

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

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## Key figures for the month of July 2006

	<b>July 2006</b>	<b>% change between July 2005 and July 2006</b>	<b>% change between May 2005 to July 2005 and May 2006 to July 2006</b>
<b>Actual estimates</b>			
Number of civil summonses issued for debt	123 630	12,8	8,3
Number of civil judgements recorded for debt	75 403	-1,0	-11,2
Value of civil judgements recorded for debt (R million)	572,4	16,1	6,9

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

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

*The total number of civil summonses issued for debt for the three months ended July 2006 increased by 8,3% compared with the three months ended July 2005.*

In addition, the total number of civil summonses issued for debt for the three months ended July 2005 decreased by 4,0% compared with the three months ended July 2004.

The major contributors to the increase of 8,3% in civil summonses issued for debt for the three months ended July 2006 compared with the three months ended July 2005, were money lent (+6,2 percentage points) and civil summonses issued in respect of 'other' debts (+4,2 percentage points). There was, however, a decrease of 3,5 percentage points with regard to civil summonses of 'other services' (see Table 6 column 2 page 10).

The total number of civil summonses issued for debt for July 2006 increased by 12,8% compared with July 2005.

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

*The total number of civil judgements recorded for debt for the three months ended July 2006 decreased by 11,2% compared with the three months ended July 2005.*

In addition, the total number of civil judgements recorded for debt for the three months ended July 2005 increased by 1,2% compared with the three months ended July 2004.

The major contributors to the decrease of 11,2% in the number of civil judgements recorded for debt for the three months ended July 2006 compared with the three months ended July 2005, were civil judgements in respect of money lent (-6,0 percentage points) 'other services' (-3,4 percentage points) and promissory notes and others (-2,1 percentage points). However, this decrease was partially counteracted by an increase in 'other' debts (+2,3 percentage points) (see Table 6 column 3 page 10).

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

*The total value of civil judgements recorded for debt for the three months ended July 2006 increased by 6,9% compared with the three months ended July 2005.*

In addition, the total value of civil judgements recorded for debt for the three months ended July 2005 decreased by 6,8% compared with the three months ended July 2004.

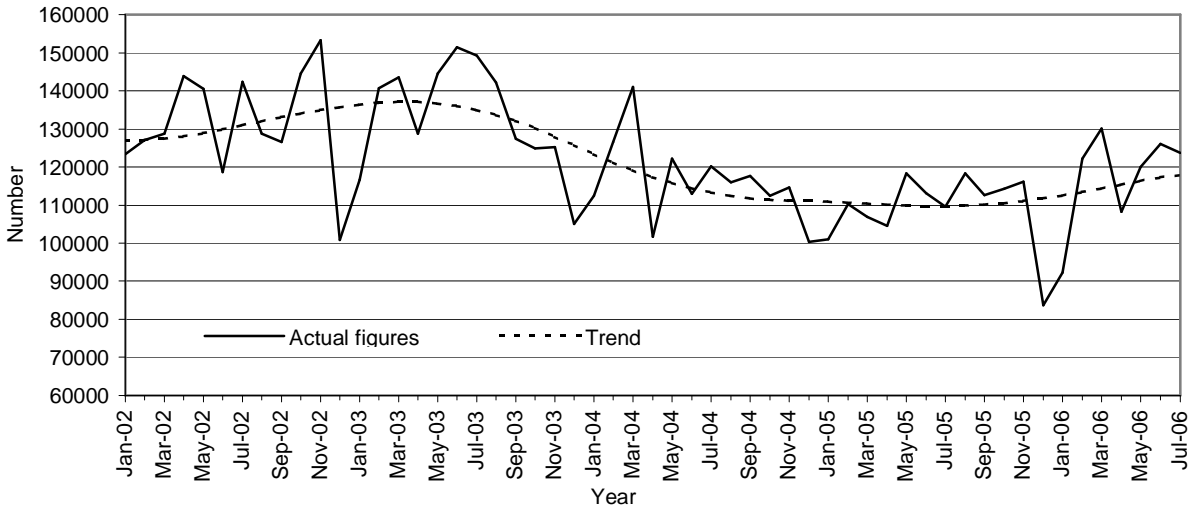
The major contributors to the increase of 6,9% in the value of civil judgements recorded for the three months ended July 2006 compared with the three months ended July 2005, were civil judgements recorded in respect of 'other' debts (+4,3 percentage points) and goods sold on account (+2,3 percentage points). However, this increase was partially counteracted by a decrease in judgements recorded for promissory notes and others (-1,8 percentage points) (see Table 6 column 4 page 10).

The total value of civil judgements recorded for debt for July 2006 increased by 16,1% compared with July 2005.

During July 2006, 75 403 civil judgements for debt, amounting to R572,4 million, were recorded. The largest contributors to the R572,4 million were civil judgements relating to money lent (R160,8 million or 28,1%) and 'other' debts (R159,2 million or 27,8%) (see Table 4 page 9).

