

# **Statistics of civil cases for debt (Preliminary): February 2006**

**Embargoed until:  
17 May 2006  
11:00**

## Key figures for the month of February 2006

	February 2006	% change between February 2005 and February 2006	% change between December 2004 to February 2005 and December 2005 to February 2006
<b>Actual estimates</b>			
Number of civil summonses issued for debt	109 411	-0,8	-10,6
Number of civil judgements recorded for debt	68 397	-3,1	-1,5
Value of civil judgements recorded for debt (R million)	614,8	6,1	-0,3

### Reason for delay in the publication

This news release was initially due for publication on 20 April 2006, but was postponed to a later date as normal data checks picked up inconsistencies in certain jurisdictions. The problem has been identified and rectified. The revised data is published in this release today and it only affects data on value of judgements from January 2005.

## **Key findings as at the end of February 2006**

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

*The total number of civil summonses issued for debt for the three months ended February 2006 decreased by 10,6% compared with three months ended February 2005.*

The major contributors to the decrease of 10,6% in civil summonses issued for debt for the three months ended February 2006 compared with the three months ended February 2005, were civil summonses issued in respect of 'other services' (-7,2 percentage points) and professional services (-3,3 percentage points) (see table 5 column 2 page 10). There was, however, an increase of 2,8 percentage points with regard to civil summons for money lent.

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

*The total number of civil judgements recorded for debt for the three months ended February 2006 decreased by 1,5% compared with three months ended February 2005.*

The major contributors to the decrease of 1,5% in the number of civil judgements recorded for debt for the three months ended February 2006 compared with the three months ended February 2005, were civil judgements in respect of 'other services' (-4,5 percentage points) and promissory notes and others (-1,8 percentage points). However, this decrease was partially counteracted by an increase in judgements recorded for debt in respect of money lent (+4,0 percentage points) and 'other' debts (+1,7 percentage points) (see table 6 column 3).

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

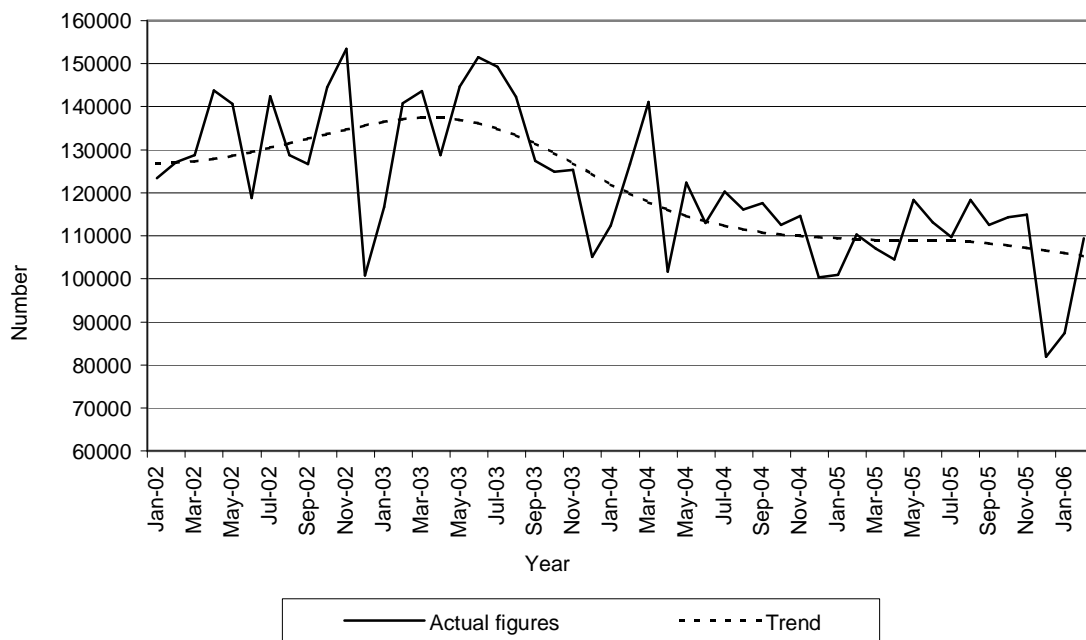
*The total value of civil judgements recorded for debt for the three months ended February 2006 decreased by 0,3% compared with three months ended February 2005.*

The major contributors to the decrease of 0,3% in the value of civil judgements recorded for the three months ended February 2006 compared with the three months ended February 2005 were civil judgements recorded in respect of 'other' services (-3,3 percentage points), instalment sale transactions (-2,2 percentage points), rent (-1,9 percentage points) and promissory notes and others (-1,7 percentage points). This decrease was counteracted by an increase in 'other' debts (11,6 percentage points). (see table 6 column 4).

