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# Statistical release

**P0041**

## **Statistics of civil cases for debt (Preliminary)**

**July 2008**

**Embargoed until:  
18 September 2008  
09:00**

### **Enquiries**

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<b>Forthcoming issue</b>	<b>Expected release date</b>
August 2008	23 October 2008

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## Key figures

**Table A – Key figures for the month of July 2008**

Actual estimates	July 2008	% change between July 2007 and July 2008	% change between May to July 2007 and May to July 2008
Number of civil summonses issued for debt	112 942	-5,0	-8,0
Number of civil judgements recorded for debt	58 962	-12,6	-14,9
Value of civil judgements recorded for debt (R million)	639,5	18,6	-2,3

## SUMMARY OF FINDINGS: STATISTICS OF CIVIL CASES FOR DEBT (JULY 2008)

### Key findings as at the end of July 2008

#### The number of civil summonses issued for debt decreases at a slower pace

*The total number of civil summonses issued for debt for the three months ended July 2008 decreased by 8,0% compared with the three months ended July 2007 following a 9,1% decrease for the three months ended June 2008 (see Table A).*

The major contributors to the decrease in civil summonses for the three months ended July 2008 compared with the three months ended July 2007 were civil summonses issued in respect of money lent (-8,5 percentage points), goods sold on an open account (-1,1 percentage points) and other services (-0,6 of a percentage point). Two categories that counteracted the decrease of 8,0% in the number of summonses issued were 'other debts' (1,3 percentage points) and rent (1,1 percentage points) (see Table 6 column 2, page 9).

#### 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 July 2008 decreased by 14,9% compared with the three months ended July 2007. There was also a decrease of 12,6% between July 2008 and July 2007 (see Table A).*

Civil judgements in respect of money lent (-9,9 percentage points), promissory notes and other acknowledgements of debt (-6,8 percentage points) and 'other debts' (-1,3 percentage points) were the main drivers behind the 14,9% decrease in the number of judgements (see Table 6 column 3, page 9).

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

*The total value of civil judgements recorded for the three months ended July 2008 decreased by 2,3% compared with the three months ended July 2007. However, there was an increase of 18,6% in the value of civil judgements recorded for debt between July 2008 and July 2007 (see Table A).*

The major contributors to the decrease in the value of civil judgements for the three months ended July 2008 compared with the three months ended July 2007 were civil judgements in respect of promissory notes and other acknowledgements of debt (-4,7 percentage points) and goods sold on an open account (-1,2 percentage points) (see Table 6 column 4, page 9).

During July 2008, 58 962 civil judgements for debt, amounting to R639,5 million, were recorded. The largest contributors to the R639,5 million were:

- Civil judgements relating to money lent (R259,6 million or 40,6%)
- 'Other debts' (R124,1 million or 19,4%)
- 'Other services' (R67,1 million or 10,5%) and
- Goods sold on an open account (R61,5 million or 9,6%) (see Table 4, page 8).

Figure 1 outlines the number of civil summonses issued for debt from January 2002 to July 2008.

