

---

# Statistical release

## P0041

# Statistics of civil cases for debt (Preliminary)

**January 2012**

**Embargoed until:  
15 March 2012  
09:00**

---

**Enquiries**

User Information Services  
Tel: (012) 310 8600

---

**Forthcoming issue**

February 2012

---

**Expected release date**

19 April 2012

**Contents**

**Results for January 2012** ..... **2**

**Tables**..... **4**

    Table 1 – Number of civil cases recorded and summonses issued for debt according to business enterprises and private persons..... 4

    Table 2 – Number of civil cases recorded according to selected magistrates’ offices ..... 5

    Table 3 – Number of civil default and consent judgements for debt according to business enterprises and private persons..... 6

    Table 4 – Value of civil default and consent judgements for debt according to business enterprises and private persons (R’000)..... 6

    Table 5 – Percentage change in the total number of civil summonses, judgements and the value of judgements recorded between the three months ended January 2012 and the three months ended January 2011..... 7

    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 three months ended January 2012 and the three months ended January 2011 ..... 7

    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 ... 7

**Explanatory notes**..... **8**

**Glossary**..... **9**

**General information**..... **10**

## Results for January 2012

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

Actual estimates	January 2012	% change between January 2011 and January 2012	% change between November 2010 to January 2011 and November 2011 to January 2012
Number of civil summonses issued for debt	73 550	-8,9	-10,7
Number of civil judgements recorded for debt	35 347	-13,8	-21,5
Value of civil judgements recorded for debt (R million)	315,5	-25,3	-19,9

### The number of civil summonses issued for debt

**A 10,7% decrease in the total number of civil summonses issued for debt was recorded for the three months ended January 2012 compared with the three months ended January 2011. January 2012 recorded a year-on-year decrease of 8,9% (see Table A and Tables 5 and 7).**

The major contributors to the 10,7% decrease were:

- the promissory notes and other acknowledgements of debt category (contributing -11,8 percentage points);
- the money lent category (contributing -3,2 percentage points); and
- the 'other debts' category (contributing -2,6 percentage points) (see Table 6).

### The number of civil judgements recorded for debt

**There was a 21,5% decrease in the total number of civil judgements recorded for debt for the three months ended January 2012 compared with the three months ended January 2011. A year-on-year decrease of 13,8% was recorded in January 2012 (see Table A and Tables 5 and 7).**

The main drivers behind the 21,5% decrease were civil judgements relating to the money lent category (contributing -8,9 percentage points) and the services category (contributing -7,1 percentage points) (see Table 6).

