



Statistical release

P0041

Statistics of civil cases for debt (Preliminary)

December 2011

**Embargoed until:
16 February 2012
09:00**

Enquiries

User Information Services
Tel: (012) 310 8600

Forthcoming issue

January 2012

Expected release date

15 March 2012

Contents

Results for December 2011..... **2**

Tables..... **4**

 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)..... 6

 Table 5 – Percentage change in the total number of civil summonses, judgements and the value of judgements recorded between the fourth quarter of 2011 and the fourth quarter of 2010 7

 Table 6 – Contribution of the different kinds of debts to the change in total number of civil summonses, judgements and the value of judgements recorded between the fourth quarter of 2011 and the fourth quarter of 2010..... 7

 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 ... 7

 Table 8 – Percentage change in the total number of civil summonses, judgements and the value of judgements recorded between 2010 and 2011..... 8

 Table 9 – Contribution of the different kinds of debts to the change in total number of civil summonses, judgements and the value of judgements recorded between 2010 and 2011 8

Explanatory notes..... **9**

Glossary..... **10**

General information..... **11**

Results for December 2011

Table A – Key figures for the month of December 2011

Actual estimates	December 2011	% change between December 2010 and December 2011	% change between October to December 2010 and October to December 2011	Annual % change between 2010 and 2011
Number of civil summonses issued for debt	60 688	-20,4	-12,2	-17,9
Number of civil judgements recorded for debt	27 131	-26,5	-23,8	-25,3
Value of civil judgements recorded for debt (R million)	319,5	-18,0	-20,5	-21,5

The number of civil summonses issued for debt

A 17,9% decrease in the total number of civil summonses issued for debt was recorded in 2011 compared with 2010. The fourth quarter of 2011 recorded a 12,2% decrease compared with the fourth quarter of 2010. A year-on-year decrease of 20,4% was recorded in December 2011 (see Table A and Tables 5, 7 and 8).

The major contributors to the 17,9% decrease were:

- the money lent category (contributing -6,4 percentage points);
- the promissory notes and other acknowledgements of debt category (contributing -4,5 percentage points); and
- the 'other debts' category (contributing -4,1 percentage points) (see Table 9).

The number of civil judgements recorded for debt

There was a 25,3% decrease in the total number of civil judgements recorded for debt in 2011 compared with 2010. The fourth quarter of 2011 reflected a 23,8% decrease compared with the fourth quarter of 2010. A year-on-year decrease of 26,5% was recorded in December 2011 (see Table A and Tables 5, 7 and 8).

The main drivers behind the 25,3% decrease were civil judgements relating to:

- the money lent category (contributing -12,0 percentage points);
- the services category (contributing -5,6 percentage points); and
- the promissory notes and other acknowledgements of debt category (contributing -4,1 percentage points) (see Table 9).

The value of civil judgements recorded for debt

The total value of civil judgements recorded for debt decreased by 21,5% in 2011 compared with 2010. The fourth quarter of 2011 reflected a 20,5% decrease compared with the fourth quarter of 2010. There was a year-on-year decrease of 18,0% recorded in December 2011 (see Table A and Tables 5, 7 and 8).

The major contributors to the 21,5% decrease were the money lent category (contributing -10,3 percentage points) and the promissory notes and other acknowledgements of debt category (contributing -3,9 percentage points) (see Table 9).

During 2011, 503 528 civil judgements for debt amounting to R5 165,6 million were recorded. The largest contributors to the R5 165,6 million were:

- money lent (R1 526,1 million or 29,5%);
- 'other debts' (R1 018,6 million or 19,7%);
- services (R901,2 million or 17,4 %); and
- goods sold (R807,8 million or 15,6%) (see Tables 3 and 4).

