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# Statistical release

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## Statistics of civil cases for debt (Preliminary)

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### **Enquiries**

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## Key figures

**Table A – Key figures for the month of February 2009**

Actual estimates	February 2009	% change between February 2008 and February 2009	% change between December 2007 to February 2008 and December 2008 to February 2009
Number of civil summonses issued for debt	113 215	14,4	15,4
Number of civil judgements recorded for debt	56 175	-8,2	-4,8
Value of civil judgements recorded for debt (R million)	512,6	-9,3	5,4

## SUMMARY OF FINDINGS: STATISTICS OF CIVIL CASES FOR DEBT (FEBRUARY 2009)

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

*The total number of civil summonses issued for debt for the three months ended February 2009 increased by 15,4% compared with the three months ended February 2008. There was also a 14,4% increase between February 2008 and February 2009 (see Table A and Table 5).*

The major contributors to the increase in civil summonses issued for debt for the three months ended February 2009 compared with the three months ended February 2008 were civil summonses issued in respect of 'other debts' (4,5 percentage points), promissory notes and other acknowledgements of debt (4,0 percentage points) and money lent (3,2 percentage points) (see Table 6 column 2, page 8).

### The growth in the number of civil judgements recorded for debt remains negative

*The total number of civil judgements recorded for debt for the three months ended February 2009 was 4,8% lower compared with the three months ended February 2008. There was also a decrease of 8,2% between February 2008 and February 2009 (see Table A and Table 5).*

Civil judgements in respect of promissory notes and other acknowledgements of debt (-2,7 percentage points), 'other services' (-2,2 percentage points) and money lent (-1,4 percentage points) were the main drivers behind the 4,8% decrease in the number of civil judgements recorded for debt (see Table 6 column 3, page 8).

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

*The total value of civil judgements recorded for debt for the three months ended February 2009 increased by 5,4% compared with the three months ended February 2008. There was, however, a decrease of 9,3% between February 2008 and February 2009 (see Table A and Table 5).*

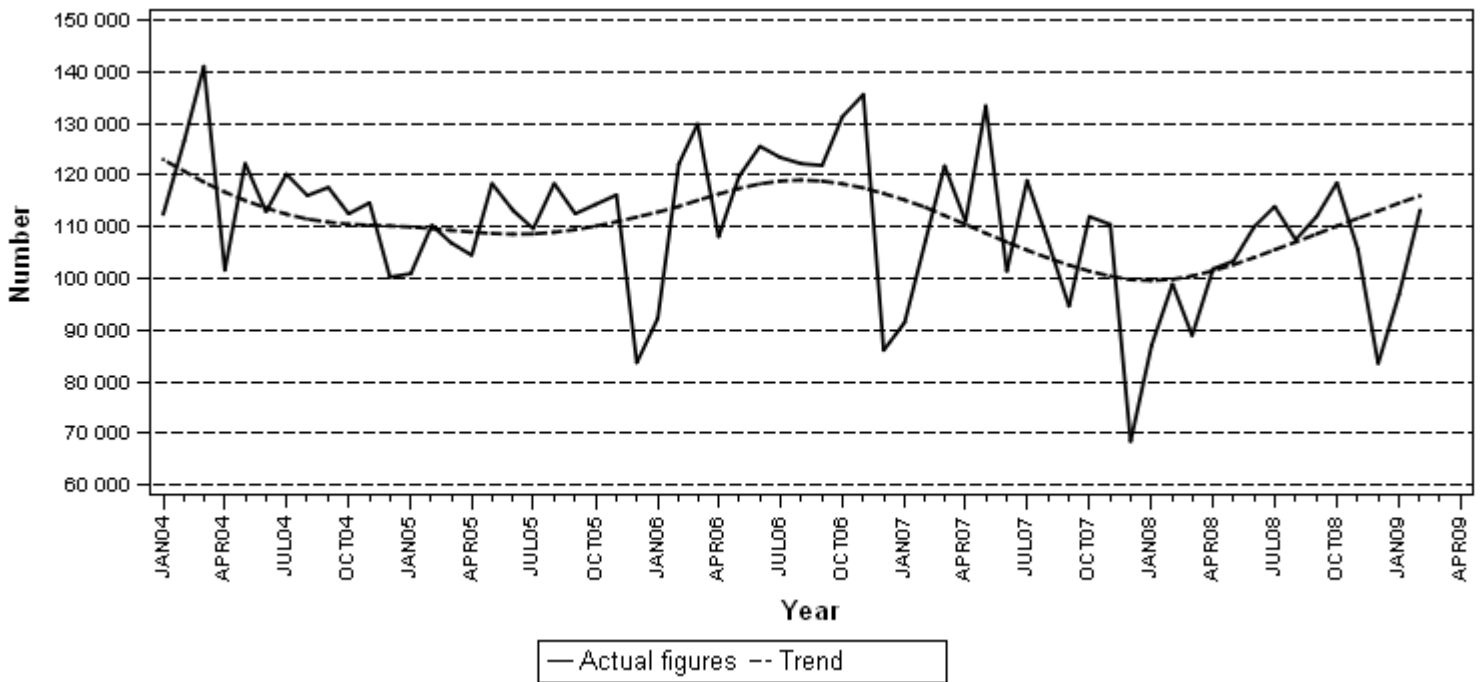
The major contributors to the 5,4% increase in the value of civil judgements for the three months ended February 2009 compared with the three months ended February 2008 were money lent (5,9 percentage points), 'other debts' (3,2 percentage points) and professional services (1,2 percentage points) (see Table 6 column 4, page 8).

