

# Statistical release

## P0041

# Statistics of civil cases for debt (Preliminary)

January 2009

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## Key figures

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

Actual estimates	January 2009	% change between January 2008 and January 2009	% change between November 2007 to January 2008 and November 2008 to January 2009
Number of civil summonses issued for debt	84 513	-2,9	-0,7
Number of civil judgements recorded for debt	49 769	-1,5	-8,7
Value of civil judgements recorded for debt (R million)	472,5	21,1	14,9

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

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

*The total number of civil summonses issued for debt for the three months ended January 2009 decreased by 0,7% compared with the three months ended January 2008. There was also a 2,9% decrease between January 2008 and January 2009 (see Table A and Table 5).*

The major contributors to the decrease in civil summonses issued for the three months ended January 2009 compared with the three months ended January 2008 were civil summonses issued in respect of 'other services' (-2,5 percentage points), promissory notes and other acknowledgements of debt (-2,4 percentage points) and money lent (-1,8 percentage points) (see Table 6 column 2, page 8).

### The number of civil judgements recorded for debt continues to decrease

*The total number of civil judgements recorded for debt for the three months ended January 2009 decreased by 8,7% compared with the three months ended January 2008. There was also a decrease of 1,5% between January 2008 and January 2009 (see Table A).*

Civil judgements in respect of money lent (-5,7 percentage points), promissory notes and other acknowledgements of debt (-2,4 percentage points) and 'other services' (-2,1 percentage points) were the main drivers behind the 8,7% decrease in the number of civil judgements recorded for debt. One of the categories that contributed positively during this period was professional services (with 2,2 percentage points) (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 January 2009 increased by 14,9% compared with the three months ended January 2008. There was also a 21,1% increase between January 2008 and January 2009 (see Table A).*

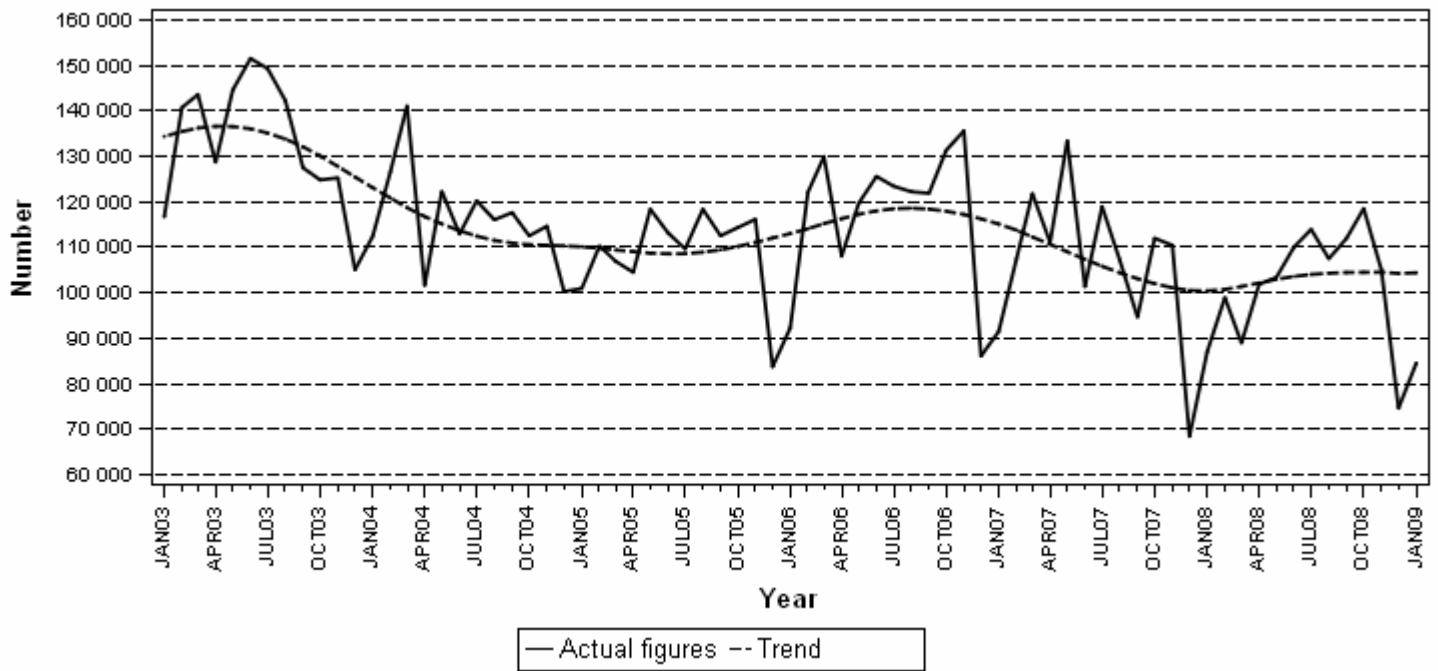
The major contributors to the 14,9% increase in the value of civil judgements for the three months ended January 2009 compared with the three months ended January 2008 were 'other debts' (7,0 percentage points), money lent (3,8 percentage points) and rent (2,1 percentage points) (see Table 6 column 4, page 8).