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

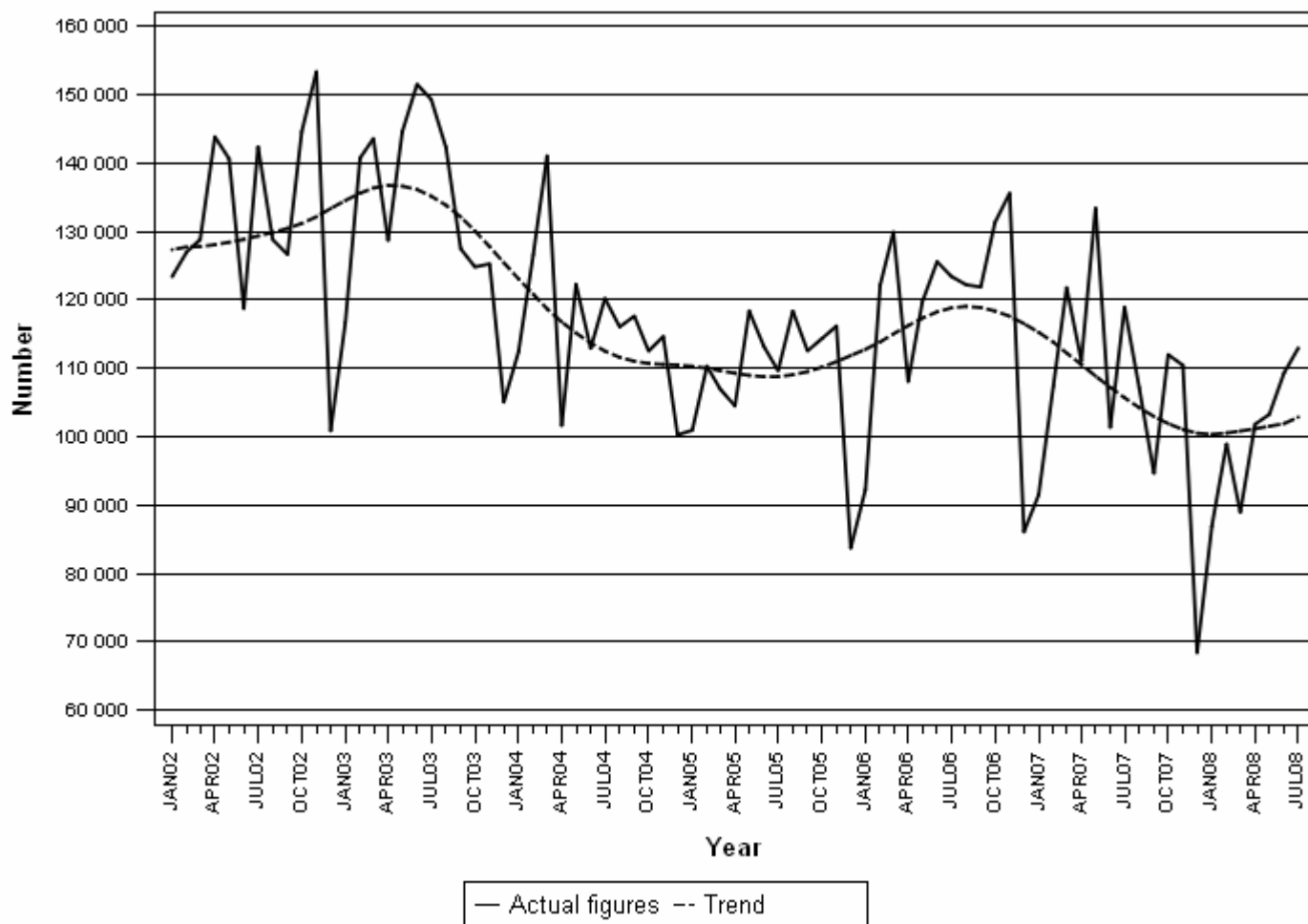
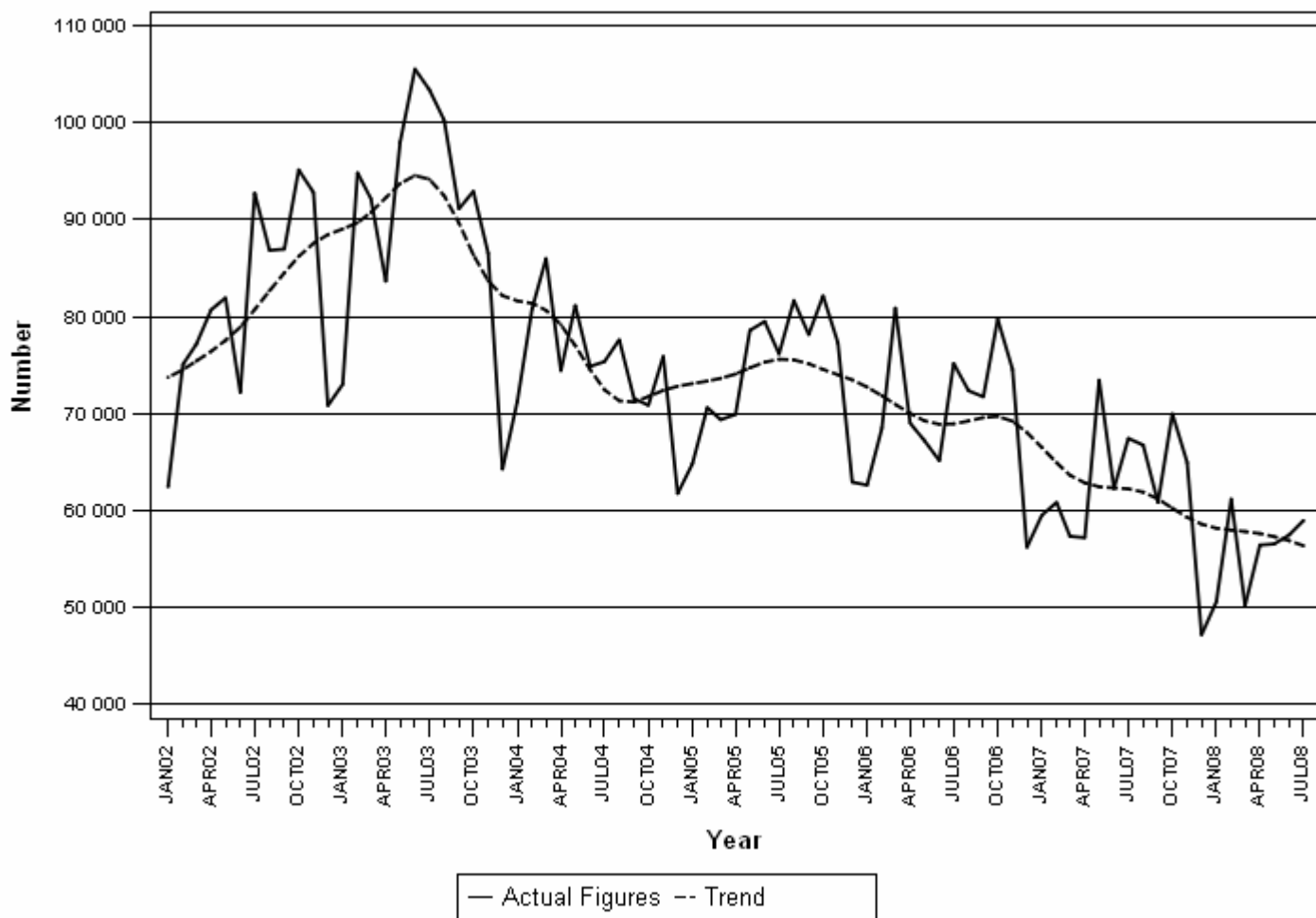


