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# Statistical release

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## Statistics of civil cases for debt (Preliminary)

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**SUMMARY OF FINDINGS: STATISTICS OF CIVIL CASES FOR DEBT**

**Table A – Key figures for the month of May 2010**

Actual estimates	May 2010	% change between May 2009 and May 2010	% change between March to May 2009 and March to May 2010
Number of civil summonses issued for debt	124 630	15,2	6,9
Number of civil judgements recorded for debt	60 608	9,6	3,5
Value of civil judgements recorded for debt (R million)	520,6	-7,0	-2,6

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

*The three months ended May 2010 reflected a 6,9% increase in the total number of civil summonses issued for debt compared with the three months ended May 2009. An increase of 15,2% was recorded between May 2009 and May 2010 (see Table A and Tables 5 and 7).*

The major contributors to the 6,9% increase in the number of civil summonses issued for debt for the three months ended May 2010 compared with the three months ended May 2009 were civil summonses issued for money lent (contributing 5,0 percentage points), 'other services' (contributing 1,9 percentage points), promissory notes and other acknowledgements of debt (contributing 1,8 percentage points) and professional services (contributing 1,5 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 May 2010 increased by 3,5% compared with the three months ended May 2009. An increase of 9,6% was recorded between May 2009 and May 2010 (see Table A and Tables 5 and 7).*

Civil judgements for promissory notes and other acknowledgements of debt (contributing 3,7 percentage points), money lent (contributing 0,9 of a percentage point) and 'other debts' (contributing 0,8 of a percentage point) were the main drivers behind the 3,5% increase (see Table 6).

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

*There was a decrease of 2,6% in the total value of civil judgements recorded for debt for the three months ended May 2010 compared with the three months ended May 2009. A decrease of 7,0% was recorded between May 2009 and May 2010 (see Table A and Tables 5 and 7).*

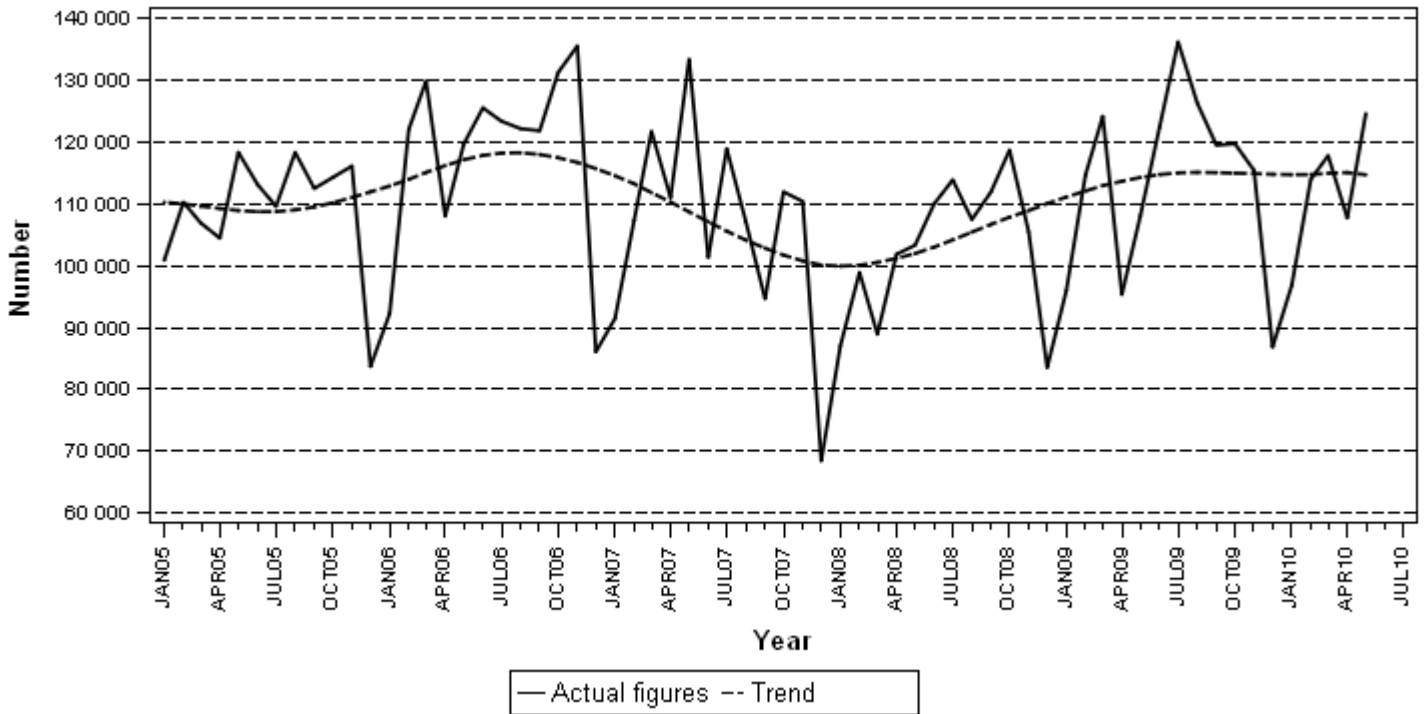
The major contributors to the 2,6% decrease in the value of civil judgements for the three months ended May 2010 compared with the three months ended May 2009 were the money lent category (contributing -4,8 percentage points), the promissory notes and other acknowledgement of debt category (contributing -0,4 of a percentage point) and the goods sold category (contributing -0,4 of a percentage point) (see Table 6).