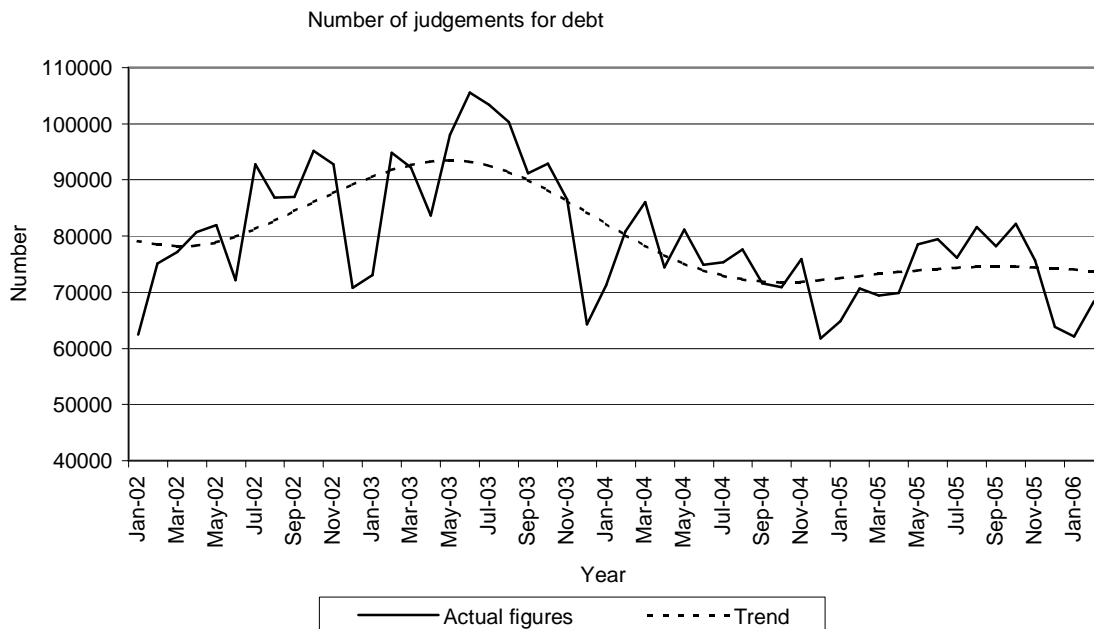
During February 2006, 68 397 civil judgements for debt, amounting to R614,8 million, were recorded. The largest contributors to the R614,8 million were civil judgements relating to 'other' debt (R239,7 million or 39,0%) and money lent (R154,4 million or 25,1%). (see table 4)

Figures 1 and 2 outline the number of civil summonses issued and civil judgements recorded for debt from 2002 to 2006 respectively.

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



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



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**Statistician-General**

## Notes

<b>Forthcoming issue</b>	<b>Issue</b>	<b>Expected release date</b>
	March 2006	25 May 2006
<b>Purpose of the survey</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>Response rate</b>	The response rate for February 2006 was 86%.	

## Contents

	<b>Page</b>
Notes .....	4
<b>Tables</b>	
Table 1 Number of civil cases recorded and summonses issued for debt according to business enterprises and private persons .....	6
Table 2 Number of civil cases recorded according to selected magistrates' offices .....	7
Table 3 Number of civil default and consent judgements for debt according to business enterprises and private persons .....	8
Table 4 Value of civil default and consent judgements for debt according to business enterprises and private persons.....	9
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.....	10
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.....	10
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 .....	10
<b>Explanatory notes</b> .....	11
<b>Glossary</b> .....	13
<b>General information</b> .....	15