### The value of civil judgements recorded for debt

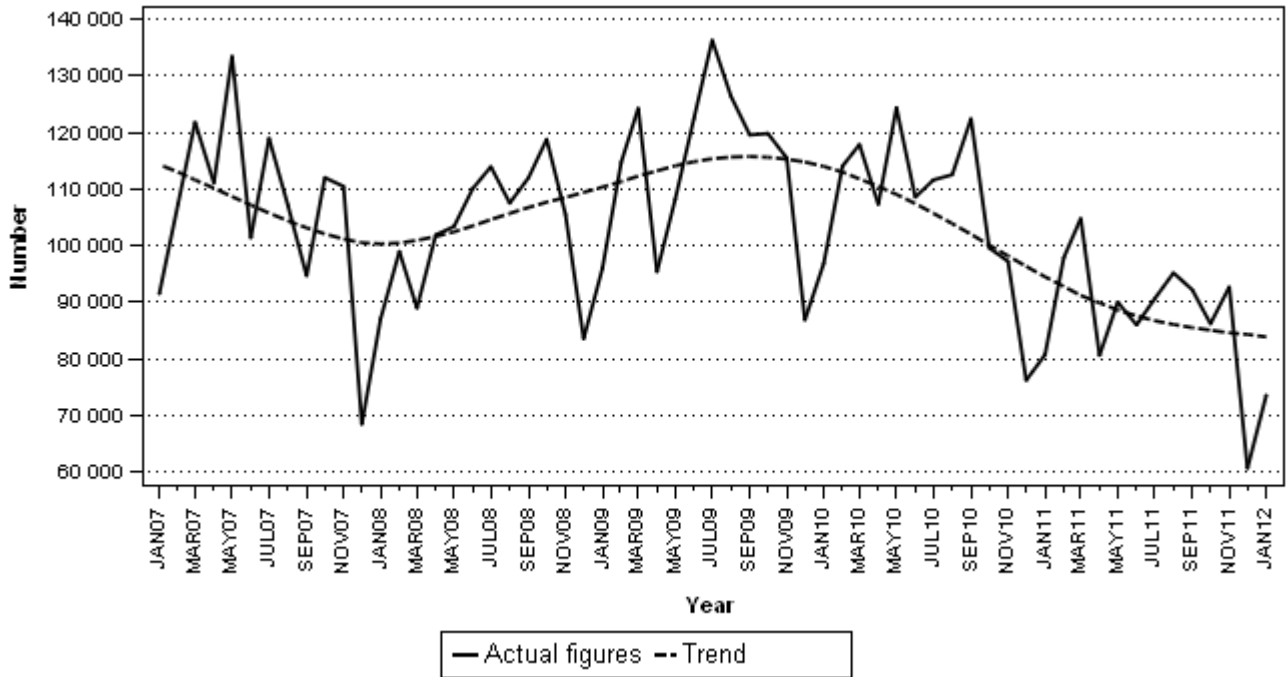
**The total value of civil judgements recorded for debt decreased by 19,9% for the three months ended January 2012 compared with the three months ended January 2011. There was a year-on-year decrease of 25,3% recorded in January 2012 (see Table A and Tables 5 and 7).**

The major contributors to the 19,9% decrease were the money lent category (contributing -8,6 percentage points) and the services category (contributing -8,3 percentage points) (see Table 6).

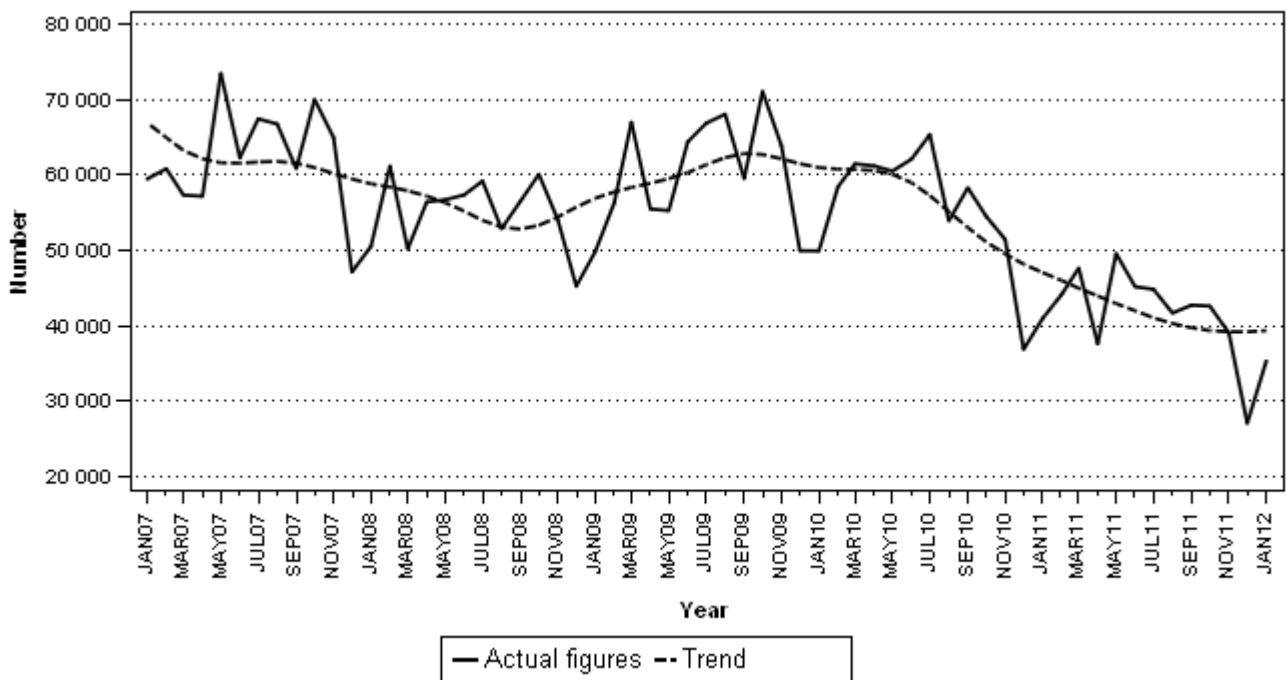
During January 2012, 35 347 civil judgements for debt amounting to R315,5 million were recorded. The largest contributors to the R315,5 million were:

