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Statistical release

P0041

Statistics of civil cases for debt (Preliminary)

January 2010

**Embargoed until:
18 March 2010
09:00**

Enquiries

User Information Services
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Forthcoming issue

February 2010

Expected release date

22 April 2010

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SUMMARY OF FINDINGS: STATISTICS OF CIVIL CASES FOR DEBT (JANUARY 2010)

Table A – Key figures for the month of January 2010

Actual estimates	January 2010	% change between January 2009 and January 2010	% change between November 2008 to January 2009 and November 2009 to January 2010
Number of civil summonses issued for debt	96 758	0,8	4,8
Number of civil judgements recorded for debt	48 175	-3,4	8,7
Value of civil judgements recorded for debt (R million)	487,5	3,4	12,8

The number of civil summonses issued for debt

The three months ended January 2010 reflected a 4,8% increase in the total number of civil summonses issued for debt compared with the three months ended January 2009. An increase of 0,8% was recorded between January 2009 and January 2010 (see Table A and Tables 5 and 7).

The major contributors to the increase in civil summonses issued for debt for the three months ended January 2010 compared with the three months ended January 2009 were civil summonses issued in respect of money lent (contributing 1,7 percentage points), promissory notes and other acknowledgements of debt (contributing 1,6 percentage points) (this category includes credit card debt), 'other services' and professional services (each contributing 0,9 of a percentage point). The two negative contributors were the goods sold and rent categories (see Table 6).

The number of civil judgements recorded for debt

The total number of civil judgements recorded for debt for the three months ended January 2010 increased by 8,7% compared with the three months ended January 2009. A decrease of 3,4% was recorded between January 2009 and January 2010 (see Table A and Tables 5 and 7).

Civil judgements in respect of money lent (contributing 6,5 percentage points), promissory notes and other acknowledgements of debt (contributing 4,1 percentage points) and professional services (contributing 1,3 percentage points) were the main drivers behind the 8,7% increase. The 'other debts' and 'other services' categories were the only negative contributors (see Table 6).

The value of civil judgements recorded for debt

There was an increase of 12,8% in the total value of civil judgements recorded for debt for the three months ended January 2010 compared with the three months ended January 2009. A 3,4% increase was recorded between January 2009 and January 2010 (see Table A and Tables 5 and 7).

The major contributors to the 12,8% increase in the value of civil judgements for the three months ended January 2010 compared with the three months ended January 2009 were money lent (contributing 7,5 percentage points), promissory notes and other acknowledgements of debt (contributing 5,0 percentage points) and goods sold (contributing 4,1 percentage points) . The 'other debt' category was the only negative contributor with 5,3 percentage points (see Table 6).

During January 2010, 48 175 civil judgements for debt amounting to R487,5 million were recorded. The largest contributors to the R487,5 million were (see Tables 3 and 4):

- money lent (R176,0 million or 36,1%)
- 'other debts' (R80,4 million or 16,5%)
- promissory notes and other acknowledgements of debt (R55,7 million or 11,4%) and
- 'other services' (R47,8 million or 9,8%).

Figures 1 and 2 outline the number of civil summonses issued and civil judgements recorded for debt respectively from January 2005 to January 2010.

