

# Statistical release

## P0041

# Statistics of civil cases for debt (Preliminary)

**July 2011**

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**Enquiries**

User Information Services  
Tel: (012) 310 8600

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## Key results for July 2011

**Table A – Key figures for the month of July 2011**

Actual estimates	July 2011	% change between July 2010 and July 2011	% change between May to July 2010 and May to July 2011
Number of civil summonses issued for debt	90 517	-18,9	-22,7
Number of civil judgements recorded for debt	44 854	-31,4	-25,7
Value of civil judgements recorded for debt (R million)	457,6	-27,5	-18,9

### The number of civil summonses issued for debt

*The three months ended July 2011 reflected a 22,7% decrease in the total number of civil summonses issued for debt compared with the three months ended July 2010. A year-on-year decrease of 18,9% was recorded in July 2011 (see Table A and Tables 5 and 7).*

The major contributors to the 22,7% decrease were:

- the money lent category (contributing -7,8 percentage points);
- the 'other debts' category (contributing -5,6 percentage points); and
- the goods sold category (contributing -4,7 percentage points) (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 July 2011 decreased by 25,7% compared with the three months ended July 2010. A year-on-year decrease of 31,4% was recorded in July 2011 (see Table A and Tables 5 and 7).*

The main drivers behind the 25,7% decrease were civil judgements relating to:

- the money lent category (contributing -12,0 percentage points);
- the services category (contributing -6,4 percentage points); and
- the promissory notes and other acknowledgements of debt category (contributing -4,5 percentage points) (see Table 6).

### The value of civil judgements recorded for debt

*There was an 18,9% decrease in the total value of civil judgements recorded for debt for the three months ended July 2011 compared with the three months ended July 2010. A year-on-year decrease of 27,5% was recorded in July 2011 (see Table A and Tables 5 and 7).*

The major contributors to the 18,9% decrease were the money lent category (contributing -6,4 percentage points) and the promissory notes and other acknowledgements of debt category (contributing -3,9 percentage points) (see Table 6).

During July 2011, 44 854 civil judgements for debt amounting to R457,6 million were recorded. The largest contributors to the R457,6 million were:

- money lent (R147,3 million or 32,2%);
- 'other debts' (R81,5 million or 17,8%);
- goods sold (R79,9 million or 17,5%); and
- services (R74,8 million or 16,4%) (see Tables 3 and 4).

