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# Statistical release

## P0041

# Statistics of civil cases for debt (Preliminary)

**December 2012**

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## Results for December 2012

**Table A – Key figures for the month of December 2012**

Actual estimates	December 2012	% change between December 2011 and December 2012	% change between October to December 2011 and October to December 2012	Annual % change between 2011 and 2012
Number of civil summonses issued for debt	47 913	-20,8	-20,6	-14,1
Number of civil judgements recorded for debt	23 060	-14,6	-12,6	-15,2
Value of civil judgements recorded for debt (R million)	284,0	-9,8	1,4	-9,4

### The number of civil summonses issued for debt

**A 14,1% decrease in the total number of civil summonses issued for debt was recorded in 2012 compared with 2011. The fourth quarter of 2012 reflected a 20,6% decrease compared with the fourth quarter of 2011. A 20,8% year-on-year decrease was recorded in December 2012 – see Table A and Tables 5, 7 and 8.**

Categories that contributed to the 14,1% decrease were:

- promissory notes and other acknowledgements of debt (contributing -4,8 percentage points);
- services (contributing -4,7 percentage points); and
- 'other' debts (contributing -2,4 percentage points) – see Table 9.

### The number of civil judgements recorded for debt

**The total number of civil judgements recorded for debt decreased by 15,2% in 2012 compared with 2011. A 12,6% decrease was recorded in the fourth quarter of 2012 compared with the fourth quarter of 2011. A year-on-year decrease of 14,6% was recorded in December 2012 – see Table A and Tables 5, 7 and 8.**

The categories behind the 15,2% decrease were civil judgements relating to:

- money lent (contributing -5,9 percentage points);
- 'other' debts (contributing -2,8 percentage points);
- goods sold (contributing -2,8 percentage points); and
- services (contributing -2,5 percentage points) – see Table 9.

### The value of civil judgements recorded for debt

**There was a 9,4% decrease in the total value of civil judgements recorded for debt in 2012 compared with 2011. The fourth quarter of 2012 reflected a 1,4% increase compared with the fourth quarter of 2011. A year-on-year decrease of 9,8% was recorded in December 2012 – see Table A and Tables 5, 7 and 8.**

The major contributors to the 9,4% decrease were:

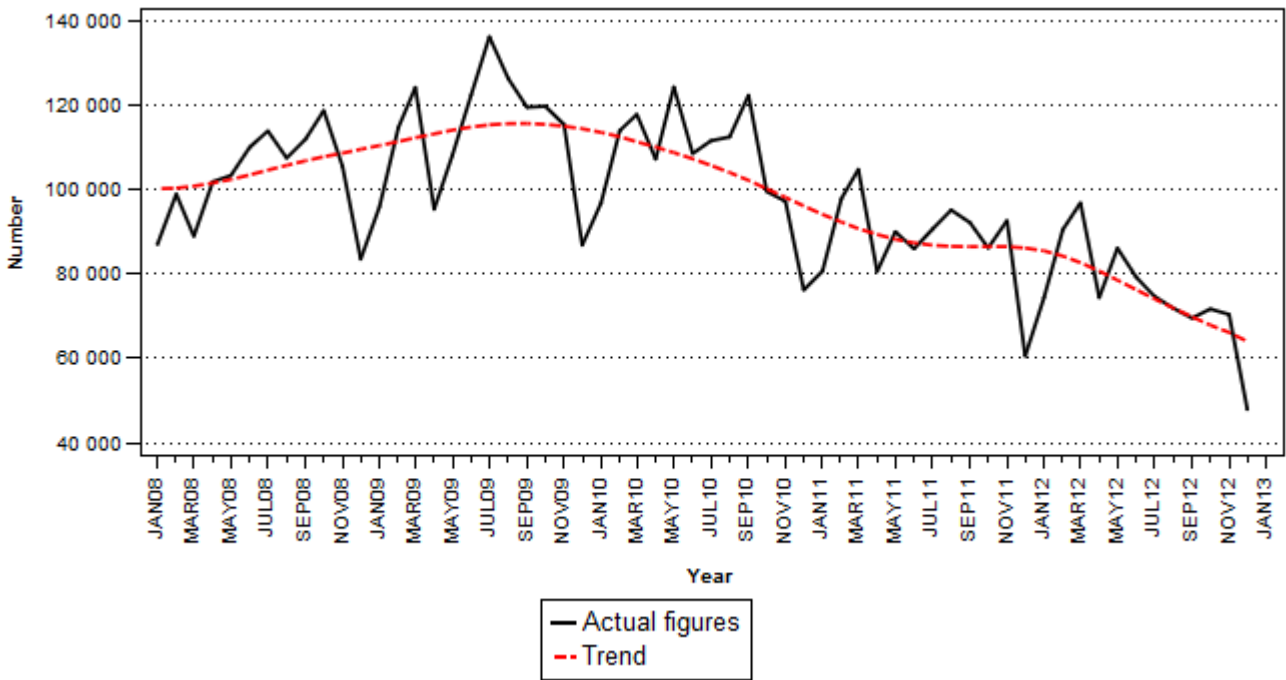
- money lent (contributing -4,6 percentage points);
- goods sold (contributing -3,2 percentage points);
- promissory notes and other acknowledgements of debt (contributing -1,8 percentage points); and
- services (contributing -1,8 percentage points) – see Table 9.