During May 2010, 60 608 civil judgements for debt amounting to R520,6 million were recorded. The largest contributors to the R520,6 million were:

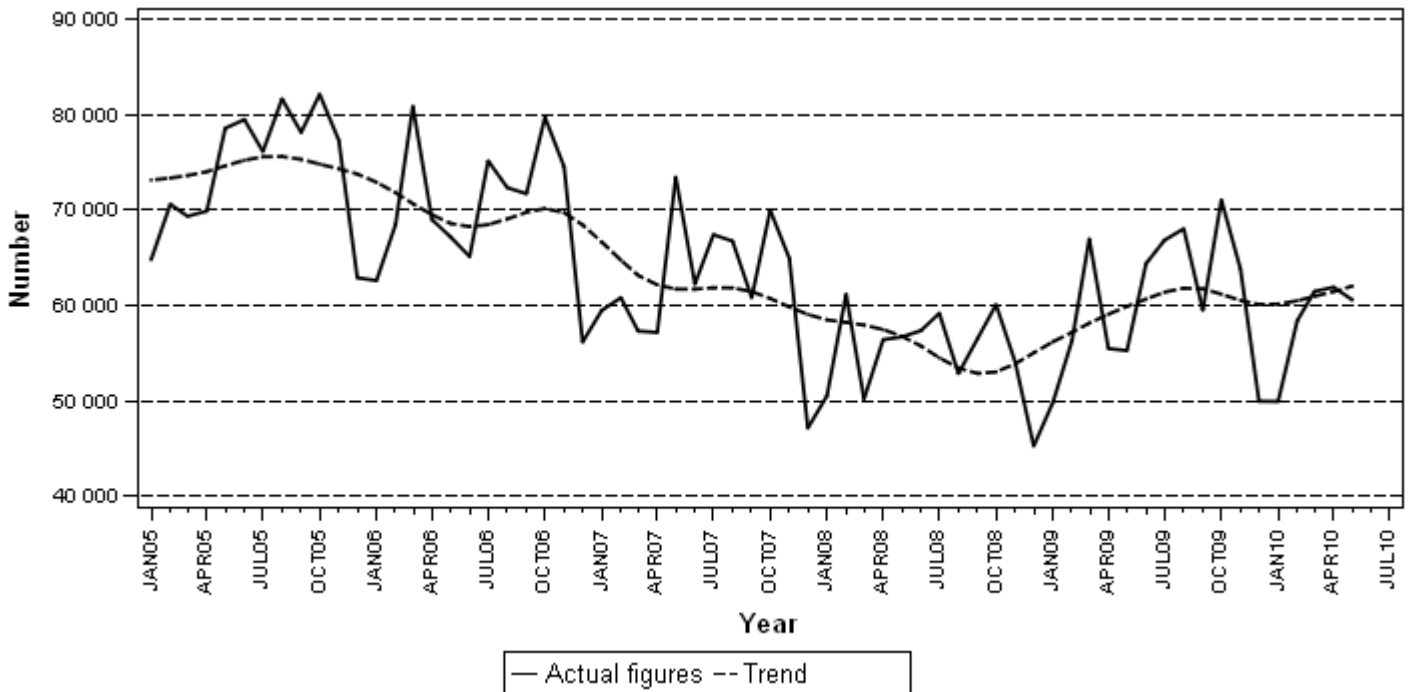
- money lent (R133,5 million or 25,6%);
- other debts (R111,7 million or 21,5%);
- goods sold (R97,2 million or 18,7%); and
- services (R85,9 million or 16,5%) (see Tables 3 and 4).