- money lent (R98,9 million or 31,3%);
- 'other debts' (R62,7 million or 19,9%); and
- services (R60,6 million or 19,2 %) (see Tables 3 and 4).

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



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



**PJ Lehohla**  
**Statistician-General**

**Tables**

**Table 1 – Number of civil cases recorded and summonses issued for debt according to business enterprises and private persons**

Item		Total				Private persons			
		1/ 2011	January 2011	1/ December 2011	1/ January 2012	1/ 2011	January 2011	1/ December 2011	1/ January 2012
<b>Cases recorded</b>	<b>Actual figures</b>	<b>1 228 242</b>	<b>93 452</b>	<b>65 343</b>	<b>80 483</b>	<b>1 074 669</b>	<b>83 137</b>	<b>55 171</b>	<b>67 908</b>
	<b>Seasonally adjusted</b>		108 232	88 511	93 483		96 270	74 874	78 923
<b>Civil summonses for debt</b>	<b>Goods sold - Open account</b>	82 756	4 629	5 203	5 134	63 895	3 494	4 048	4 055
	<b>Goods sold - Instalment sale transactions</b>	24 733	1 637	1 940	1 093	20 466	1 435	1 463	974
	<b>Services - Professional</b>	117 808	9 190	6 759	7 633	102 233	7 815	5 769	6 314
	<b>Services - Other</b>	197 559	10 031	11 586	14 081	176 068	8 518	10 439	11 332
	<b>Rent</b>	46 163	2 906	3 924	2 823	36 617	2 307	2 571	2 017
	<b>Money lent</b>	232 579	19 176	10 591	20 139	214 834	18 199	9 443	18 812
	<b>Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	172 019	17 337	8 815	8 200	152 006	16 663	6 663	6 472
	<b>Other debts</b>	183 796	15 791	11 839	14 447	156 540	12 806	10 484	13 294
	<b>Total - Actual figures</b>	<b>1 057 413</b>	<b>80 697</b>	<b>60 657</b>	<b>73 550</b>	<b>922 659</b>	<b>71 237</b>	<b>50 880</b>	<b>63 270</b>
<b>Total - Seasonally adjusted</b>		93 528	80 155	85 388		82 321	67 820	73 152	

1/ Preliminary.

**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>79 453</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>47 935</b>	<b>37 724</b>	<b>94 991</b>	<b>14 597</b>	<b>41 547</b>
	<b>January</b>	4 253	2 019	876	293	1 493	6 512	22 549	3 222	2 516	8 018	934	3 585
	<b>February</b>	5 379	3 184	1 197	344	1 805	6 343	28 740	4 472	3 473	9 927	1 563	2 946
	<b>March</b>	6 907	4 548	1 301	419	826	6 034	24 728	4 818	2 831	8 569	1 405	4 354
	<b>April</b>	5 317	3 823	1 423	290	1 581	6 031	19 903	3 398	2 711	7 212	1 016	4 428
	<b>May</b>	5 999	6 607	1 430	351	1 469	6 728	20 295	3 556	2 599	9 172	1 098	4 520
	<b>June</b>	7 480	5 207	975	374	1 325	5 738	17 516	3 829	2 459	8 132	1 368	3 855
	<b>July</b>	7 879	4 502	1 309	549	2 056	6 124	17 611	3 913	3 476	7 393	1 765	3 492
	<b>August</b>	7 482	6 460	1 137	680	1 268	4 909	15 940	4 581	3 251	6 977	1 448	3 982
	<b>September</b>	7 689	5 978	610	578	1 740	4 341	19 759	4 414	3 125	7 876	1 070	3 364
	<b>1/ October</b>	6 220	6 621	588	244	1 141	3 976	12 013	5 438	3 187	8 655	924	2 893
<b>1/ November</b>	6 482	7 447	627	461	1 171	4 410	13 803	3 987	4 811	8 658	1 435	2 488	
<b>1/ December</b>	8 366	3 629	309	259	730	3 781	9 662	2 307	3 285	4 402	571	1 640	
<b>2012</b>	<b>1/ January</b>	6 626	4 188	264	321	1 251	3 717	12 474	3 477	4 217	7 230	838	1 590