During January 2009, 49 769 civil judgements for debt amounting to R472,5 million were recorded. The largest contributors to the R472,5 million were:

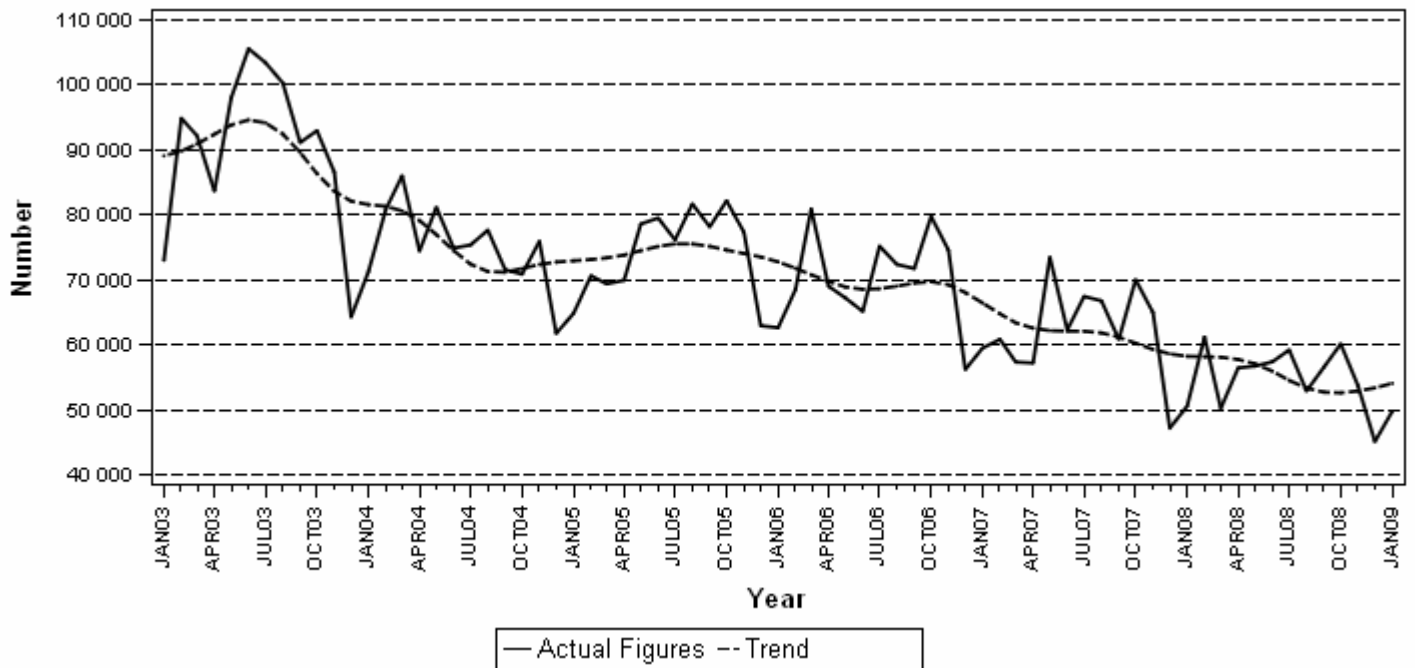
- Civil judgements relating to money lent (R177,7 million or 37,6%)
- 'Other debts' (R90,4 million or 19,1%)
- 'Other services' (R44,6 million or 9,4%) and
- Goods sold on an open account (R43,5 million or 9,2%) (see Tables 3 and 4, pages 6 and 7).

Figures 1 and 2 outline the number of civil summonses issued and civil judgements recorded for debt respectively from January 2003 to January 2009.

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



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



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**Statistician-General**

**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
		January	1/ December	1/ January		January	1/ December	1/ January
<b>1. Cases recorded</b>								
<b>1.1 Actual figures</b>	<b>1 433 051</b>	<b>100 956</b>	<b>84 950</b>	<b>101 916</b>	<b>1 255 421</b>	<b>90 700</b>	<b>74 657</b>	<b>90 525</b>
<b>1.2 Seasonally adjusted</b>		117 898	120 267	119 522		104 443	104 604	104 513
<b>2. Civil summonses for debt</b>								
<b>2.1 Goods sold</b>								
<b>2.1.1 Open account</b>	116 621	8 499	7 088	10 025	95 654	6 842	5 663	8 247
<b>2.1.2 Instalment sale transactions</b>	31 123	2 259	2 099	2 427	26 388	1 909	1 770	1 964
<b>2.2 Services</b>								
<b>2.2.1 Professional</b>	132 723	8 656	8 882	10 352	111 962	7 119	7 316	8 741
<b>2.2.2 Other</b>	173 178	14 253	9 239	10 704	151 303	12 918	7 916	9 021
<b>2.3 Rent</b>	53 104	3 680	3 210	4 254	43 049	3 164	2 538	3 615
<b>2.4 Money lent</b>	281 039	22 853	16 238	20 149	260 243	21 641	15 088	19 091
<b>2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	196 590	12 606	10 363	9 858	184 570	11 705	9 592	8 882
<b>2.6 Other debts</b>	237 393	14 233	17 519	16 744	205 049	12 134	15 475	14 632
<b>2.7 Total</b>								
<b>2.7.1 Actual figures</b>	<b>1 221 771</b>	<b>87 039</b>	<b>74 638</b>	<b>84 513</b>	<b>1 078 218</b>	<b>77 432</b>	<b>65 358</b>	<b>74 193</b>
<b>2.7.2 Seasonally adjusted</b>		105 027	104 104	102 815		92 886	90 642	89 726