The only positive contribution was recorded for the 'other' debts category (contributing 2,4 percentage points).

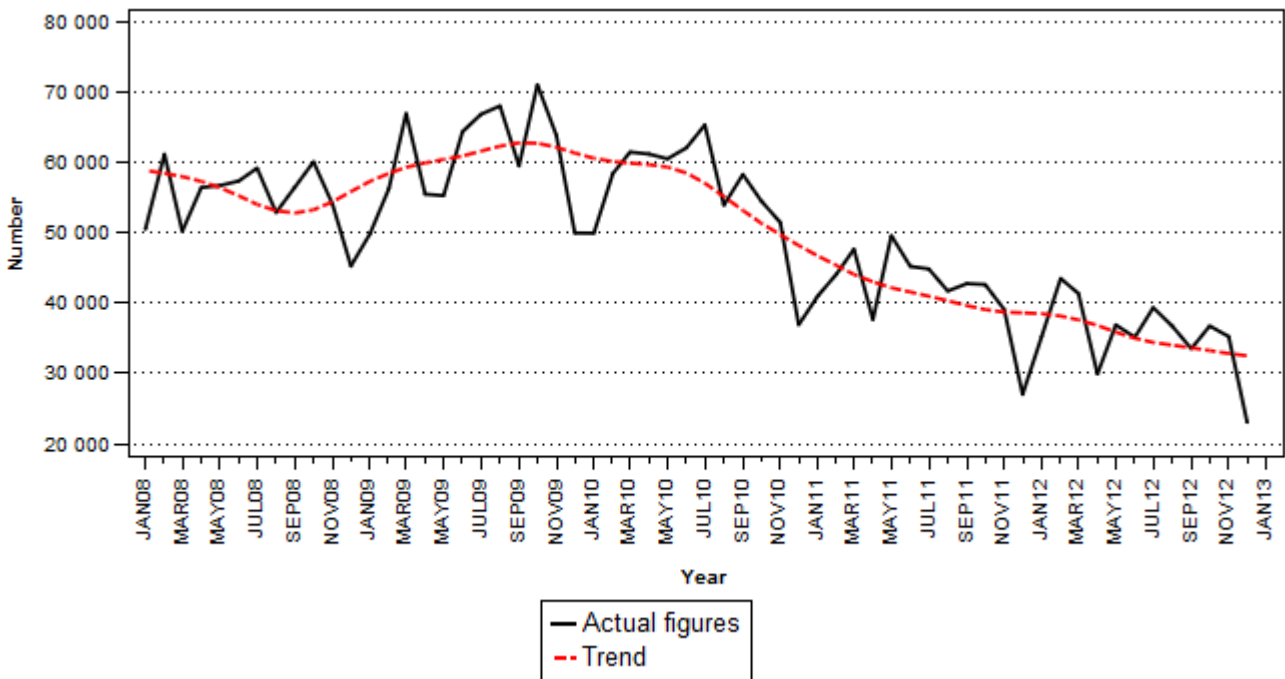
During 2012, 426 664 civil judgements for debt amounting to R4 676,9 million were recorded. The largest contributors to the R4 676,9 million were:

- money lent (R1 290,8 million or 27,6%);
- 'other' debts (R1 141,8 million or 24,4%);
- services (R808,5 million or 17,3%); and
- goods sold (R639,7 million or 13,7%) – see Tables 3 and 4.

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



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



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**Statistician-General**

**Tables**

**Table 1 – Number of civil cases recorded and summonses issued for debt: Total and private persons**

Item		Total				Private persons			
		2012	December 2011	1/ November 2012	1/ December 2012	2012	December 2011	1/ November 2012	1/ December 2012
<b>Cases recorded</b>	<b>Actual figures</b>	<b>977 066</b>	<b>65 211</b>	<b>76 330</b>	<b>51 481</b>	<b>847 341</b>	<b>55 050</b>	<b>65 490</b>	<b>43 709</b>
	<b>Seasonally adjusted</b>		90 716	74 107	71 822		76 093	63 009	60 519
<b>Civil summonses for debt</b>	Goods sold - Open account	73 272	5 189	7 098	4 239	54 229	4 038	5 302	3 124
	Goods sold - Instalment sale transactions	22 512	1 922	3 007	1 871	18 853	1 448	2 387	1 454
	Services - Professional	104 351	6 662	9 079	5 719	91 458	5 675	8 033	5 070
	Services - Other	161 543	11 607	11 595	7 318	143 468	10 464	10 019	5 937
	Rent	41 859	3 925	4 373	3 139	32 306	2 571	3 434	2 233
	Money lent	223 677	10 596	15 274	9 730	206 727	9 446	14 311	9 004
	Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	121 720	8 787	6 991	6 144	99 449	6 637	5 461	5 012
	Other debts	158 728	11 836	12 986	9 753	139 386	10 479	11 301	8 586
	<b>Total - Actual figures</b>	<b>907 662</b>	<b>60 524</b>	<b>70 403</b>	<b>47 913</b>	<b>785 876</b>	<b>50 758</b>	<b>60 248</b>	<b>40 420</b>
	<b>Total - Seasonally adjusted</b>		80 642	67 984	63 932		66 547	58 481	52 897

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**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
<b>2010</b>	<b>Year Total</b>	<b>118 066</b>	<b>37 136</b>	<b>15 823</b>	<b>5 246</b>	<b>22 836</b>	<b>90 782</b>	<b>256 134</b>	<b>54 366</b>	<b>33 988</b>	<b>138 594</b>	<b>17 342</b>	<b>64 259</b>
<b>2011</b>	<b>Year Total</b>	<b>79 463</b>	<b>60 025</b>	<b>11 782</b>	<b>4 842</b>	<b>16 605</b>	<b>64 927</b>	<b>222 519</b>	<b>47 918</b>	<b>37 724</b>	<b>94 991</b>	<b>14 597</b>	<b>41 547</b>
	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
	October	6 220	6 621	588	244	1 141	3 976	12 013	5 438	3 187	8 655	924	2 893
	November	6 482	7 447	627	461	1 171	4 410	13 803	3 987	4 811	8 658	1 435	2 488
December	8 376	3 629	309	259	730	3 781	9 662	2 290	3 285	4 402	571	1 640	
<b>2012</b>	<b>Year Total</b>	<b>72 859</b>	<b>47 774</b>	<b>2 348</b>	<b>7 096</b>	<b>21 344</b>	<b>42 468</b>	<b>131 836</b>	<b>47 547</b>	<b>39 350</b>	<b>92 109</b>	<b>11 895</b>	<b>20 344</b>
	January	6 626	4 188	264	321	1 251	3 717	9 405	3 477	4 217	7 230	838	1 590
	February	6 421	6 720	345	710	1 269	4 068	12 143	4 107	6 091	7 905	987	2 259
	March	6 674	11 178	160	423	2 006	3 799	10 661	5 089	6 182	7 524	1 115	2 006
	April	6 630	4 986	152	350	1 591	3 374	9 428	3 524	3 944	7 098	1 083	2 194
	May	6 931	4 543	159	537	2 411	3 355	14 658	3 973	2 492	7 892	1 041	1 891
	June	6 655	3 038	125	590	2 048	3 373	10 056	4 548	2 500	9 580	1 079	1 976
	July	5 643	2 626	268	297	2 685	3 332	10 834	4 596	2 144	11 884	911	1 520
	August	6 176	2 522	193	414	2 036	3 427	11 463	3 626	2 342	8 474	1 083	1 908
	September	5 865	1 845	159	649	1 831	3 407	12 486	3 593	2 282	7 439	1 289	1 516
	1/ October	5 343	2 501	197	1 053	1 551	3 642	12 909	4 725	3 018	6 855	603	1 161
	1/ November	5 256	2 663	184	1 150	1 310	3 490	11 312	4 018	2 393	6 770	1 270	1 400
1/ December	4 639	964	142	602	1 355	3 484	6 481	2 271	1 745	3 458	596	923	