Figure 1 – Civil summonses issued for debt

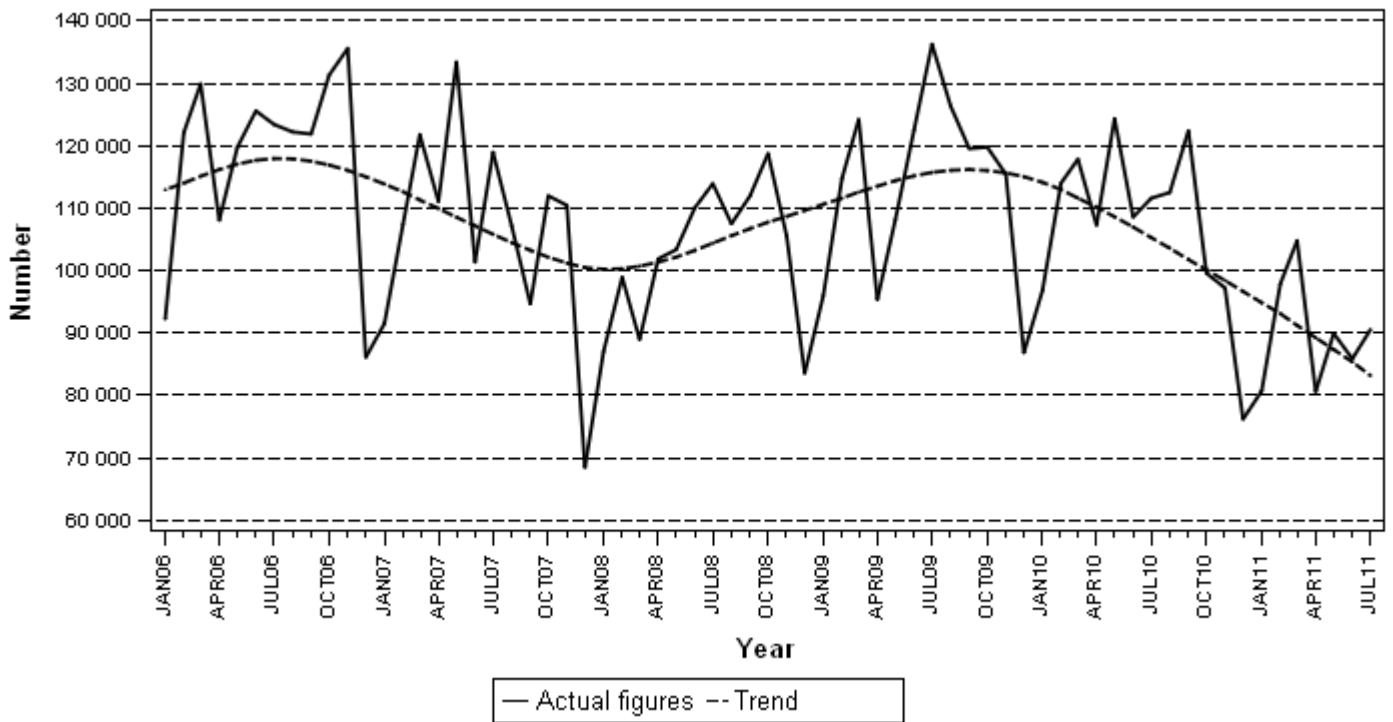
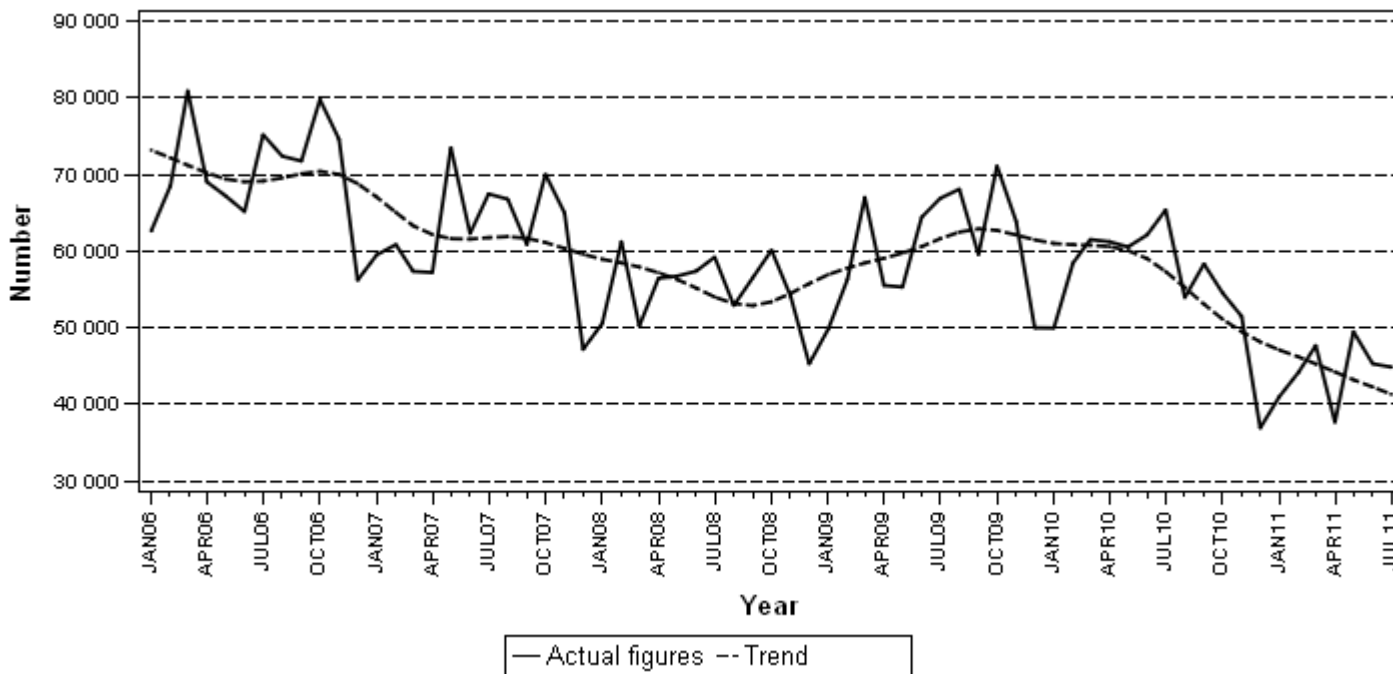