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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>196 526</b>	<b>59 475</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>1/ November</b>	12 497	3 655	1 535	844	2 050	8 149	17 936	5 777	2 879	11 611	1 375	2 356
<b>1/ December</b>	9 844	2 415	1 376	546	1 055	7 707	6 799	4 961	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	8 292	5 117	2 299	10 835	1 265	4 435

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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
		January	1/ December	1/ January		January	1/ December	1/ January
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
<b>1.1.1 Open account</b>	85 667	5 034	5 489	4 911	75 532	4 410	4 854	4 203
<b>1.1.2 Instalment sale transactions</b>	9 643	833	642	937	8 035	705	531	764
<b>1.2 Services</b>								
<b>1.2.1 Professional</b>	77 321	5 416	6 093	6 490	67 953	4 700	5 253	5 603
<b>1.2.2 Other</b>	80 419	7 604	5 820	5 398	72 547	7 144	5 262	4 883
<b>1.3 Rent</b>	30 884	2 958	2 231	2 204	23 353	2 249	1 759	1 735
<b>1.4 Money lent</b>	222 035	17 792	14 691	18 447	216 408	17 500	14 388	18 149
<b>1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	47 911	3 716	2 392	3 199	42 586	3 204	2 095	2 710
<b>1.6 Other debts</b>	106 105	7 199	7 734	8 183	95 564	6 641	7 226	7 686
<b>1.7 Total</b>								
<b>1.7.1 Actual figures</b>	<b>659 985</b>	<b>50 552</b>	<b>45 092</b>	<b>49 769</b>	<b>601 978</b>	<b>46 553</b>	<b>41 368</b>	<b>45 733</b>
<b>1.7.2 Seasonally adjusted</b>		56 825	54 140	55 915		52 782	49 997	51 848

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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
		January	1/ December	1/ January		January	1/ December	1/ January
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
<b>1.1.1 Open account</b>	630 830	41 450	34 332	43 487	441 918	29 917	23 436	29 454
<b>1.1.2 Instalment sale transactions</b>	254 520	19 781	14 991	23 644	199 777	15 438	12 956	20 576
<b>1.2 Services</b>								
<b>1.2.1 Professional</b>	282 622	20 580	20 798	23 092	218 334	15 726	17 361	17 000
<b>1.2.2 Other</b>	595 431	42 806	37 979	44 577	455 628	33 718	31 698	33 728
<b>1.3 Rent</b>	322 863	21 032	23 349	33 687	212 406	15 436	17 334	25 688
<b>1.4 Money lent</b>	1 954 828	124 811	139 479	177 688	1 825 470	117 006	132 141	170 732
<b>1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	662 486	35 043	29 846	35 899	555 343	30 913	24 131	28 827
<b>1.6 Other debts</b>	1 314 207	84 614	123 747	90 411	1 011 544	60 755	95 471	72 324
<b>1.7 Total</b>								
<b>1.7.1 Actual figures</b>	<b>6 017 787</b>	<b>390 117</b>	<b>424 521</b>	<b>472 485</b>	<b>4 920 420</b>	<b>318 909</b>	<b>354 528</b>	<b>398 329</b>
<b>1.7.2 Seasonally adjusted</b>		463 411	532 115	562 934		373 567	442 175	467 684

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 November 2007 to January 2008	Actual estimates November 2008 to January 2009	% change between November 2007 to January 2008 and November 2008 to January 2009	Difference between November 2007 to January 2008 and November 2008 to January 2009
Number of summonses for debt	265 920	264 158	-0,7	-1 762
Number of judgements for debt	162 672	148 517	-8,7	-14 155
Value of judgements for debt (R million)	1 235,0	1 419,4	14,9	184,4

**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	1,4	-1,4	-0,3
--Instalment sale transactions	0,3	0,2	-0,8
Professional Services	1,0	2,2	1,2
Other Services	-2,5	-2,1	1,1
Rent	-0,2	-0,6	2,1
Money lent	-1,8	-5,7	3,8
Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	-2,4	-2,4	0,8
Other debts	3,5	1,2	7,0
<b>Total</b>	<b>-0,7</b>	<b>-8,7</b>	<b>14,9</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 November 2007 to January 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 January 2008	Actual estimates January 2009	% change between January 2008 and January 2009	Difference between January 2008 and January 2009
Number of summonses for debt	87 039	84 513	-2,9	-2 526
Number of judgements for debt	50 552	49 769	-1,5	-783
Value of judgements for debt (R million)	390,1	472,5	21,1	82,4

## 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 January 2009 was 90,7%.</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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