Figure 2 outlines the number of civil judgements recorded for debt from January 2002 to July 2008.

**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			
	2007	2007	2008		2007	2007	2008	
		July	1/ June	1/ July		July	1/ June	1/ July
<b>1. Cases recorded</b>								
<b>1.1 Actual figures</b>	1 459 945	132 909	126 620	131 688	1 318 425	121 058	111 422	117 519
<b>1.2 Seasonally adjusted</b>		125 863	120 764	124 394		114 351	109 549	110 728
<b>2. Civil summonses for debt</b>								
<b>2.1 Goods sold</b>								
<b>2.1.1 Open account</b>	117 734	10 194	8 747	10 351	98 588	8 546	6 980	8 529
<b>2.1.2 Instalment sale transactions</b>	27 838	2 487	2 407	2 170	23 512	2 085	2 159	1 929
<b>2.2 Services</b>								
<b>2.2.1 Professional</b>	129 259	11 033	12 014	11 941	110 911	9 629	10 381	9 990
<b>2.2.2 Other</b>	182 924	14 568	15 047	14 440	162 590	13 099	12 735	12 724
<b>2.3 Rent</b>	46 108	4 337	4 880	5 895	38 880	3 320	4 259	4 794
<b>2.4 Money lent</b>	350 896	31 739	24 367	27 548	330 652	30 191	22 206	25 190
<b>2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	203 142	23 372	18 445	18 773	190 799	22 318	17 524	17 543
<b>2.6 Other debts</b>	220 217	21 213	23 374	21 824	192 203	18 556	18 643	18 833
<b>2.7 Total</b>								
<b>2.7.1 Actual figures</b>	<b>1 278 118</b>	<b>118 943</b>	<b>109 281</b>	<b>112 942</b>	<b>1 148 135</b>	<b>107 744</b>	<b>94 887</b>	<b>99 532</b>
<b>2.7.2 Seasonally adjusted</b>		111 160	103 709	105 196		100 686	92 771	92 721