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**Table 3 – Number of civil default and consent judgements for debt: Total and private persons**

Item		Total				Private persons			
		2012	December 2011	1/ November 2012	1/ December 2012	2012	December 2011	1/ November 2012	1/ December 2012
Number of civil judgements	Goods sold - Open account	44 082	3 232	3 188	2 357	36 413	2 667	2 648	1 859
	Goods sold - Instalment sale transactions	9 214	656	763	615	7 711	541	648	511
	Services - Professional	59 721	3 669	4 801	3 447	53 796	3 309	4 353	3 099
	Services - Other	53 957	3 598	4 624	3 114	46 716	3 209	4 063	2 595
	Rent	24 403	1 744	1 847	1 821	19 245	1 386	1 537	1 512
	Money lent	133 396	7 498	10 182	5 710	127 428	7 146	9 740	5 462
	Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	39 428	2 553	4 772	2 377	34 512	2 107	4 399	2 181
	Other debts	62 463	4 059	5 061	3 619	56 788	3 638	4 667	3 226
	<b>Total - Actual figures</b>	<b>426 664</b>	<b>27 009</b>	<b>35 238</b>	<b>23 060</b>	<b>382 609</b>	<b>24 003</b>	<b>32 055</b>	<b>20 445</b>
<b>Total - Seasonally adjusted</b>		35 993	34 058	31 083		31 954	30 726	27 595	

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**Table 4 – Value of civil default and consent judgements for debt: Total and private persons (R'000)**

Item		Total				Private persons			
		2012	December 2011	1/ November 2012	1/ December 2012	2012	December 2011	1/ November 2012	1/ December 2012
Value of civil judgements	Goods sold - Open account	465 325	28 531	34 968	26 305	256 746	16 378	20 242	13 393
	Goods sold - Instalment sale transactions	174 338	15 580	13 775	8 481	140 403	13 726	12 114	7 183
	Services - Professional	299 848	19 238	23 136	19 042	245 619	16 743	18 080	14 886
	Services - Other	508 675	27 946	43 963	29 887	398 310	23 018	34 093	25 240
	Rent	352 667	24 865	32 804	23 216	212 691	16 116	21 464	13 511
	Money lent	1 290 816	85 527	143 137	78 293	1 191 224	80 621	136 765	73 975
	Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	443 475	34 187	35 074	28 352	346 698	23 384	29 289	24 835
	Other debts	1 141 752	78 935	84 582	70 390	758 441	44 319	53 332	41 306
	<b>Total - Actual figures</b>	<b>4 676 896</b>	<b>314 809</b>	<b>411 439</b>	<b>283 966</b>	<b>3 550 132</b>	<b>234 305</b>	<b>325 379</b>	<b>214 329</b>
<b>Total - Seasonally adjusted</b>		401 614	400 183	362 746		299 583	308 499	275 157	