1/ Preliminary.

**Table 3 – Number of civil default and consent judgements for debt according to business enterprises and private persons**

Item		Total				Private persons			
		1/ 2011	January 2011	1/ December 2011	1/ January 2012	1/ 2011	January 2011	1/ December 2011	1/ January 2012
<b>Number of civil judgements</b>	<b>Goods sold - Open account</b>	56 618	3 581	3 251	3 461	48 228	3 049	2 687	2 989
	<b>Goods sold - Instalment sale transactions</b>	10 656	806	676	559	8 691	687	559	442
	<b>Services - Professional</b>	68 358	5 221	3 713	4 069	63 207	4 749	3 358	3 680
	<b>Services - Other</b>	57 871	4 807	3 598	4 153	50 119	4 206	3 213	3 631
	<b>Rent</b>	25 699	1 977	1 750	1 969	20 608	1 608	1 395	1 461
	<b>Money lent</b>	163 325	15 430	7 486	14 206	158 113	15 042	7 140	13 422
	<b>Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	44 545	4 107	2 548	1 617	38 540	3 771	2 102	1 543
	<b>Other debts</b>	76 455	5 071	4 108	5 313	68 040	4 531	3 690	4 789
	<b>Total - Actual figures</b>	<b>503 527</b>	<b>41 000</b>	<b>27 130</b>	<b>35 347</b>	<b>455 546</b>	<b>37 643</b>	<b>24 144</b>	<b>31 957</b>
	<b>Total - Seasonally adjusted</b>		47 623	34 623	41 091		43 254	30 537	36 698

1/ Preliminary.

**Table 4 – Value of civil default and consent judgements for debt according to business enterprises and private persons (R'000)**

Item		Total				Private persons			
		1/ 2011	January 2011	1/ December 2011	1/ January 2012	1/ 2011	January 2011	1/ December 2011	1/ January 2012
<b>Value of civil judgements</b>	<b>Goods sold - Open account</b>	523 755	37 358	29 608	29 108	333 877	24 918	16 644	18 785
	<b>Goods sold - Instalment sale transactions</b>	284 208	24 505	15 638	10 722	230 889	21 548	13 794	8 485
	<b>Services - Professional</b>	309 332	25 031	19 878	18 669	265 188	21 083	17 374	16 085
	<b>Services - Other</b>	591 916	73 898	27 830	41 887	444 336	65 694	23 005	34 954
	<b>Rent</b>	375 017	23 977	25 459	21 520	224 233	15 550	16 563	10 289
	<b>Money lent</b>	1 526 109	145 681	85 741	98 909	1 422 917	131 865	80 919	92 381
	<b>Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	536 859	35 112	34 461	32 007	436 193	31 763	23 535	29 764
	<b>Other debts</b>	1 018 574	56 943	81 074	62 686	730 313	43 229	45 905	50 344
	<b>Total - Actual figures</b>	<b>5 165 770</b>	<b>422 505</b>	<b>319 689</b>	<b>315 508</b>	<b>4 087 946</b>	<b>355 650</b>	<b>237 739</b>	<b>261 087</b>
	<b>Total - Seasonally adjusted</b>		490 689	398 926	365 707		393 604	297 037	287 316

1/ Preliminary.