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			
	2005	2005	2006	2006	2005	2005	2006	2006
		Feb.	Jan.	Feb.		Feb.	Jan.	Feb.
1. Cases recorded								
1.1 Actual figures	1 571 700	128 896	106 480	130 469	1 421 081	118 522	98 218	119 871
1.2 Seasonally adjusted		126 305	120 400	127 768		115 336	110 641	116 531
2. Civil summonses for debt								
2.1 Goods sold								
2.1.1 Open account	159 774	14 744	9 866	10 981	138 935	13 313	8 680	9 354
2.1.2 Instalment sale transactions	51 124	4 763	2 146	2 786	46 526	4 541	1 849	2 433
2.2 Services								
2.2.1 Professional	152 853	12 495	8 928	11 432	133 344	11 751	8 277	10 222
2.2.2 Other	228 496	21 371	13 260	16 113	207 676	20 157	12 086	14 918
2.3 Rent	49 934	4 210	4 006	4 379	40 063	3 628	3 130	3 324
2.3.1 Money lent	297 551	22 659	23 795	29 092	278 671	21 357	23 019	27 531
2.3.2 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	127 642	9 669	7 007	13 070	117 535	8 867	6 214	12 074
2.6 Other debts	238 484	20 388	18 328	21 558	212 141	17 814	16 392	19 152
2.7 Total								
2.7.1 Actual figures	1 305 858	110 299	87 336	109 411	1 174 891	101 428	79 647	99 008
2.7.2 Seasonally adjusted		106 607	98 310	105 535		97 589	89 209	95 082

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
2004	143 146	81 408	37 375	13 044	19 321	121 484	169 721	87 621	51 872	128 803	25 498	55 835
2005	165 202	69 776	38 487	9 248	20 091	78 114	156 641	57 701	50 325	138 300	27 437	53 923
2005 - J	11 896	6 551	2 247	545	1 578	10 239	14 059	3 943	4 003	9 006	2 093	4 441
F	14 772	6 551	3 172	895	1 781	9 815	11 918	5 120	4 152	12 240	2 592	4 182
M	11 976	5 099	2 889	632	1 439	5 740	13 198	4 899	3 850	10 904	2 980	4 604
A	13 600	4 474	2 504	801	1 526	3 230	13 299	5 143	3 967	14 042	2 991	4 808
M	12 386	7 915	3 151	997	2 268	5 435	14 706	6 441	3 621	12 756	1 832	4 884
J	15 193	6 117	3 350	721	1 636	4 921	12 201	4 335	3 959	12 114	1 794	4 884
J	13 402	4 474	3 240	873	1 894	4 921	12 726	4 973	3 690	11 494	2 127	5 083
A	17 524	5 573	2 941	861	2 220	7 311	14 095	4 914	5 759	11 839	3 311	5 083
S	15 391	5 612	3 517	911	1 539	7 311	13 090	4 988	4 851	12 216	1 112	* 5 371
O	14 575	7 432	3 951	871	1 433	6 397	13 889	4 622	4 479	11 456	1 901	* 5 291
N	16 106	6 489	4 009	740	1 410	6 397	11 730	5 345	4 627	12 428	2 469	* 5 214
D	8 381	3 489	3 516	401	1 367	6 397	11 730	2 978	3 367	7 805	2 235	5 161
2006 - J	10 205	5 091	3 516	209	1 171	6 397	6 505	4 097	1 882	10 867	2 016	5 120
F	11 387	7 860	3 516	756	1 751	6 397	13 143	4 652	2 891	12 266	2 492	5 117

\*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			
	2005	2005	2006	2006	2005	2005	2006	2006
		Feb.	Jan.	Feb.		Feb.	Jan.	Feb.
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	113 634	8 892	7 414	7 256	103 983	8 301	6 233	6 330
1.1.2 Instalment sale transactions	16 622	1 417	1 072	1 372	14 919	1 338	894	1 183
1.2 Services								
1.2.1 Professional	81 941	6 510	5 647	6 084	76 639	6 328	5 132	5 542
1.2.2 Other	123 643	11 042	7 779	7 502	116 295	10 569	7 174	7 045
1.3 Rent	29 979	3 180	2 959	3 113	23 383	2 449	2 176	2 424
1.4 Money lent	310 748	22 326	24 122	25 851	306 151	22 046	23 724	25 536
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	81 286	6 781	3 776	6 278	77 798	6 557	3 343	5 861
1.6 Other debts	132 591	10 473	9 352	10 941	120 568	10 041	8 742	10 156
1.7 Total								
1.7.1 Actual figures	890 444	70 621	62 121	68 397	839 736	67 629	57 418	64 077
1.7.2 Seasonally adjusted		71 425	72 096	69 318		68 050	66 824	64 594