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

**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			
	2009	2009	1/ 2010		2009	2009	1/ 2010	
		May	April	May		May	April	May
<b>1. Cases recorded</b>								
<b>1.1 Actual figures</b>	<b>1 595 280</b>	<b>129 523</b>	<b>124 034</b>	<b>143 391</b>	<b>1 420 316</b>	<b>114 852</b>	<b>110 479</b>	<b>126 222</b>
<b>1.2 Seasonally adjusted</b>		125 631	135 234	139 138		111 098	119 516	122 235
<b>2. Civil summonses for debt</b>								
<b>2.1 Goods sold</b>								
<b>2.1.1 Open account</b>	135 281	10 187	9 639	12 352	112 717	8 227	7 969	9 297
<b>2.1.2 Instalment sale transactions</b>	35 710	2 932	2 903	2 607	30 583	2 461	2 569	2 178
<b>2.2 Services</b>								
<b>2.2.1 Professional</b>	153 249	12 496	13 165	15 327	128 153	10 478	11 584	13 000
<b>2.2.2 Other</b>	164 618	11 708	12 649	16 626	142 316	9 974	10 687	13 915
<b>2.3 Rent</b>	51 389	4 237	4 446	5 076	43 153	3 620	3 526	4 050
<b>2.4 Money lent</b>	326 092	24 567	30 335	27 596	308 583	23 013	29 007	26 089
<b>2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	242 246	20 194	16 911	23 950	227 360	19 260	15 960	22 534
<b>2.6 Other debts</b>	256 599	21 839	17 727	21 096	210 475	17 649	13 875	16 698
<b>2.7 Total</b>								
<b>2.7.1 Actual figures</b>	<b>1 365 184</b>	<b>108 160</b>	<b>107 775</b>	<b>124 630</b>	<b>1 203 340</b>	<b>94 682</b>	<b>95 177</b>	<b>107 761</b>
<b>2.7.2 Seasonally adjusted</b>		106 013	113 117	122 299		93 449	99 537	106 635

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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	Pieter-maritzburg	Durban	Johannes-burg	East Rand	West Rand	Pretoria	Vereeni-ging and Vander-bijlpark	Bloem-fontein
<b>2008</b>	<b>Year Total</b>	<b>117 171</b>	<b>54 474</b>	<b>17 553</b>	<b>7 236</b>	<b>19 284</b>	<b>78 092</b>	<b>205 869</b>	<b>59 060</b>	<b>33 410</b>	<b>138 384</b>	<b>26 859</b>	<b>33 374</b>
<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	8 353	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
	October	12 376	3 973	1 349	542	2 478	7 429	20 819	4 981	3 420	11 304	1 589	3 200
	November	12 435	3 747	1 395	537	2 439	7 834	20 688	4 373	3 710	11 049	1 581	4 000
December	8 605	2 101	777	439	1 096	7 469	17 460	2 703	2 496	6 799	818	3 020	
<b>1/ 2010</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	2 769	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

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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			
	2009	2009	1/ 2010		2009	2009	1/ 2010	
		May	April	May		May	April	May
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
<b>1.1.1 Open account</b>	85 641	6 338	6 821	5 452	73 332	5 394	5 894	4 557
<b>1.1.2 Instalment sale transactions</b>	13 313	1 242	1 032	1 210	11 200	1 016	876	990
<b>1.2 Services</b>								
<b>1.2.1 Professional</b>	92 657	7 339	7 101	8 125	80 893	6 261	6 216	7 498
<b>1.2.2 Other</b>	78 652	5 683	5 856	5 966	69 473	4 962	5 024	5 192
<b>1.3 Rent</b>	28 873	2 235	2 161	2 322	22 483	1 811	1 728	1 751
<b>1.4 Money lent</b>	273 794	22 008	25 121	22 092	267 864	21 625	24 511	21 681
<b>1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	59 645	3 620	7 751	5 221	51 777	3 148	7 124	4 317
<b>1.6 Other debts</b>	95 130	6 828	6 090	10 220	86 580	6 164	5 485	9 354
<b>1.7 Total</b>								
<b>1.7.1 Actual figures</b>	<b>727 705</b>	<b>55 293</b>	<b>61 933</b>	<b>60 608</b>	<b>663 602</b>	<b>50 381</b>	<b>56 858</b>	<b>55 340</b>
<b>1.7.2 Seasonally adjusted</b>		56 285	63 953	61 772		50 780	58 183	55 847