**Table 5 – Percentage change in the total number of civil summonses, judgements and the value of judgements recorded between the three months ended January 2012 and the three months ended January 2011**

Actual estimates	Actual estimates November 2010 to January 2011	Actual estimates November 2011 to January 2012	% change between November 2010 to January 2011 and November 2011 to January 2012	Difference between November 2010 to January 2011 and November 2011 to January 2012
Number of civil summonses issued for debt	254 108	226 901	-10,7	-27 207
Number of civil judgements recorded for debt	129 384	101 564	-21,5	-27 820
Value of civil judgements recorded for debt (R million)	1 302,9	1 043,5	-19,9	-259,4

**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 three months ended January 2012 and the three months ended January 2011 1/**

	Contribution (% points) to the total % change		
	Civil summonses for debt	Number of civil judgements	Value of civil judgements
Goods sold - Open account	1,1	-0,3	-1,3
Goods sold - Instalment sale transactions	0,4	-0,2	-2,5
Services - Professional	-0,8	-3,3	-1,4
Services - Other	5,4	-3,8	-6,9
Rent	0,6	-0,3	-0,2
Money lent	-3,2	-8,9	-8,6
Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	-11,8	-1,9	1,7
Other debts	-2,6	-2,7	-0,9
<b>Total</b>	<b>-10,7</b>	<b>-21,5</b>	<b>-19,9</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 November 2010 to January 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 January 2011	Actual estimates January 2012	% change between January 2011 and January 2012	Difference between January 2011 and January 2012
Number of civil summonses issued for debt	80 697	73 550	-8,9	-7 147
Number of civil judgements recorded for debt	41 000	35 347	-13,8	-5 653
Value of civil judgements recorded for debt (R million)	422,5	315,5	-25,3	-107,0



## 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, ejection 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 January 2012 was 87,4%. Improved collection rate for December 2011 was 90,1%.
<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.</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.

## General information

Stats SA publishes approximately 300 different statistical releases each year. It is not economically viable to produce them in more than one of South Africa's eleven official languages. Since the releases are used extensively, not only locally but also by international economic and social-scientific communities, Stats SA releases are published in English only.

Stats SA has copyright on this publication. Users may apply the information as they wish, provided that they acknowledge Stats SA as the source of the basic data wherever they process, apply, utilize, publish or distribute the data; and also that they specify that the relevant application and analysis (where applicable) result from their own processing of the data.

## Advanced release calendar

An advanced release calendar is disseminated on [www.statssa.gov.za](http://www.statssa.gov.za)

## Stats SA products

A complete set of Stats SA publications is available at the Stats SA Library and the following libraries:

National Library of South Africa, Pretoria Division  
National Library of South Africa, Cape Town Division  
Natal Society Library, Pietermaritzburg  
Library of Parliament, Cape Town  
Bloemfontein Public Library  
Johannesburg Public Library  
Eastern Cape Library Services, King William's Town  
Central Regional Library, Polokwane  
Central Reference Library, Nelspruit  
Central Reference Collection, Kimberley  
Central Reference Library, Mmabatho

Stats SA also provides a subscription service.

## Electronic services

A large range of data is available via online services. For more detail about our electronic services, contact Stats SA's user information service at (012) 310 8600.

You can visit us on the Internet at: [www.statssa.gov.za](http://www.statssa.gov.za)

## General enquiries

Telephone number: (012) 310 8407/ 2965 (technical queries)  
(012) 310 8600 (user information services)  
(012) 310 8358 (orders/subscription services)

Fax number: (012) 310 8664 (technical enquiries)

email: [nthabisengt@statssa.gov.za](mailto:nthabisengt@statssa.gov.za) (technical enquiries)  
[info@statssa.gov.za](mailto:info@statssa.gov.za) (user information services)  
[magdaj@statssa.gov.za](mailto:magdaj@statssa.gov.za) (orders/subscription services)

Postal address: Private Bag X44, Pretoria, 0001

*Produced by Stats SA*