

# **Statistics of civil cases for debt November 2005**

**Embargoed until:  
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9:30**

**Key figures for the month ended November 2005**

	<b>November 2005</b>	<b>% change between November 2004 and November 2005</b>	<b>% change between September 2004 to November 2004 and September 2005 to November 2005</b>
<b>Actual estimates</b>			
Number of civil summonses issued for debt	114 755	0,1	-1,1
Number of civil judgements recorded for debt	75 764	-0,2	8,1
Value of civil judgements recorded for debt (R million)	608,3	-3,8	5,6

## **Key findings as at the end of November 2005**

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

*The total number of civil summonses issued for debt for the three months ended November 2005 decreased by 1,1% compared with the three months ended November 2004.*

The major contributor to the decrease of 1,1% in civil summonses issued for debt for the three months ended November 2005 compared with the three months ended November 2004, was civil summonses issued in respect of 'other services' (-2,7 percentage points). However, this decrease was partially counteracted by an increase in summonses issued in respect of goods sold on account (+2,0 percentage points) (see table 5 column 2 page 10).

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

*The total number of civil judgements recorded for debt for the three months ended November 2005 increased by 8,1% compared with the three months ended November 2004.*

The major contributors to the increase of 8,1% in the number of civil judgements recorded for debt for the three months ended November 2005 compared with the three months ended November 2004, were civil judgements in respect of money lent (+6,0 percentage points) and 'other' debts (+4,4 percentage points). However, this increase was partially counteracted by a decrease in judgements recorded for debt in respect of 'other services' (-2,9 percentage points) (see table 5 column 3 page 10).

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

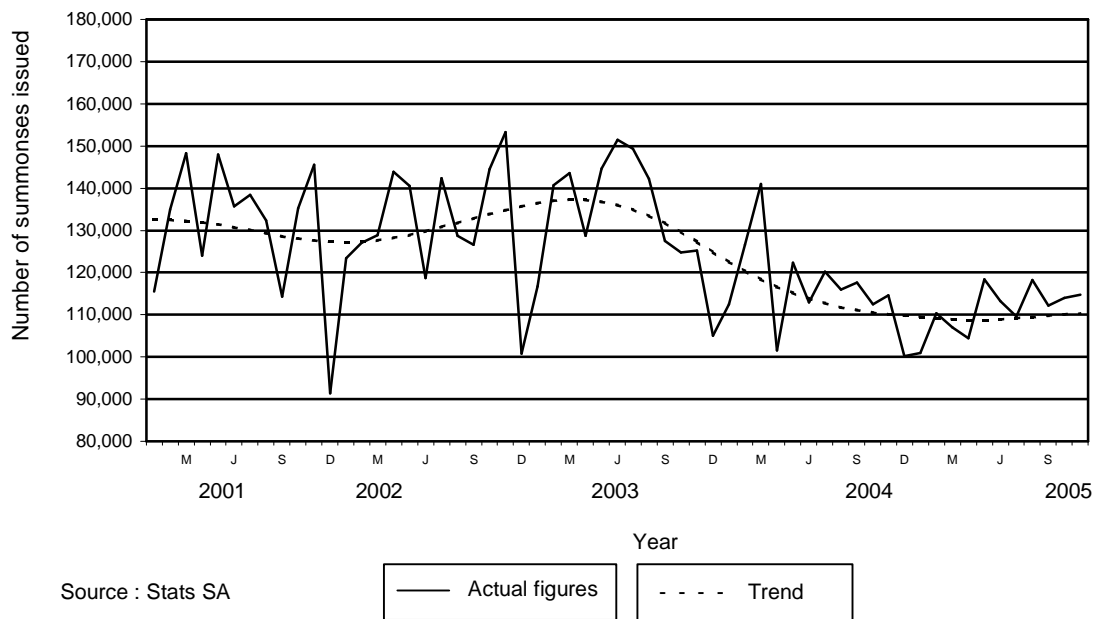
*The total value of civil judgements recorded for debt for the three months ended November 2005 increased by 5,6% compared with the three months ended November 2004.*

The major contributors to the increase of 5,6% in the value of civil judgements recorded for the three months ended November 2005 compared with the three months ended November 2004, were civil judgements recorded in respect of 'other' debts (+4,8 percentage points), promissory notes (+3,7 percentage points) and goods sold on account (+3,3 percentage points). However, this increase was partially counteracted by a decrease in value of judgements recorded for debt in respect of 'other services' (-3,1 percentage points), money lent (-2,0 percentage points) and rent (-1,2 percentage points) (see table 5 column 4 page 10).