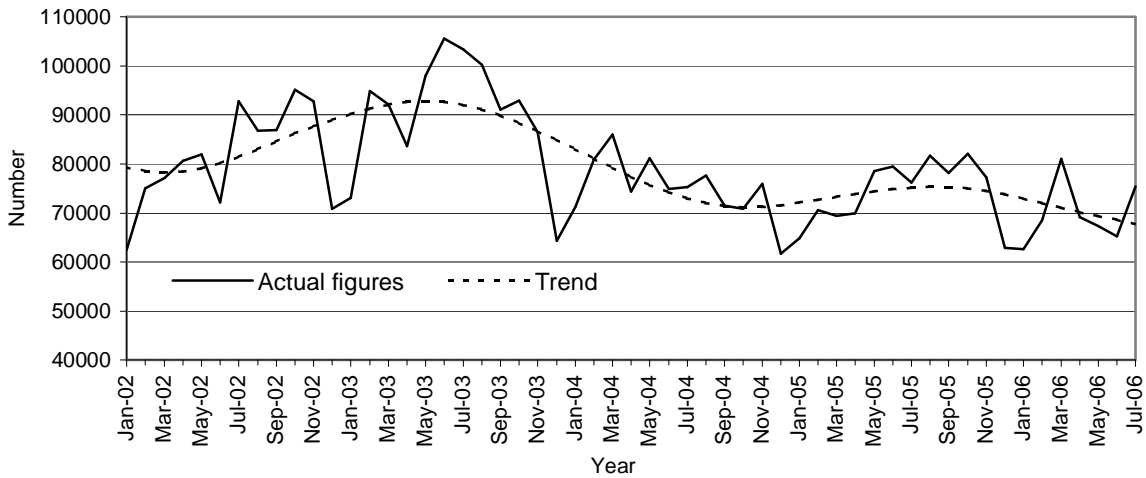
Figures 1 and 2 outline the number of civil summonses issued and civil judgements recorded for debt from 2002 to 2006 respectively. In figure 1 since March 2002 the trend estimates for the total number of civil summonses issued for debt showed an increasing trend until April 2003. The trend started decreasing from June 2003 until September 2004 but levelled off until October 2005. The trend has been rising since November 2005.

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



In figure 2 since April 2002 the trend estimates for civil judgements recorded for debt showed an increasing trend until June 2003. The trend has decreased since July 2003 until October 2004 but since November 2004 it has increased slightly until September 2005 and has been decreasing since then.

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



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## Notes

<b>Forthcoming issue</b>	<b>Issue</b>	<b>Expected release date</b>
	August 2006	19 October 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 July 2006 was 92,0%.	

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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
		Jul.	Jun.	Jul. 1/		Jul.	Jun.	Jul. 1/
1. Cases recorded								
1.1 Actual figures	1 514 116	126 290	142 396	139 594	1 373 027	114 199	127 014	124 782
1.2 Seasonally adjusted		121 696	138 581	135 209		110 229	126 731	121 107
2. Civil summonses for debt								
2.1 Goods sold								
2.1.1 Open account	159 679	13 024	15 076	15 099	138 886	10 831	12 868	13 265
2.1.2 Instalment sale transactions	51 566	4 568	3 132	3 272	46 903	4 188	2 575	2 437
2.2 Services								
2.2.1 Professional	152 858	12 909	11 813	11 629	133 286	11 154	9 871	9 960
2.2.2 Other	229 019	17 891	18 744	16 455	208 046	16 330	16 807	14 101
2.3 Rent	49 151	4 188	5 208	4 233	39 785	3 594	3 895	3 129
2.3.1 Money lent	296 341	24 984	36 287	36 641	277 400	23 819	33 814	34 842
2.3.2 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	128 403	11 377	11 042	11 857	118 238	10 332	9 343	10 552
2.6 Other debts	241 952	20 696	24 691	24 444	215 513	18 434	21 947	21 439
2.7 Total								
2.7.1 Actual figures	1 308 969	109 637	125 993	123 630	1 178 057	98 682	111 120	109 725
2.7.2 Seasonally adjusted		104 093	120 769	118 091		93 990	110 297	105 143