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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>2006</b>	<b>Year Total</b>	147 564	69 334	50 557	5 922	18 095	69 501	181 787	64 780	59 891	142 102	39 909	60 344
<b>2007</b>	<b>Year Total</b>	117 403	65 797	32 766	9 226	17 420	77 021	215 297	51 978	40 863	153 646	26 219	45 913
	<b>January</b>	7 940	6 102	1 275	729	1 282	5 789	22 003	3 455	2 138	14 856	1 635	4 238
	<b>February</b>	9 788	5 904	2 832	581	1 452	6 018	18 368	4 228	5 791	11 214	954	3 922
	<b>March</b>	12 802	7 935	3 553	1 123	1 613	8 978	15 648	4 318	5 925	13 803	2 186	4 010
	<b>April</b>	9 349	5 013	3 167	1 123	1 748	8 518	15 648	5 118	4 826	12 558	4 822	3 652
	<b>May</b>	10 792	6 650	5 105	1 332	2 346	5 245	25 094	5 655	2 760	16 251	2 714	4 242
	<b>June</b>	10 167	4 387	5 688	503	638	7 164	8 213	3 077	3 142	10 948	4 326	4 105
	<b>July</b>	13 170	4 784	1 799	983	2 173	7 164	20 470	5 775	2 865	14 144	3 004	4 110
	<b>August</b>	8 805	5 275	2 532	764	1 178	4 977	18 632	4 513	3 950	13 494	1 895	4 189
	<b>September</b>	8 734	4 614	1 922	470	1 442	5 154	16 515	3 804	2 855	11 363	1 217	4 070
	<b>October</b>	9 056	6 584	2 181	469	1 558	5 671	23 806	4 444	2 559	13 617	1 515	3 261
	<b>November</b>	9 144	5 153	1 202	788	1 065	6 383	22 542	4 899	3 027	13 026	1 367	3 236
<b>December</b>	7 656	3 396	1 510	361	925	5 960	8 358	2 692	1 025	8 372	584	2 878	
<b>2008</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	4 318	2 392	12 313	1 865	2 987
	<b>1/ July</b>	10 647	3 344	1 144	869	1 954	7 370	22 450	4 484	2 555	11 901	2 710	2 992

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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			
	2007	2007	2008		2007	2007	2008	
		July	1/ June	1/ July		July	1/ June	1/ July
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
<b>1.1.1 Open account</b>	91 240	7 041	7 673	7 540	82 514	6 244	6 702	6 490
<b>1.1.2 Instalment sale transactions</b>	8 676	735	680	884	7 422	604	566	756
<b>1.2 Services</b>								
<b>1.2.1 Professional</b>	70 236	6 663	6 587	6 670	63 963	5 934	5 747	5 993
<b>1.2.2 Other</b>	83 337	7 191	6 419	7 189	78 276	6 663	5 876	6 422
<b>1.3 Rent</b>	25 174	2 480	3 191	3 236	20 002	2 034	2 392	2 464
<b>1.4 Money lent</b>	284 538	22 595	19 924	19 987	280 107	22 261	19 602	19 499
<b>1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	79 219	9 533	4 215	3 442	75 470	9 169	3 759	3 034
<b>1.6 Other debts</b>	105 316	11 201	8 783	10 014	96 936	10 448	7 650	8 822
<b>1.7 Total</b>								
<b>1.7.1 Actual figures</b>	<b>747 736</b>	<b>67 439</b>	<b>57 472</b>	<b>58 962</b>	<b>704 690</b>	<b>63 357</b>	<b>52 294</b>	<b>53 480</b>
<b>1.7.2 Seasonally adjusted</b>		63 480	57 206	55 268		60 067	51 670	50 566