Figure 1 – Civil summonses issued for debt

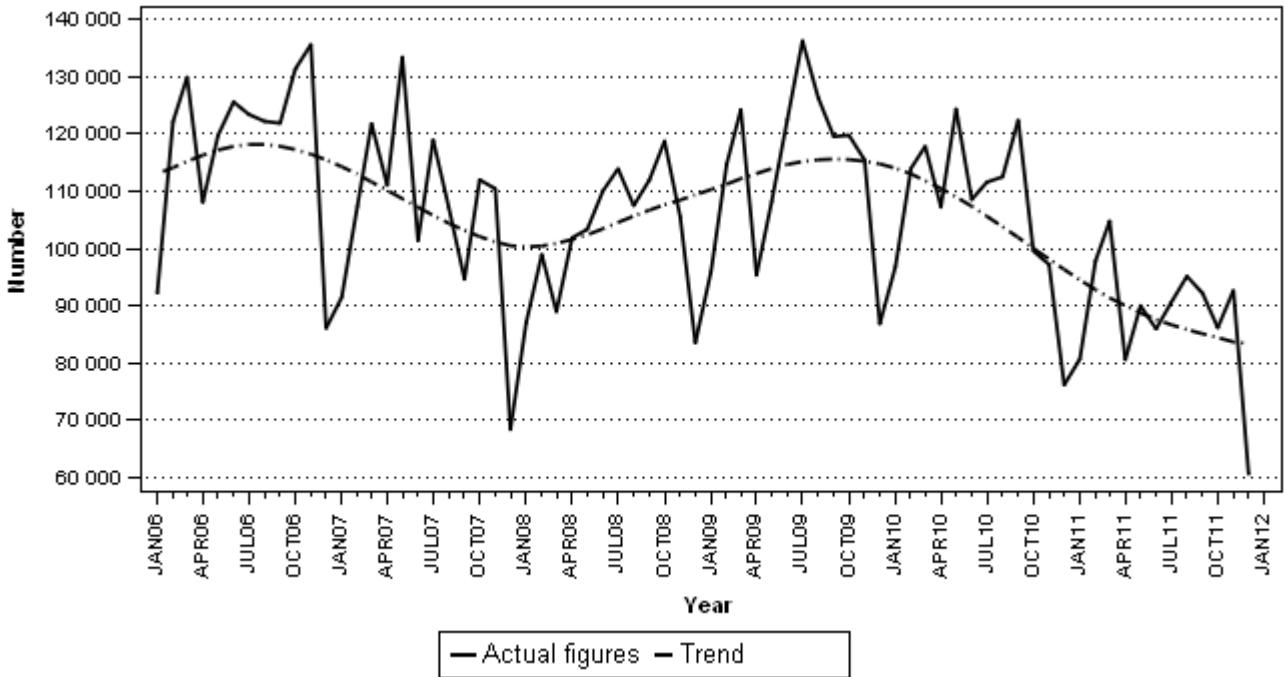
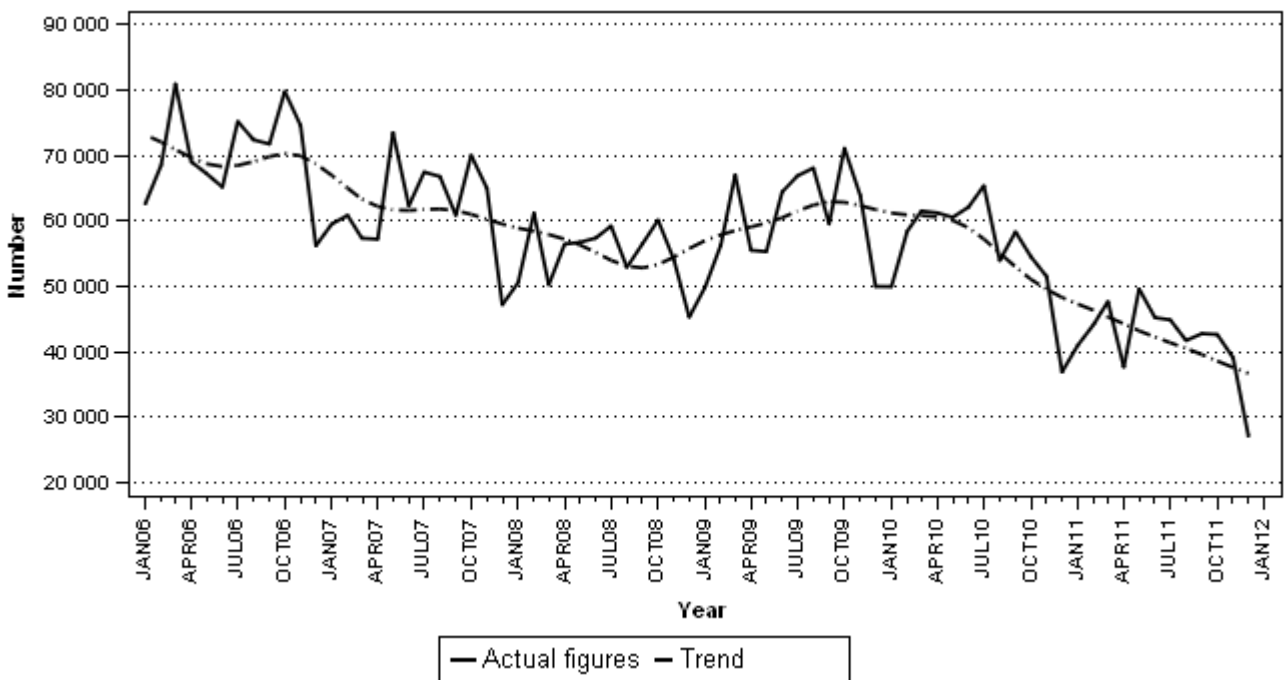