Figure 1 – Civil summonses issued for debt

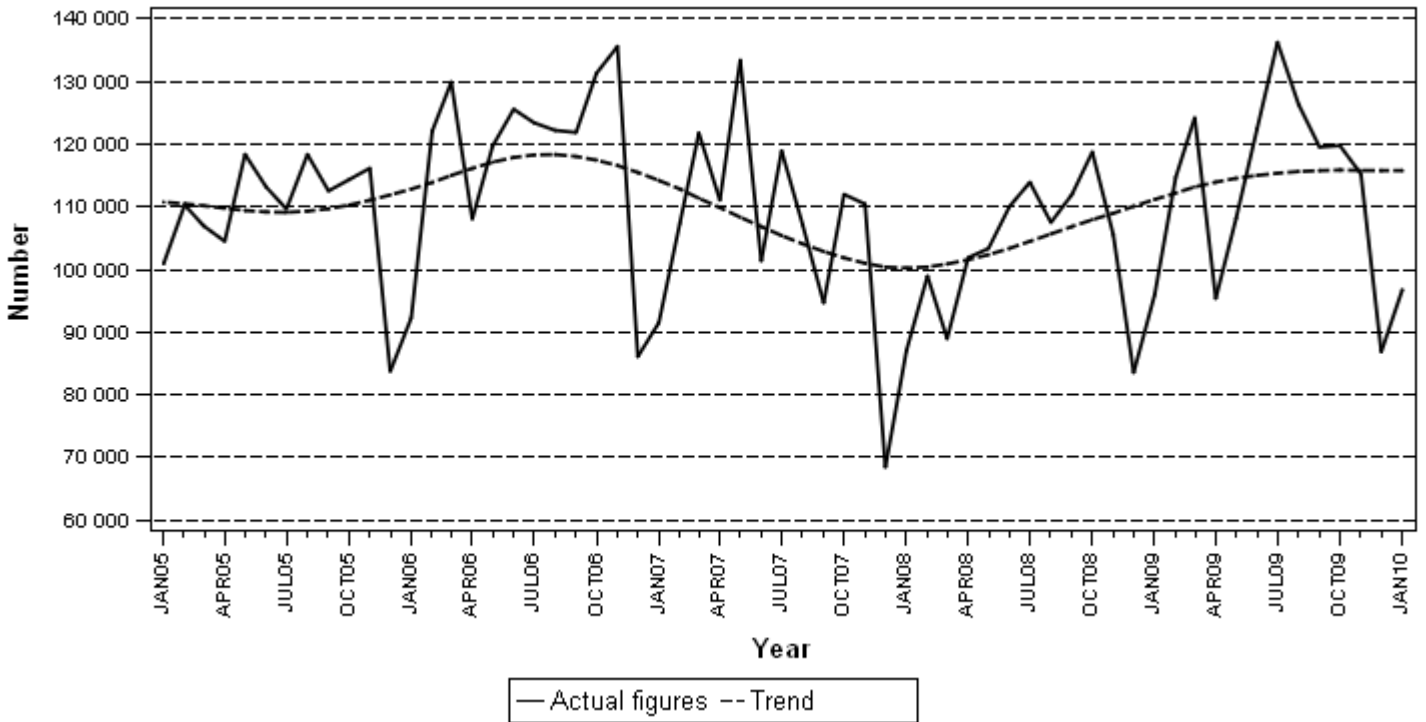
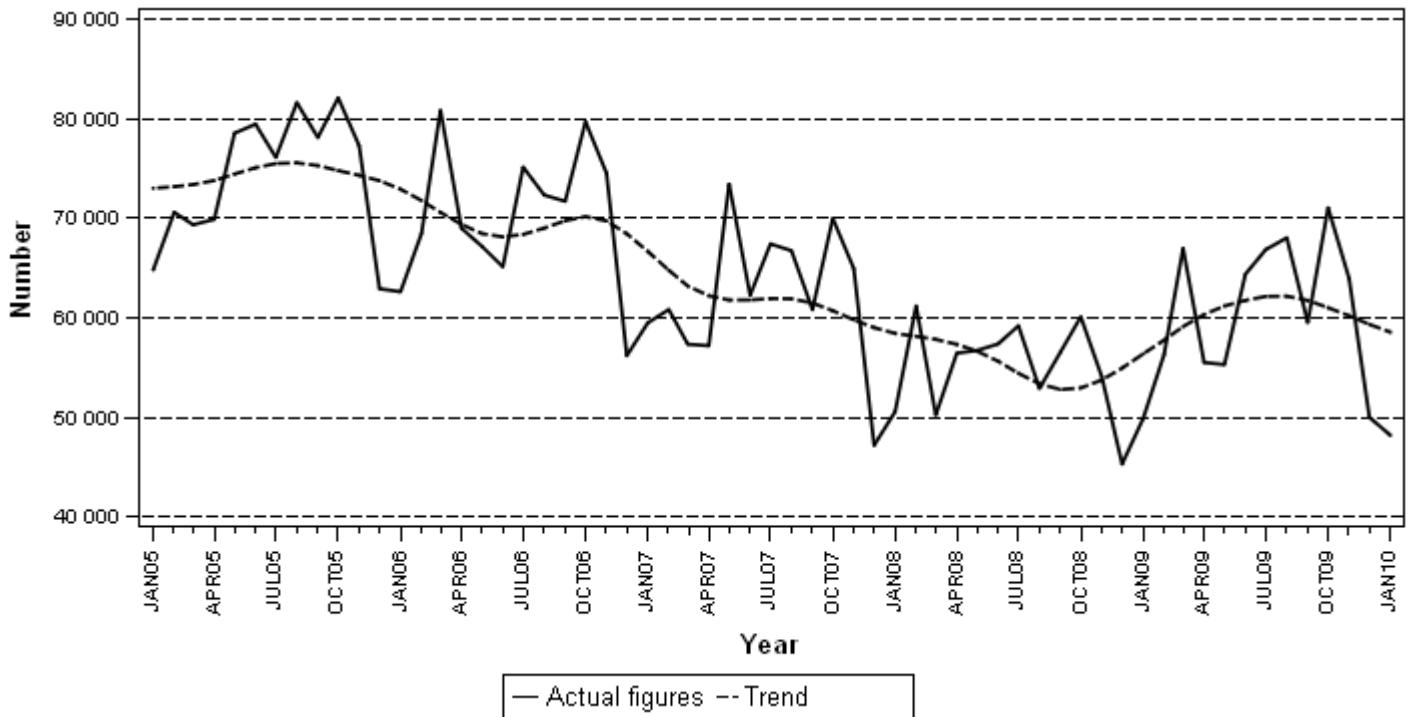