During February 2009, 56 175 civil judgements for debt amounting to R512,6 million were recorded. The largest contributors to the R512,6 million were:

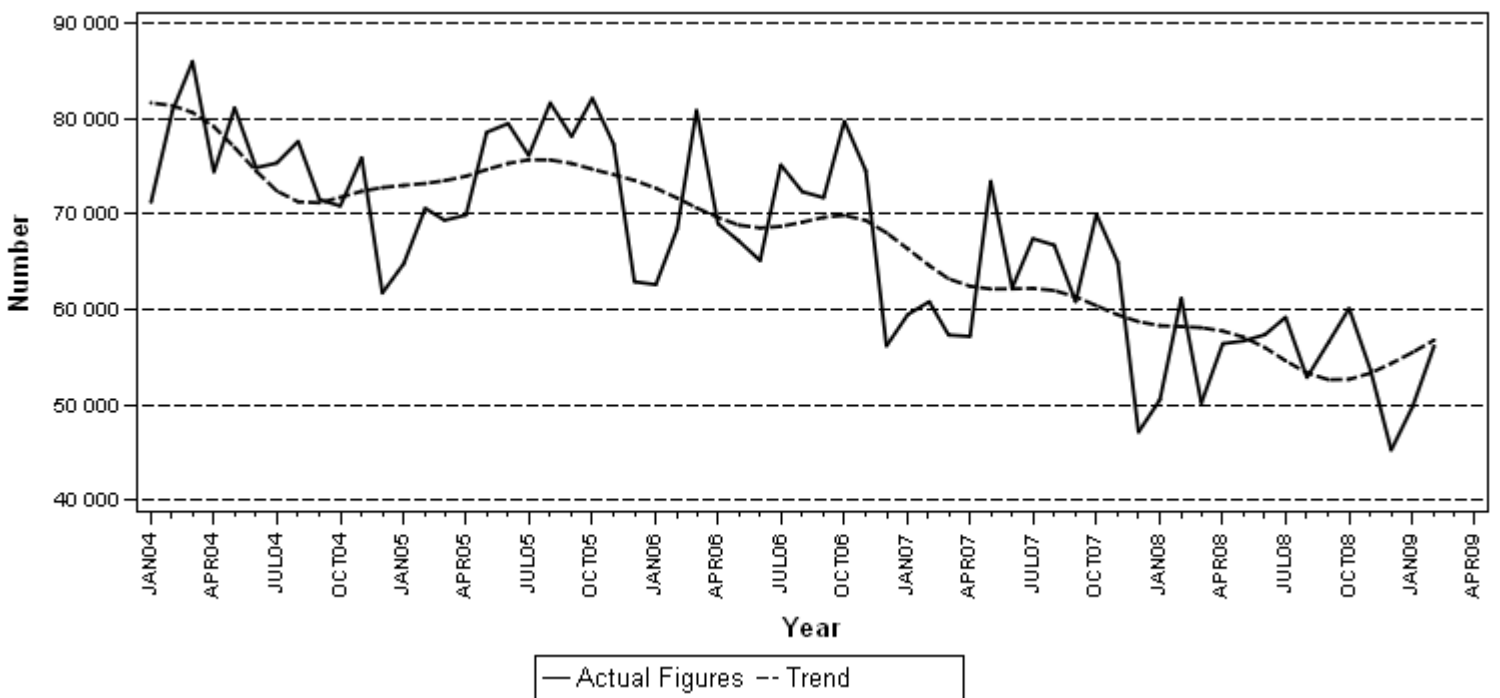
- Civil judgements relating to money lent (R171,7 million or 33,5%)
- 'Other debts' (R98,7 million or 19,2%)
- Promissory notes and other acknowledgements of debt (R53,9 million or 10,5%) and
- 'Other services' (R53,7 million or 10,5%) (see Tables 3 and 4, pages 6 and 7).