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**Table 5 – Percentage change in the total number of civil summonses, judgements and the value of judgements recorded between the fourth quarter of 2012 and the fourth quarter of 2011**

Actual estimates	Actual estimates October to December 2011	Actual estimates October to December 2012	% change between October to December 2011 and October to December 2012	Difference between October to December 2011 and October to December 2012
Number of civil summonses issued for debt	239 360	190 010	-20,6	-49 350
Number of civil judgements recorded for debt	108 740	95 042	-12,6	-13 698
Value of civil judgements recorded for debt (R million)	1 140,5	1 156,0	1,4	15,5

**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 2012 and the fourth quarter of 2011 1/**

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

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 2011, divided by 100. Due to rounding off, contributions might not add up to the total.

**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 2011	Actual estimates December 2012	% change between December 2011 and December 2012	Difference between December 2011 and December 2012
Number of civil summonses issued for debt	60 524	47 913	-20,8	-12 611
Number of civil judgements recorded for debt	27 009	23 060	-14,6	-3 949
Value of civil judgements recorded for debt (R million)	314,8	284,0	-9,8	-30,8



**Table 8 – Percentage change in the total number of civil summonses, judgements and the value of judgements recorded between 2012 and 2011**

Actual estimates	Actual estimates 2011	Actual estimates 2012	% change between 2011 and 2012	Difference between 2011 and 2012
Number of civil summonses issued for debt	1 057 246	907 662	-14,1	-149 584
Number of civil judgements recorded for debt	503 406	426 664	-15,2	-76 742
Value of civil judgements recorded for debt (R million)	5 160,9	4 676,9	-9,4	-484,0

**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 2012 and 2011 1/**

	Contribution (% points) to the total % change		
	Civil summonses for debt	Number of civil judgements	Value of civil judgements
Goods sold - Open account	-0,9	-2,5	-1,1
Goods sold - Instalment sale transactions	-0,2	-0,3	-2,1
Services - Professional	-1,3	-1,7	-0,2
Services - Other	-3,4	-0,8	-1,6
Rent	-0,4	-0,3	-0,4
Money lent	-0,8	-5,9	-4,6
Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	-4,8	-1,0	-1,8
Other debts	-2,4	-2,8	2,4
<b>Total</b>	<b>-14,1</b>	<b>-15,2</b>	<b>-9,4</b>

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 2011, divided by 100. Due to rounding off, contributions might not add up to the total.

## Explanatory notes

<b>Introduction</b>	<b>1</b>	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.
	<b>2</b>	Except for cases recorded, all other information relates to debt cases only, therefore claims for damages, ejectment orders and other non-debt cases are excluded.
<b>Purpose of the survey</b>	<b>3</b>	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.
<b>Scope of the survey</b>	<b>4</b>	This survey covers: <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>	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.
<b>Survey methodology and design</b>	<b>6</b>	The survey is conducted by mail, fax and telephone each month from 151 magistrates' offices.
<b>Collection rate</b>	<b>7</b>	The preliminary collection rate for the civil cases for debt survey for December 2012 was 90,1%. Improved collection rate for November 2012 was 89,4%.
<b>Trend cycle</b>	<b>8</b>	Smoothed seasonally adjusted and trend estimates are generated using the X-11 Seasonal Adjustment Programme.
<b>Publications</b>	<b>9</b>	Users may also wish to refer to the following publications: <ul style="list-style-type: none"> <li>• <i>Bulletin of Statistics</i> issued quarterly; and</li> <li>• <i>SA Statistics</i> issued annually.</li> </ul>
<b>Unpublished statistics</b>	<b>10</b>	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.
<b>Symbols and abbreviations</b>	<b>11</b>	R/D      Refer to Drawer Stats SA    Statistics South Africa TBVC      Transkei, Bophuthatswana, Venda, Ciskei *          Revised figures

## 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 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 salaries, 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, hospital services etc.
<b>Promissory note</b>	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.
<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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