Figure 2 – Civil judgements recorded for debt



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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			
	* 2009	2009		2010	* 2009	2009		2010
		January	1/ December	1/ January		January	1/ December	1/ January
1. Cases recorded								
1.1 Actual figures	1 594 882	113 879	99 000	111 496	1 419 933	102 381	87 445	98 333
1.2 Seasonally adjusted		131 614	137 208	128 610		117 182	120 761	112 317
2. Civil summonses for debt								
2.1 Goods sold								
2.1.1 Open account	135 349	10 030	7 335	7 867	112 749	8 278	6 113	6 685
2.1.2 Instalment sale transactions	35 756	2 430	2 806	3 005	30 652	2 000	2 438	2 562
2.2 Services								
2.2.1 Professional	153 259	10 805	10 083	10 234	128 150	9 117	8 376	8 509
2.2.2 Other	164 222	11 959	9 893	11 562	141 904	10 067	8 278	9 349
2.3 Rent	51 398	4 254	2 944	3 505	43 174	3 621	2 344	2 838
2.4 Money lent	326 095	24 696	20 338	25 155	308 576	23 574	19 615	24 383
2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	242 248	15 615	16 772	17 590	227 360	14 596	15 691	16 433
2.6 Other debts	256 659	16 208	16 684	17 840	210 532	14 330	12 950	13 917
2.7 Total								
2.7.1 Actual figures	1 364 986	95 997	86 855	96 758	1 203 097	85 583	75 805	84 676
2.7.2 Seasonally adjusted		113 817	118 548	114 163		100 922	102 759	99 448

1/ Preliminary.

* Revised.

Table 2 – Number of civil cases recorded according to selected magistrates' offices

Year and month		Cape Peninsula	Port Elizabeth	East London	Kimberley	Pieter-maritzburg	Durban	Johannesburg	East Rand	West Rand	Pretoria	Vereeniging and Vanderbijlpark	Bloemfontein
2008	Year Total	117 171	54 474	17 553	7 236	19 284	78 092	205 869	59 060	33 410	138 384	26 859	33 374
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
	January	8 353	1 955	1 259	515	1 713	7 400	20 427	5 126	2 299	10 835	1 265	4 435
	February	10 331	3 211	1 619	795	1 557	7 766	22 126	5 592	2 742	12 559	1 449	3 645
	March	14 242	5 191	1 759	755	1 807	7 604	20 163	5 618	4 660	14 922	2 339	3 728
	April	9 791	3 286	1 384	538	1 403	7 336	18 223	4 108	2 668	9 863	1 671	2 494
	May	11 016	3 555	1 439	641	1 839	7 483	20 872	4 878	3 120	11 931	3 448	3 554
	June	14 060	3 298	2 364	639	1 537	7 470	24 521	4 495	3 063	12 165	2 698	2 670
	July	12 682	4 276	1 620	806	1 895	7 186	26 907	4 373	3 861	17 167	2 629	3 758
	August	10 659	5 756	1 721	871	1 693	7 967	22 448	3 667	3 181	21 921	2 034	2 971
	September	10 082	3 067	1 394	948	2 161	8 227	25 483	4 587	2 890	11 846	2 781	3 056
	1/ October	12 376	3 973	1 349	542	2 478	7 429	20 819	4 981	3 420	11 304	1 589	3 200
	1/ November	12 435	3 747	1 395	537	2 439	7 834	20 688	4 373	3 710	11 049	1 581	4 000
1/ December	8 605	2 101	777	439	1 096	7 469	17 460	2 703	2 496	6 799	818	3 020	
2010	1/ January	8 015	2 649	1 179	469	1 851	7 973	22 867	3 233	2 629	8 470	1 539	4 856

1/ Preliminary.