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

Year or month	Cape Peninsula	Port Elizabeth	East-London	Kimberley	Pieter-maritzburg	Durban	Johannes-burg	East Rand	West Rand	Pretoria	Vereenig-ing and Vander-bijlpark	Bloem-fontein
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	165 535	69 776	38 487	9 248	20 091	77 468	156 641	58 486	58 984	138 300	27 437	59 361
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	5 274	12 240	2 592	4 182
M	11 976	5 099	2 889	632	1 439	5 740	13 198	4 899	4 666	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	6 654	5 028	12 756	1 832	4 884
J	15 193	6 117	3 350	721	1 636	4 921	12 201	4 335	5 686	12 114	1 794	5 073
J	13 402	4 474	3 240	873	1 894	4 921	12 726	4 973	5 567	11 494	2 127	5 083
A	18 630	5 573	2 941	861	2 220	7 311	14 095	4 914	5 759	11 839	3 311	5 249
S	15 391	5 612	3 517	911	1 539	7 311	13 090	5 117	4 851	12 216	1 112	5 371
O	14 575	7 432	3 951	871	1 433	6 397	13 889	4 751	4 479	11 456	1 901	5 291
N	16 106	6 489	4 009	740	1 410	6 397	11 730	5 502	5 731	12 428	2 469	5 214
D	7 608	3 489	3 516	401	1 367	5 751	11 730	3 135	3 973	7 805	2 235	5 161
2006 - J	10 205	5 091	4 446	209	1 171	5 751	6 505	4 097	4 441	10 867	2 437	5 120
F	11 387	7 860	5 785	756	1 751	5 751	13 143	4 652	7 231	12 266	2 492	5 117
M	14 010	8 082	6 013	732	1 742	6 285	14 398	5 761	6 259	14 272	2 994	4 789
A	11 657	5 239	4 285	311	1 290	6 364	12 046	5 658	4 454	8 127	3 028	5 191
M	13 981	5 393	2 620	741	1 893	4 925	15 758	5 585	5 489	11 299	3 200	5 253
J	13 359	6 628	5 688	555	1 254	4 999	16 849	5 418	4 411	10 018	5 307	5 244
1/ J	12 981	5 770	5 218	442	1 348	5 867	16 060	6 449	5 190	10 318	3 847	5 449

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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			
	2005	2005	2006	2006	2005	2005	2006	2006
		Jul.	Jun.	Jul. 1/		Jul.	Jun.	Jul. 1/
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	114 109	10 855	9 858	10 980	104 472	10 032	8 840	9 941
1.1.2 Instalment sale transactions	16 620	1 642	857	942	14 927	1 474	702	822
1.2 Services								
1.2.1 Professional	83 017	7 173	6 646	7 377	77 613	6 710	5 808	6 828
1.2.2 Other	122 987	10 041	8 047	8 412	115 538	9 467	7 483	7 878
1.3 Rent	29 088	1 782	2 002	2 124	22 870	1 425	1 680	1 750
1.4 Money lent	309 063	25 690	20 102	24 377	304 434	25 269	19 040	23 446
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	82 229	7 693	6 108	5 634	77 741	7 401	5 791	5 352
1.6 Other debts	134 032	11 271	11 623	15 557	121 147	10 093	10 668	12 555
1.7 Total								
1.7.1 Actual figures	891 145	76 147	65 243	75 403	838 739	71 871	60 012	68 572
1.7.2 Seasonally adjusted		70 936	63 089	70 847		66 817	57 854	64 218

1/ Preliminary

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
		Jul.	Jun.	Jul. 1/		Jul.	Jun.	Jul. 1/
R'000								
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	661 352	55 111	58 122	68 995	540 967	46 244	46 539	43 100
1.1.2 Instalment sale transactions	273 731	24 965	16 579	22 040	227 774	22 595	12 783	15 957
1.2 Services								
1.2.1 Professional	258 691	20 651	19 064	20 084	219 341	17 129	14 957	16 294
1.2.2 Other	601 147	45 681	51 529	56 172	507 366	39 842	39 831	44 630
1.3 Rent	217 608	13 982	16 700	19 262	155 938	8 964	11 483	13 068
1.4 Money lent	2 152 458	169 117	167 193	160 758	2 028 303	160 155	152 153	151 777
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	822 425	65 214	56 548	65 944	729 677	59 845	43 463	59 145
1.6 Other debts	1 663 448	98 476	163 362	159 186	1 281 651	76 514	109 121	96 626
1.7 Total								
1.7.1 Actual figures	6 650 860	493 197	549 097	572 441	5 691 017	431 288	430 330	440 597
1.7.2 Seasonally adjusted		477 751	567 785	559 598		432 231	455 260	445 460

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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 May 2005 to July 2005	Actual estimates May 2006 to July 2006	% change between May 2005 to July 2005 and May 2006 to July 2006	Difference between May 2005 to July 2005 and May 2006 to July 2006
Number of summonses for debt	341 191	369 628	8,3%	28 437
Number of judgements for debt	234 225	207 925	-11,2%	-26 300
Value of judgements for debt (R million)	1 561,4	1 669,0	6,9%	107,5

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

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 May 2005 to July 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 July 2005	Actual estimates July 2006	% change between July 2005 and July 2006	Difference between July 2005 and July 2006
Number of summonses for debt	109 637	123 630	12,8%	13 993
Number of judgements for debt	76 147	75 403	-1,0%	-744
Value of judgements for debt (R million)	493,2	572,4	16,1%	79,2

## 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, ejection 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 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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