Figure 2 – Civil judgements recorded for debt



PJ Lehohla  
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			
	2010	2010	1/ 2011		2010	2010	1/ 2011	
		July	June	July		July	June	July
<b>1. Cases recorded</b>								
<b>1.1 Actual figures</b>	<b>1 469 321</b>	<b>127 365</b>	<b>103 686</b>	<b>115 632</b>	<b>1 299 023</b>	<b>114 712</b>	<b>89 083</b>	<b>105 300</b>
<b>1.2 Seasonally adjusted</b>		114 784	99 543	104 020		102 380	87 437	93 928
<b>2. Civil summonses for debt</b>								
<b>2.1 Goods sold</b>								
<b>2.1.1 Open account</b>	108 884	9 416	5 734	6 371	87 313	7 727	4 360	4 899
<b>2.1.2 Instalment sale transactions</b>	31 736	2 869	1 709	2 150	27 418	2 532	1 474	1 880
<b>2.2 Services</b>								
<b>2.2.1 Professional</b>	147 619	12 897	9 732	10 364	128 120	11 480	8 743	9 170
<b>2.2.2 Other</b>	165 477	15 270	15 745	18 447	140 491	13 384	14 090	16 730
<b>2.3 Rent</b>	52 683	4 213	3 570	3 437	43 261	3 400	2 869	2 800
<b>2.4 Money lent</b>	314 868	25 586	16 604	18 240	298 470	23 962	15 439	17 077
<b>2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	230 272	19 520	16 993	16 039	214 984	18 284	15 755	15 071
<b>2.6 Other debts</b>	236 788	21 814	15 787	15 469	190 156	19 302	14 221	13 905
<b>2.7 Total</b>								
<b>2.7.1 Actual figures</b>	<b>1 288 327</b>	<b>111 585</b>	<b>85 874</b>	<b>90 517</b>	<b>1 130 213</b>	<b>100 071</b>	<b>76 951</b>	<b>81 532</b>
<b>2.7.2 Seasonally adjusted</b>		100 479	82 839	81 571		89 614	75 060	73 052

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>2009</b>	<b>Year Total</b>	<b>134 632</b>	<b>43 416</b>	<b>18 080</b>	<b>8 026</b>	<b>21 618</b>	<b>91 171</b>	<b>260 137</b>	<b>54 501</b>	<b>38 110</b>	<b>152 361</b>	<b>24 302</b>	<b>40 531</b>
	January	8 015	2 649	1 179	469	1 851	7 973	22 543	3 233	2 629	8 470	1 539	4 856
	February	10 123	4 177	1 516	647	2 069	7 669	19 618	7 236	2 819	11 258	3 699	3 991
	March	11 883	3 920	1 648	686	2 312	6 898	24 373	5 272	2 753	11 882	1 540	5 900
	April	11 127	3 180	1 802	413	1 944	7 668	19 616	4 276	2 849	10 033	1 066	6 000
	May	13 037	3 004	2 074	618	2 179	8 162	20 002	4 536	3 295	20 265	1 001	6 500
	June	13 991	3 375	1 325	360	2 148	8 055	17 263	4 381	2 841	12 186	881	6 000
	July	10 630	2 756	1 779	467	1 911	8 085	22 212	5 041	2 659	10 005	1 658	5 435
	August	10 970	2 904	1 205	353	759	7 540	22 301	4 559	3 114	10 765	1 574	6 200
	September	9 700	3 093	345	316	2 883	7 289	27 645	4 516	3 276	13 402	924	6 800
	October	6 673	2 689	939	465	2 019	7 278	16 794	4 676	3 102	12 802	1 759	5 925
	November	6 983	3 340	1 081	351	1 594	7 022	19 021	3 961	2 618	11 105	1 159	4 012
	December	4 934	2 049	930	101	1 167	7 143	24 746	2 679	2 033	6 421	542	2 640
<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>1/ 2011</b>	January	4 253	2 019	876	293	1 493	6 512	22 549	3 222	2 516	8 018	934	3 585
	February	5 379	3 184	1 197	344	1 805	6 343	28 740	4 472	3 473	9 927	1 563	2 946
	March	6 907	4 548	1 301	419	826	6 034	24 728	4 818	2 831	8 569	1 405	4 354
	April	5 317	3 823	1 423	290	1 581	6 031	19 902	3 398	2 711	7 212	1 016	4 428
	May	5 999	6 607	1 430	351	1 469	6 728	20 293	3 590	2 599	9 172	1 098	4 520
	June	7 480	5 207	975	374	1 325	5 738	17 514	3 829	2 459	8 132	1 368	3 855
	July	7 879	4 502	1 309	549	2 056	6 124	17 611	3 913	3 476	7 393	1 765	3 492

