	Bills are statements of charges for services rendered or for amounts owed.
Civil judgements	Civil judgements are decisions taken in a civil matter or a dispute between two people or parties.
Civil summonses	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.
Consent judgements	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.
Default judgements	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.
Instalment sale transaction	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.
Litigants	Litigants are people who take part in court proceedings, usually against each other, like a debtor and a creditor.
Litigants referred	Litigants referred relates to a case where the parties have been referred to another instance/court.
Open account transaction	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.
Other services	'Other services' refers to municipal services (except outstanding assessment rates), plumbers, builders, mechanics, panel-beaters and electricians.
Other debts	'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 salaries, tax, outstanding assessment rates, outstanding money in respect of television maintenance contracts and outstanding money in respect of flat levies,
Plaintiff	Plaintiff is a person/party in a civil case who asks the court for judgement against another person.
Professional services	Professional services refer to medical doctors, dentists, advocates, attorneys, auditors, accountants, architects, engineers, hospital services etc.
Promissory note	Promissory note is a written undertaking, signed by a person or party, to pay money to another person or to the bearer of such a note on a specific date or on demand.
Reference month	Reference month refers to one calendar month.
Refer to drawer (R/D) cheques	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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