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**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	1/ 2010		2009	2009	1/ 2010	
		May	April	May		May	April	May
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
<b>1.1.1 Open account</b>	750 317	62 933	57 316	55 207	497 848	42 008	40 049	35 343
<b>1.1.2 Instalment sale transactions</b>	387 538	33 338	27 654	42 024	319 087	25 744	22 441	28 227
<b>1.2 Services</b>								
<b>1.2.1 Professional</b>	333 644	25 786	28 719	28 262	266 902	20 883	23 749	21 355
<b>1.2.2 Other</b>	715 777	55 876	56 199	57 667	556 872	40 621	45 962	45 575
<b>1.3 Rent</b>	459 493	41 754	42 911	49 544	312 500	29 680	30 066	33 954
<b>1.4 Money lent</b>	2 551 641	200 002	190 460	133 533	2 411 391	190 842	180 327	123 553
<b>1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	790 247	50 154	47 459	42 658	627 760	33 861	36 982	32 802
<b>1.6 Other debts</b>	1 233 280	89 615	81 238	111 727	975 583	69 789	57 159	95 119
<b>1.7 Total</b>								
<b>1.7.1 Actual figures</b>	<b>7 221 937</b>	<b>559 458</b>	<b>531 956</b>	<b>520 622</b>	<b>5 967 943</b>	<b>453 428</b>	<b>436 735</b>	<b>415 928</b>
<b>1.7.2 Seasonally adjusted</b>		581 762	553 840	544 134		463 678	448 028	428 438

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

Actual estimates	Actual estimates March to May 2009	Actual estimates March to May 2010	% change between March to May 2009 and March to May 2010	Difference between March to May 2009 and March to May 2010
Number of summonses for debt	327 761	350 245	6,9	22 484
Number of judgements for debt	177 788	184 033	3,5	6 245
Value of judgements for debt (R million)	1 744,8	1 699,1	-2,6	-45,7

**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 May 2009 and the three months ended May 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	-1,5	-1,8	-0,7
– Instalment sale transactions	0,0	-0,1	0,3
Services			
– Professional	1,5	0,2	1,0
– Other	1,9	-0,4	0,5
Rent	0,3	0,2	1,5
Money lent	5,0	0,9	-4,8
Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	1,8	3,7	-0,4
Other debts	-2,2	0,8	0,0
<b>Total</b>	<b>6,9</b>	<b>3,5</b>	<b>-2,6</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 March to May 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 May 2009	Actual estimates May 2010	% change between May 2009 and May 2010	Difference between May 2009 and May 2010
Number of summonses for debt	108 160	124 630	15,2	16 470
Number of judgements for debt	55 293	60 608	9,6	5 315
Value of judgements for debt (R million)	559,5	520,6	-7,0	-38,9

## Explanatory notes

<b>Introduction</b>	<b>1</b>	<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>	<b>3</b>	<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>	<b>4</b>	<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>	<b>5</b>	<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 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.</p>
<b>Survey methodology and design</b>	<b>6</b>	<p>The survey is conducted by mail, fax and telephone each month from 151 magistrates' offices.</p>
<b>Response rate</b>	<b>7</b>	<p>The preliminary response rate for the civil cases for debt survey for May 2010 was 89,4%.</p>
<b>Trend cycle</b>	<b>8</b>	<p>Smoothed seasonally adjusted and trend estimates are generated using the X-11 Seasonal Adjustment Programme.</p>
<b>Publications</b>	<b>9</b>	<p>Users may also wish to refer to the following publications:</p> <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>	<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 electronic versions. Generally a charge is made for providing unpublished statistics.</p>
<b>Symbols and abbreviations</b>	<b>11</b>	<p>R/D Refer to Drawer          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 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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