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			
	2010	2010	1/ 2011		2010	2010	1/ 2011	
		July	June	July		July	June	July
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
1.1.1 Open account	67 065	6 016	4 875	5 032	57 366	5 217	3 998	4 220
1.1.2 Instalment sale transactions	12 394	1 288	903	985	10 259	985	715	816
<b>1.2 Services</b>								
1.2.1 Professional	86 597	7 850	6 534	6 354	77 977	7 138	6 082	5 908
1.2.2 Other	77 202	9 385	5 107	4 549	68 837	8 665	4 440	3 887
1.3 Rent	29 007	2 262	2 163	2 056	23 848	1 766	1 654	1 607
1.4 Money lent	244 032	23 312	14 319	14 811	236 581	22 644	13 715	14 375
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	72 356	7 625	4 162	4 301	65 192	7 024	3 648	3 907
1.6 Other debts	85 559	7 614	7 227	6 766	76 954	6 474	6 473	6 043
<b>1.7 Total</b>								
1.7.1 Actual figures	<b>674 212</b>	<b>65 352</b>	<b>45 290</b>	<b>44 854</b>	<b>617 014</b>	<b>59 913</b>	<b>40 725</b>	<b>40 763</b>
1.7.2 Seasonally adjusted		58 982	42 512	40 456		54 229	38 074	36 874

1/ Preliminary.

**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			
	2010	2010	1/ 2011		2010	2010	1/ 2011	
		July	June	July		July	June	July
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
1.1.1 Open account	613 287	53 411	50 817	55 069	394 335	34 366	31 000	35 968
1.1.2 Instalment sale transactions	354 943	30 207	22 784	24 788	274 906	21 190	18 442	18 994
<b>1.2 Services</b>								
1.2.1 Professional	351 311	29 340	31 170	27 722	281 299	22 327	27 649	23 674
1.2.2 Other	716 644	58 778	52 234	47 114	572 184	47 695	36 868	32 034
1.3 Rent	448 323	43 793	37 706	30 437	298 711	25 546	18 243	16 948
1.4 Money lent	2 202 708	226 870	149 241	147 318	2 059 059	213 072	140 204	138 350
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	792 214	87 402	45 192	43 649	646 469	70 970	37 192	36 161
1.6 Other debts	1 098 153	101 187	91 236	81 510	843 748	70 850	57 839	57 191
<b>1.7 Total</b>								
1.7.1 Actual figures	<b>6 577 583</b>	<b>630 988</b>	<b>480 380</b>	<b>457 607</b>	<b>5 370 711</b>	<b>506 016</b>	<b>367 437</b>	<b>359 320</b>
1.7.2 Seasonally adjusted		561 224	439 830	408 006		457 930	336 411	324 658

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 July 2011 and the three months ended July 2010**

Actual estimates	Actual estimates May to July 2010	Actual estimates May to July 2011	% change between May to July 2010 and May to July 2011	Difference between May to July 2010 and May to July 2011
Number of summonses for debt	344 473	266 325	-22,7	-78 148
Number of judgements for debt	187 978	139 621	-25,7	-48 357
Value of judgements for debt (R million)	1 733,4	1 405,6	-18,9	-327,8

**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 July 2011 and the three months ended July 2010 1/**

Item	Contribution (% points) to the % change in the total number of summonses for debt	Contribution (% points) to the % change in the total number of civil judgements for debt	Contribution (% points) to the % change in the total value of civil judgements for debt
Goods sold			
– Open account	-4,0	0,4	-0,4
– Instalment sale transactions	-0,7	-0,5	-1,9
Services			
– Professional	-3,4	-2,6	-0,3
– Other	1,8	-3,8	-1,5
Rent	-0,9	-1,0	-2,3
Money lent	-7,8	-12,0	-6,4
Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	-2,2	-4,5	-3,9
Other debts	-5,6	-1,9	-2,2
<b>Total</b>	<b>-22,7</b>	<b>-25,7</b>	<b>-18,9</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 May to July 2010, 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 2010	Actual estimates July 2011	% change between July 2010 and July 2011	Difference between July 2010 and July 2011
Number of summonses for debt	111 585	90 517	-18,9	-21 068
Number of judgements for debt	65 352	44 854	-31,4	-20 498
Value of judgements for debt (R million)	631,0	457,6	-27,5	-173,4

## 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>Response rate</b>	<b>7</b>	The preliminary response rate for the civil cases for debt survey for July 2011 was 88,7%. Improved response rate for June 2011 was 93,4%.
<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.

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(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)  
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Postal address: Private Bag X44, Pretoria, 0001

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