Figure 2 – Civil judgements recorded for debt



PJ Lehohla
Statistician-General

Tables

Table 1 – Number of civil cases recorded and summonses issued for debt according to business enterprises and private persons

Item		Total				Private persons			
		1/ 2011	December 2010	1/ November 2011	1/ December 2011	1/ 2011	December 2010	1/ November 2011	1/ December 2011
Cases recorded	Actual figures	1 228 274	87 113	99 216	65 375	1 074 704	77 350	85 580	55 206
	Seasonally adjusted		118 522	98 812	88 481		105 362	82 533	74 828
Civil summonses for debt	Goods sold - Open account	82 751	4 896	9 432	5 198	63 891	3 560	7 525	4 044
	Goods sold - Instalment sale transactions	24 735	1 594	3 216	1 942	20 466	1 349	2 510	1 463
	Services - Professional	117 812	7 287	10 708	6 763	102 237	6 138	9 326	5 773
	Services - Other	197 576	9 233	21 512	11 603	176 088	7 449	19 676	10 459
	Rent	46 171	3 339	5 488	3 932	36 626	2 918	4 371	2 580
	Money lent	232 568	15 621	17 971	10 580	214 823	14 696	16 650	9 432
	Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	172 019	19 848	9 003	8 815	152 006	19 032	6 889	6 663
	Other debts	183 812	14 379	15 364	11 855	156 558	11 414	13 132	10 502
	Total - Actual figures	1 057 444	76 197	92 694	60 688	922 695	66 556	80 079	50 916
Total - Seasonally adjusted		101 069	90 827	80 062		88 206	80 881	67 184	

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, Vanderbijlpark and Meyerton	Bloemfontein
2009	Year Total	134 632	43 416	18 080	8 026	21 618	91 171	260 137	54 501	38 110	152 361	24 302	40 531
2010	Year Total	118 066	37 136	15 823	5 246	22 836	90 782	256 134	54 366	33 988	138 594	17 342	64 259
	January	8 015	2 649	1 179	469	1 851	7 973	22 543	3 233	2 629	8 470	1 539	4 856
	February	10 123	4 177	1 516	647	2 069	7 669	19 618	7 236	2 819	11 258	3 699	3 991
	March	11 883	3 920	1 648	686	2 312	6 898	24 373	5 272	2 753	11 882	1 540	5 900
	April	11 127	3 180	1 802	413	1 944	7 668	19 616	4 276	2 849	10 033	1 066	6 000
	May	13 037	3 004	2 074	618	2 179	8 162	20 002	4 536	3 295	20 265	1 001	6 500
	June	13 991	3 375	1 325	360	2 148	8 055	17 263	4 381	2 841	12 186	881	6 000
	July	10 630	2 756	1 779	467	1 911	8 085	22 212	5 041	2 659	10 005	1 658	5 435
	August	10 970	2 904	1 205	353	759	7 540	22 301	4 559	3 114	10 765	1 574	6 200
	September	9 700	3 093	345	316	2 883	7 289	27 645	4 516	3 276	13 402	924	6 800
	October	6 673	2 689	939	465	2 019	7 278	16 794	4 676	3 102	12 802	1 759	5 925
November	6 983	3 340	1 081	351	1 594	7 022	19 021	3 961	2 618	11 105	1 159	4 012	
December	4 934	2 049	930	101	1 167	7 143	24 746	2 679	2 033	6 421	542	2 640	
2011	Year Total	79 453	60 025	11 782	4 842	16 605	64 927	222 519	47 935	37 724	94 991	14 597	41 547
	January	4 253	2 019	876	293	1 493	6 512	22 549	3 222	2 516	8 018	934	3 585
	February	5 379	3 184	1 197	344	1 805	6 343	28 740	4 472	3 473	9 927	1 563	2 946
	March	6 907	4 548	1 301	419	826	6 034	24 728	4 818	2 831	8 569	1 405	4 354
	April	5 317	3 823	1 423	290	1 581	6 031	19 903	3 398	2 711	7 212	1 016	4 428
	May	5 999	6 607	1 430	351	1 469	6 728	20 295	3 556	2 599	9 172	1 098	4 520
	June	7 480	5 207	975	374	1 325	5 738	17 516	3 829	2 459	8 132	1 368	3 855
	July	7 879	4 502	1 309	549	2 056	6 124	17 611	3 913	3 476	7 393	1 765	3 492
	August	7 482	6 460	1 137	680	1 268	4 909	15 940	4 581	3 251	6 977	1 448	3 982
	September	7 689	5 978	610	578	1 740	4 341	19 759	4 414	3 125	7 876	1 070	3 364
	1/ October	6 220	6 621	588	244	1 141	3 976	12 013	5 438	3 187	8 655	924	2 893
1/ November	6 482	7 447	627	461	1 171	4 410	13 803	3 987	4 811	8 658	1 435	2 488	
1/ December	8 366	3 629	309	259	730	3 781	9 662	2 307	3 285	4 402	571	1 640	