Table 4 - Value of civil default and consent judgements for debt according to business enterprises and private persons

Item	Business enterprises and private persons				Private persons			
	2005	2005	2006	2006	2005	2005	2006	2006
		Feb.	Jan.	Feb.		Feb.	Jan.	Feb.
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	659 093	49 687	38 896	44 095	535 926	40 077	26 527	29 060
1.1.2 Instalment sale transactions	276 261	34 612	18 981	20 098	230 229	30 034	15 564	18 124
1.2 Services								
1.2.1 Professional	258 953	24 821	15 011	16 843	218 961	22 395	12 388	14 283
1.2.2 Other	609 447	43 909	37 713	45 746	515 921	39 730	29 874	39 470
1.3 Rent	218 116	20 917	14 468	12 345	158 882	15 099	12 879	12 279
1.4 Money lent	2 157 754	199 180	206 385	154 367	2 033 395	190 240	201 183	151 407
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	866 674	74 587	46 088	81 552	766 945	69 541	33 645	67 809
1.6 Other debts	1 660 924	131 848	101 540	239 716	1 282 112	96 404	75 759	159 377
1.7 Total								
1.7.1 Actual figures	6 707 222	579 561	479 082	614 762	5 742 371	503 520	407 819	491 809
1.7.2 Seasonally adjusted		548 895	548 427	586 182		475 915	469 080	468 627

\* 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 December 2004 to February 2005	Actual estimates December 2005 to February 2006	% change between December 2004 to February 2005 and December 2005 to February 2006	Difference between December 2004 to February 2005 and December 2005 to February 2006
Number of summonses for debt	311 509	278 575	-10,6%	-32 934
Number of judgements for debt	197 199	194 313	-1,5%	-2 886
Value of judgements for debt (R million)	1 537,2	1 833,0	-0,3%	-4,2

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.

Different kinds of debts	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	-2,5	-1,0	-1,0
Instalment sale transactions	-1,9	-0,1	-2,2
Professional services	-3,3	-0,3	-0,9
Other services	-7,2	-4,5	-3,3
Rent	0,0	0,5	-1,9
Money lent	2,8	4,0	-0,9
Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	0,8	-1,8	-1,7
Other debts	0,7	1,7	11,6
Total	-10,6	-1,5	-0,3

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 December 2004 to February 2005, divided by 100.

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 February 2005	Actual estimates February 2006	% change between February 2005 and February 2006	Difference between February 2005 and February 2006
Number of summonses for debt	110 299	109 411	-0,8%	-888
Number of judgements for debt	70 620	68 397	-3,1%	-2 224
Value of judgements for debt (R million)	579,6	614,8	6,1%	35,2

## 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, ejectment orders and other non-debt cases are excluded.
- Scope of the survey**
- 3 This survey covers -
    - 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**
- 4 The statistical unit for collection of information is a magistrates' office. Magistrates' offices include the small claims courts.
  - 5 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 the measure of size.
- Survey methodology and design**
- 6 The survey is conducted by mail each month from approximately 151 magistrates' offices.
- Trend cycle**
- 7 Smoothed seasonally adjusted and trend estimates are generated using the X-11 Seasonal Adjustment Programme.
- Publications**
- 8 Users may also wish to refer to the following publications:
    - *Bulletin of Statistics* issued quarterly.
    - *SA Statistics* issued annually.

**Unpublished statistics**

- 9 In some cases Stats SA can also make available statistics which are not included in standard publications. The statistics can be made available in one or more of the following ways: computer printout, CD or diskette. Generally a charge is made for providing unpublished statistics.

**Symbols and abbreviations**

- 10 R/D Refer to Drawer  
CD Compact Disc  
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 a debt he owes without defending the action. This usually happens before the debtor signs a binding contract, e.g. a 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 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 refers 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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