Figures 1 and 2 outline the number of civil summonses issued and civil judgements recorded for debt respectively from January 2004 to February 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			
	* 2008	2008	2009		* 2008	2008	2009	
		February	1/ January	1/ February		February	1/ January	1/ February
<b>1. Cases recorded</b>								
<b>1.1 Actual figures</b>	<b>1 442 526</b>	<b>113 182</b>	<b>114 080</b>	<b>132 645</b>	<b>1 265 122</b>	<b>103 738</b>	<b>102 345</b>	<b>119 873</b>
<b>1.2 Seasonally adjusted</b>		112 635	131 752	132 491		102 738	116 721	119 087
<b>2. Civil summonses for debt</b>								
<b>2.1 Goods sold</b>								
<b>2.1.1 Open account</b>	116 627	9 599	10 032	12 217	95 669	7 921	8 265	10 345
<b>2.1.2 Instalment sale transactions</b>	31 160	2 356	2 445	3 006	26 433	1 928	2 004	2 603
<b>2.2 Services</b>								
<b>2.2.1 Professional</b>	132 832	9 853	10 806	12 752	112 090	8 532	9 118	10 116
<b>2.2.2 Other</b>	173 654	16 107	11 841	15 711	151 878	14 442	9 942	14 007
<b>2.3 Rent</b>	53 044	3 369	4 269	4 104	42 995	2 833	3 621	3 316
<b>2.4 Money lent</b>	283 586	23 402	24 639	27 376	262 826	22 204	23 512	26 167
<b>2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	202 000	13 632	15 597	16 494	190 000	12 642	14 586	15 466
<b>2.6 Other debts</b>	238 342	20 627	17 321	21 555	206 030	19 385	15 203	19 082
<b>2.7 Total</b>								
<b>2.7.1 Actual figures</b>	<b>1 231 245</b>	<b>98 945</b>	<b>96 950</b>	<b>113 215</b>	<b>1 087 921</b>	<b>89 887</b>	<b>86 251</b>	<b>101 102</b>
<b>2.7.2 Seasonally adjusted</b>		99 919	116 279	115 043		89 763	102 719	101 488

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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 and Vanderbijlpark	Bloemfontein
<b>2007</b>	<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>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>205 869</b>	<b>59 133</b>	<b>33 410</b>	<b>138 384</b>	<b>26 859</b>	<b>33 374</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>* November</b>	12 497	3 655	1 535	844	2 050	8 149	18 480	5 777	2 879	11 611	1 375	2 356
<b>* December</b>	9 844	2 415	1 376	546	1 055	7 707	15 598	4 619	1 867	7 328	774	2 093	
<b>2009</b>	<b>1/ January</b>	8 322	1 955	1 259	515	1 713	7 400	20 427	5 117	2 299	10 835	1 265	4 435
	<b>1/ February</b>	9 703	3 211	1 619	795	1 557	7 763	22 126	5 218	2 122	12 559	1 449	3 645