1/ Preliminary.

Table 3 – Number of civil default and consent judgements for debt according to business enterprises and private persons

Item	Total				Private persons				
	1/ 2011	December 2010	1/ November 2011	1/ December 2011	1/ 2011	December 2010	1/ November 2011	1/ December 2011	
Number of civil judgements	Goods sold - Open account	56 616	2 984	4 303	3 249	48 226	2 388	3 630	2 685
	Goods sold - Instalment sale transactions	10 654	750	876	674	8 689	627	676	557
	Services - Professional	68 351	5 158	5 435	3 706	63 199	4 709	5 133	3 350
	Services - Other	57 876	4 683	4 610	3 603	50 125	4 172	4 028	3 219
	Rent	25 699	2 047	2 276	1 750	20 608	1 618	1 878	1 395
	Money lent	163 332	12 104	11 545	7 493	158 121	11 690	11 200	7 148
	Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	44 545	2 753	3 673	2 548	38 540	2 278	3 096	2 102
	Other debts	76 455	6 434	6 369	4 108	68 040	5 772	5 775	3 690
	Total - Actual figures	503 528	36 913	39 087	27 131	455 548	33 254	35 416	24 146
	Total - Seasonally adjusted		47 458	38 189	35 048		42 500	34 276	30 998

1/ Preliminary.

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

Item	Total				Private persons				
	1/ 2011	December 2010	1/ November 2011	1/ December 2011	1/ 2011	December 2010	1/ November 2011	1/ December 2011	
Value of civil judgements	Goods sold - Open account	523 652	32 499	42 316	29 505	333 774	18 875	26 035	16 541
	Goods sold - Instalment sale transactions	284 163	22 863	16 109	15 593	230 845	18 952	13 243	13 750
	Services - Professional	309 306	20 979	24 810	19 852	265 162	18 249	21 882	17 348
	Services - Other	591 904	47 540	42 421	27 818	444 324	38 504	31 707	22 993
	Rent	375 017	28 055	32 394	25 459	224 233	16 709	20 278	16 563
	Money lent	1 526 096	114 071	97 547	85 728	1 422 904	105 353	91 798	80 906
	Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	536 859	42 514	74 535	34 461	436 193	32 521	64 861	23 535
	Other debts	1 018 574	81 236	78 128	81 074	730 313	65 266	58 666	45 905
	Total - Actual figures	5 165 571	389 757	408 260	319 490	4 087 748	314 429	328 470	237 541
	Total - Seasonally adjusted		488 712	401 647	401 837		393 639	319 157	297 868

1/ Preliminary.

Table 5 – Percentage change in the total number of civil summonses, judgements and the value of judgements recorded between the fourth quarter of 2011 and the fourth quarter of 2010

Actual estimates	Actual estimates October to December 2010	Actual estimates October to December 2011	% change between October to December 2010 and October to December 2011	Difference between October to December 2010 and October to December 2011
Number of civil summonses issued for debt	272 993	239 558	-12,2	-33 435
Number of civil judgements recorded for debt	142 913	108 862	-23,8	-34 051
Value of civil judgements recorded for debt (R million)	1 439,7	1 145,2	-20,5	-294,5

Table 6 – Contribution of the different kinds of debts to the change in total number of civil summonses, judgements and the value of judgements recorded between the fourth quarter of 2011 and the fourth quarter of 2010 1/

	Contribution (% points) to the total % change		
	Civil summonses for debt	Number of civil judgements	Value of civil judgements
Goods sold - Open account	1,0	-1,0	-1,4
Goods sold - Instalment sale transactions	0,4	-0,1	-1,1
Services - Professional	-1,0	-2,7	-0,5
Services - Other	5,9	-3,6	-5,0
Rent	-0,1	-0,7	-0,8
Money lent	-3,4	-11,3	-10,0
Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	-11,0	-1,7	-0,6
Other debts	-4,0	-2,8	-1,1
Total	-12,2	-23,8	-20,5