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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			
	2007	2007	2008		2007	2007	2008	
		July	1/ June	1/ July		July	1/ June	1/ July
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
<b>1.1.1 Open account</b>	645 348	55 750	61 443	61 518	499 331	42 823	46 064	40 387
<b>1.1.2 Instalment sale transactions</b>	220 929	14 809	21 173	27 966	180 234	9 158	14 667	21 574
<b>1.2 Services</b>								
<b>1.2.1 Professional</b>	234 349	23 829	23 595	23 475	188 541	18 305	17 871	18 718
<b>1.2.2 Other</b>	569 505	57 157	49 757	67 064	442 362	40 779	31 915	51 271
<b>1.3 Rent</b>	248 826	23 928	30 060	26 950	179 717	17 129	18 142	18 779
<b>1.4 Money lent</b>	1 996 121	143 858	209 089	259 598	1 868 083	135 655	192 082	250 037
<b>1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	819 376	95 038	60 331	48 775	738 603	83 231	52 098	40 595
<b>1.6 Other debts</b>	1 404 039	124 774	93 231	124 115	1 145 086	112 652	73 754	84 110
<b>1.7 Total</b>								
<b>1.7.1 Actual figures</b>	<b>6 138 493</b>	<b>539 143</b>	<b>548 679</b>	<b>639 461</b>	<b>5 241 957</b>	<b>459 732</b>	<b>446 593</b>	<b>525 471</b>
<b>1.7.2 Seasonally adjusted</b>		494 623	549 842	585 057		438 661	453 410	499 482

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**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 May to July 2007	Actual estimates May to July 2008	% change between May to July 2007 and May to July 2008	Difference between May to July 2007 and May to July 2008
Number of summonses for debt	353 732	325 468	-8,0	-28 264
Number of judgements for debt	203 170	172 982	-14,9	-30 188
Value of judgements for debt (R million)	1 706,0	1 666,9	-2,3	-39,1

**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	-1,1	0,9	-1,2
--Instalment sale transactions	0,0	0,1	1,4
Professional Services	0,2	0,5	0,2
Other Services	-0,6	0,1	0,3
Rent	1,1	1,6	0,7
Money lent	-8,5	-9,9	1,4
Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	-0,3	-6,8	-4,7
Other debts	1,3	-1,3	-0,4
<b>Total</b>	<b>-8,0</b>	<b>-14,9</b>	<b>-2,3</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 May to July 2007, 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 July 2007	Actual estimates July 2008	% change between July 2007 and July 2008	Difference between July 2007 and July 2008
Number of summonses for debt	118 943	112 942	-5,0	-6 001
Number of judgements for debt	67 439	58 962	-12,6	-8 477
Value of judgements for debt (R million)	539,1	639,5	18,6	100,4

## Explanatory notes

<b>Introduction</b>	1	<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>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.</p>
<b>Purpose of the survey</b>	3	<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>	4	<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>	5	<p>The statistical unit for collection of information is a magistrate's 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>	6	<p>The survey is conducted by mail each month from 151 magistrates' offices.</p>
<b>Response rate</b>	7	<p>The response rate for the civil cases for debt survey for July 2008 was 83,4%.</p>
<b>Trend cycle</b>	8	<p>Smoothed seasonally adjusted and trend estimates are generated using the X-11 Seasonal Adjustment Programme.</p>
<b>Publications</b>	9	<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>	10	<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>	11	<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 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 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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