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			
	* 2009	2009		2010	* 2009	2009		2010
		January	1/ December	1/ January		January	1/ December	1/ January
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	85 648	4 911	4 581	4 687	73 344	4 203	4 002	4 045
1.1.2 Instalment sale transactions	13 307	937	837	958	11 189	765	748	833
1.2 Services								
1.2.1 Professional	92 669	6 590	7 317	6 728	80 909	5 704	6 701	5 963
1.2.2 Other	78 685	5 385	4 708	5 148	69 486	4 868	4 170	4 520
1.3 Rent	28 891	2 201	1 911	1 916	22 484	1 724	1 608	1 577
1.4 Money lent	273 797	18 414	19 988	19 249	267 874	18 107	19 700	18 950
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	59 642	3 200	4 604	4 038	51 775	2 710	3 920	3 577
1.6 Other debts	95 185	8 214	6 032	5 451	86 639	7 719	5 472	4 925
1.7 Total								
1.7.1 Actual figures	727 824	49 852	49 978	48 175	663 700	45 800	46 321	44 390
1.7.2 Seasonally adjusted		57 621	60 831	55 807		52 910	56 069	51 352

1/ Preliminary.

* Revised.

Table 4 – Value of civil default and consent judgements for debt according to business enterprises and private persons (R000)

Item	Business enterprises and private persons				Private Persons			
	* 2009	2009	2010		* 2009	2009	2010	
		January	1/ December	1/ January		January	1/ December	1/ January
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	750 885	43 407	45 988	42 926	497 935	29 313	30 912	28 279
1.1.2 Instalment sale transactions	382 680	23 774	23 965	32 166	314 597	20 700	19 205	27 035
1.2 Services								
1.2.1 Professional	333 911	23 344	23 547	26 985	267 246	17 319	20 568	24 070
1.2.2 Other	715 844	44 504	37 660	47 756	557 529	33 525	31 427	37 082
1.3 Rent	459 912	33 761	23 873	25 671	312 721	25 668	16 743	17 369
1.4 Money lent	2 549 400	177 100	190 799	176 000	2 409 966	170 125	179 178	167 553
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	790 213	35 896	52 632	55 656	627 759	28 822	41 181	43 100
1.6 Other debts	1 232 219	89 616	79 459	80 367	974 784	72 174	61 531	64 901
1.7 Total								
1.7.1 Actual figures	7 215 064	471 402	477 923	487 527	5 962 537	397 646	400 745	409 389
1.7.2 Seasonally adjusted		561 272	594 437	579 376		467 876	499 752	480 882

1/ Preliminary.

* Revised.

Table 5 – Percentage change in the total number of civil summonses, judgements and the value of judgements recorded between the three months ended January 2009 and the three months ended January 2010

Actual estimates	Actual estimates November 2008 to January 2009	Actual estimates November 2009 to January 2010	% change between November 2008 to January 2009 and November 2009 to January 2010	Difference between November 2008 to January 2009 and November 2009 to January 2010
Number of summonses for debt	285 049	298 860	4,8	13 811
Number of judgements for debt	149 202	162 120	8,7	12 918
Value of judgements for debt (R million)	1 421,0	1 603,1	12,8	182,1

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 three months ended January 2009 and the three months ended January 2010 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	-1,0	0,2	2,4
– Instalment sale transactions	0,4	0,3	1,7
Professional services	0,9	1,3	0,9
Other services	0,9	-0,5	0,7
Rent	-0,3	0,0	0,0
Money lent	1,7	6,5	7,5
Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	1,6	4,1	5,0
Other debts	0,6	-3,3	-5,3
Total	4,8	8,7	12,8

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 2008 to January 2009, 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 2009	Actual estimates January 2010	% change between January 2009 and January 2010	Difference between January 2009 and January 2010
Number of summonses for debt	95 997	96 758	0,8	761
Number of judgements for debt	49 852	48 175	-3,4	-1 677
Value of judgements for debt (R million)	471,4	487,5	3,4	16,1

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. |
| Response rate | 7 | The response rate for the civil cases for debt survey for January 2010 was 89,4%. |
| 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 issued quarterly.</i> • <i>SA Statistics issued annually.</i> |
| 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.

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