1/ The contribution (percentage points) is calculated by multiplying the three-monthly percentage change of each kind of debt with the percentage contribution to the total number or value of cases recorded during October to December 2010, 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 2010	Actual estimates December 2011	% change between December 2010 and December 2011	Difference between December 2010 and December 2011
Number of civil summonses issued for debt	76 197	60 688	-20,4	-15 509
Number of civil judgements recorded for debt	36 913	27 131	-26,5	-9 782
Value of civil judgements recorded for debt (R million)	389,8	319,5	-18,0	-70,3

Table 8 – Percentage change in the total number of civil summonses, judgements and the value of judgements recorded between 2010 and 2011

Actual estimates	Actual estimates 2010	Actual estimates 2011	% change between 2010 and 2011	Difference between 2010 and 2011
Number of civil summonses issued for debt	1 288 327	1 057 444	-17,9	-230 883
Number of civil judgements recorded for debt	674 212	503 528	-25,3	-170 684
Value of civil judgements recorded for debt (R million)	6 577,6	5 165,6	-21,5	-1 412,0

Table 9 – Contribution of the different kinds of debts to the change in total number of civil summonses, judgements and the value of judgements recorded between 2010 and 2011 2/

	Contribution (% points) to the total % change		
	Civil summonses for debt	Number of civil judgements	Value of civil judgements
Goods sold - Open account	-2,0	-1,5	-1,4
Goods sold - Instalment sale transactions	-0,5	-0,3	-1,1
Services - Professional	-2,3	-2,7	-0,6
Services - Other	2,5	-2,9	-1,9
Rent	-0,5	-0,5	-1,1
Money lent	-6,4	-12,0	-10,3
Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	-4,5	-4,1	-3,9
Other debts	-4,1	-1,4	-1,2
Total	-17,9	-25,3	-21,5

2/ 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 2010, divided by 100. Figures have been rounded off.

Explanatory notes

Introduction	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.
	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.
Purpose of the survey	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.
Scope of the survey	4	This survey covers: <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	The statistical unit for collection of information is a magistrate's office. Magistrates' offices include the small claims courts. 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 for debt. 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.
Survey methodology and design	6	The survey is conducted by mail, fax and telephone each month from 151 magistrates' offices.
Collection rate	7	The preliminary collection rate for the civil cases for debt survey for December 2011 was 89,4%. Improved collection rate for November 2011 was 90,1%.
Trend cycle	8	Smoothed seasonally adjusted and trend estimates are generated using the X-11 Seasonal Adjustment Programme.
Publications	9	Users may also wish to refer to the following publications: <ul style="list-style-type: none"> • <i>Bulletin of Statistics</i> issued quarterly. • <i>SA Statistics</i> issued annually.
Unpublished statistics	10	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.
Symbols and abbreviations	11	R/D Refer to Drawer Stats SA Statistics South Africa TBVC Transkei, Bophuthatswana, Venda, Ciskei * Revised figures

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.

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.

Stats SA has copyright on this publication. Users may apply the information as they wish, provided that they acknowledge Stats SA as the source of the basic data wherever they process, apply, utilize, publish or distribute the data; and also that they specify that the relevant application and analysis (where applicable) result from their own processing of the data.

Advanced release calendar

An advanced release calendar is disseminated on www.statssa.gov.za

Stats SA products

A complete set of Stats SA publications is available at the Stats SA Library and the following libraries:

National Library of South Africa, Pretoria Division
National Library of South Africa, Cape Town Division
Natal Society Library, Pietermaritzburg
Library of Parliament, Cape Town
Bloemfontein Public Library
Johannesburg Public Library
Eastern Cape Library Services, King William's Town
Central Regional Library, Polokwane
Central Reference Library, Nelspruit
Central Reference Collection, Kimberley
Central Reference Library, Mmabatho

Stats SA also provides a subscription service.

Electronic services

A large range of data is available via online services. For more detail about our electronic services, contact Stats SA's user information service at (012) 310 8600.

You can visit us on the Internet at: www.statssa.gov.za

General enquiries

Telephone number: (012) 310 8407/ 2965 (technical queries)
(012) 310 8600 (user information services)
(012) 310 8358 (orders/subscription services)

Fax number: (012) 310 8664 (technical enquiries)

email: nthabisengt@statssa.gov.za (technical enquiries)
info@statssa.gov.za (user information services)
magdaj@statssa.gov.za (orders/subscription services)

Postal address: Private Bag X44, Pretoria, 0001

Produced by Stats SA