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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			
	* 2008	2008	2009		* 2008	2008	2009	
		February	1/ January	1/ February		February	1/ January	1/ February
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
<b>1.1.1 Open account</b>	85 777	7 947	4 912	6 916	75 644	7 164	4 204	6 059
<b>1.1.2 Instalment sale transactions</b>	9 658	928	937	871	8 050	830	765	715
<b>1.2 Services</b>								
<b>1.2.1 Professional</b>	77 324	6 401	6 591	7 417	67 955	5 677	5 705	6 225
<b>1.2.2 Other</b>	80 384	6 999	5 386	5 624	72 513	6 336	4 869	5 051
<b>1.3 Rent</b>	30 889	2 839	2 202	2 016	23 359	2 228	1 725	1 573
<b>1.4 Money lent</b>	222 094	19 657	18 415	20 027	216 468	19 292	18 108	19 592
<b>1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	47 922	6 655	3 200	4 010	42 597	6 293	2 710	3 453
<b>1.6 Other debts</b>	106 147	9 766	8 216	9 294	95 608	8 836	7 720	8 540
<b>1.7 Total</b>								
<b>1.7.1 Actual figures</b>	<b>660 195</b>	<b>61 192</b>	<b>49 859</b>	<b>56 175</b>	<b>602 194</b>	<b>56 656</b>	<b>45 806</b>	<b>51 208</b>
<b>1.7.2 Seasonally adjusted</b>		63 401	56 269	58 232		59 281	52 149	53 719

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**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	2008	2009		* 2008	2008	2009	
		February	1/ January	1/ February		February	1/ January	1/ February
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
<b>1.1.1 Open account</b>	631 041	48 941	43 432	48 808	442 226	34 283	29 338	33 196
<b>1.1.2 Instalment sale transactions</b>	254 555	22 107	23 774	23 101	199 811	18 075	20 700	20 410
<b>1.2 Services</b>								
<b>1.2.1 Professional</b>	282 300	19 256	23 339	28 582	218 012	15 630	17 314	22 617
<b>1.2.2 Other</b>	595 363	45 760	44 500	53 747	455 588	32 902	33 521	42 767
<b>1.3 Rent</b>	323 260	34 679	33 770	34 044	212 659	21 234	25 676	18 474
<b>1.4 Money lent</b>	1 956 355	152 035	177 106	171 729	1 827 133	142 292	170 131	164 722
<b>1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	662 420	128 543	35 896	53 932	555 276	120 941	28 822	44 502
<b>1.6 Other debts</b>	1 314 536	113 690	89 620	98 669	1 012 127	84 625	72 178	81 845
<b>1.7 Total</b>								
<b>1.7.1 Actual figures</b>	<b>6 019 830</b>	<b>565 011</b>	<b>471 437</b>	<b>512 612</b>	<b>4 922 832</b>	<b>469 982</b>	<b>397 680</b>	<b>428 533</b>
<b>1.7.2 Seasonally adjusted</b>		561 570	552 981	511 098		480 260	460 700	440 497

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\* Revised



**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 December 2007 to February 2008	Actual estimates December 2008 to February 2009	% change between December 2007 to February 2008 and December 2008 to February 2009	Difference between December 2007 to February 2008 and December 2008 to February 2009
Number of summonses for debt	254 426	293 710	15,4	39 284
Number of judgements for debt	158 911	151 315	-4,8	-7 596
Value of judgements for debt (R million)	1 338,4	1 410,5	5,4	72,1

**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	-0,8	-0,1
--Instalment sale transactions	0,4	0,1	-0,3
Professional Services	2,6	2,2	1,2
Other Services	-1,1	-2,2	1,0
Rent	0,0	-1,1	1,1
Money lent	3,2	-1,4	5,9
Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	4,0	-2,7	-6,7
Other debts	4,5	1,2	3,2
<b>Total</b>	<b>15,4</b>	<b>-4,8</b>	<b>5,4</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 December 2007 to February 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 February 2008	Actual estimates February 2009	% change between February 2008 and February 2009	Difference between February 2008 and February 2009
Number of summonses for debt	98 945	113 215	14,4	14 270
Number of judgements for debt	61 192	56 175	-8,2	-5 017
Value of judgements for debt (R million)	565,0	512,6	-9,3	-52,4

## 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 civil cases for debt survey for February 2009 was 88,7%.</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.

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