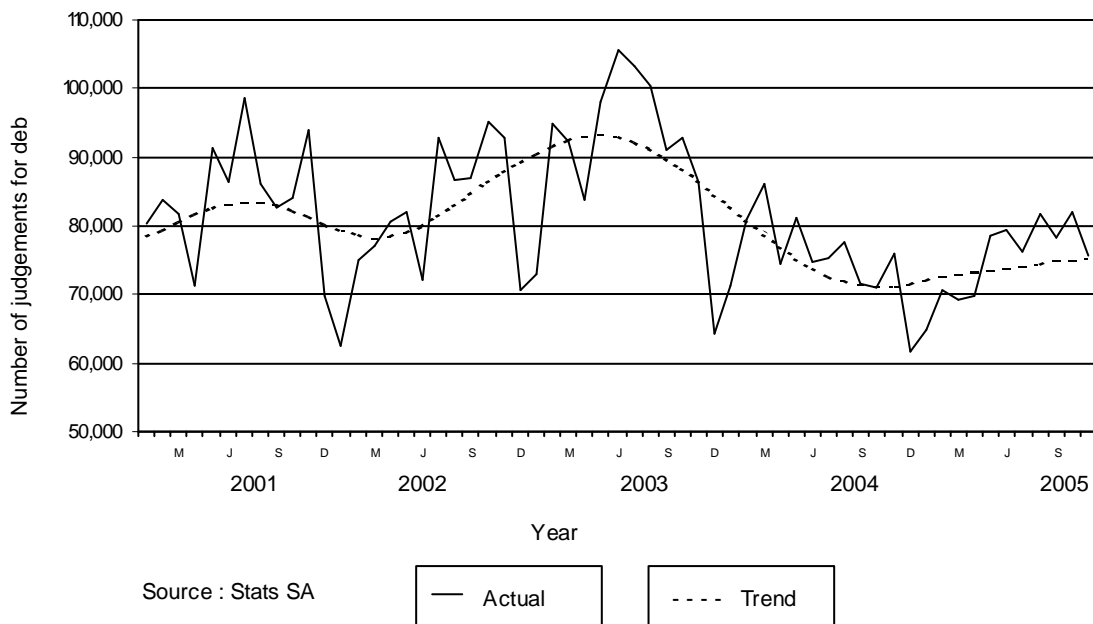
During November 2005, 75 764 civil judgements for debt, amounting to R608,3 million, were recorded. The largest contributors to the R608,3 million were civil judgements relating to money lent (R194,7 million or 32,0%) and 'other' debts (R157,1 million or 25,8%) (see table 4 column 5 page 9).

**Figures 1 and 2 outline the number of civil summonses issued and civil judgements recorded from 2001 to 2005**

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



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



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## Notes

**Forthcoming issue****Issue****Expected release date**

December 2005

23 February 2006

**Purpose of the survey**

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.

**Response rate**

The response rate for November 2005 was 82%.

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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			
	2004	2004	2005	2005	2004	2004	2005	2005
		Nov.	Oct. *	Nov.		Nov.	Oct. *	Nov.
1. Cases recorded								
1.1 Actual figures	1 594 269	136 967	142 526	144 251	1 468 203	127 387	127 756	129 616
1.2 Seasonally adjusted		126 966	137 014	135 512		116 529	121 903	120 044
2. Civil summonses for debt								
2.1 Goods sold								
2.1.1 Open account	166 745	12 198	15 438	15 374	146 808	10 811	13 382	13 224
2.1.2 Instalment sale transactions	50 254	5 124	4 297	3 865	46 274	4 818	3 810	3 279
2.2 Services								
2.2.1 Professional	167 273	13 485	12 163	12 342	158 478	12 872	9 826	9 860
2.2.2 Other	261 068	23 209	19 600	16 630	244 594	21 952	17 696	15 102
2.3 Rent	59 425	3 986	5 075	4 720	45 218	2 867	3 831	3 658
2.4 Money lent	325 544	25 478	25 177	28 589	310 493	24 531	24 014	27 365
2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	131 093	10 303	10 349	11 489	121 148	9 661	9 470	10 784
2.6 Other	236 821	20 862	21 970	21 746	214 152	18 777	19 446	18 988
2.7 Total								
2.7.1 Actual figures	1 398 223	114 645	114 069	114 755	1 287 165	106 289	101 475	102 260
2.7.2 Seasonally adjusted		108 647	112 171	109 985		99 572	99 034	96 784

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

Year or month	Cape Peninsula	Port Elizabeth	East-London	Kimberley	Pietermaritzburg	Durban	Johannesburg	East Rand	West Rand	Pretoria	Vereeniging and Vanderbijlpark	Bloemfontein
2003	184 499	86 919	37 534	26 953	30 153	131 913	183 463	78 614	53 072	145 245	33 818	71 882
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
2004 - J	13 627	7 634	2 149	1 370	1 249	8 053	14 070	5 493	3 745	11 949	1 568	3 417
F	15 167	6 921	2 149	1 957	1 713	9 997	16 006	6 014	5 127	11 989	2 513	4 337
M	12 787	10 896	3 587	1 957	2 427	10 711	17 689	9 544	5 759	12 922	2 827	3 945
A	10 087	5 786	2 243	1 957	1 215	8 415	11 018	5 510	3 806	7 605	2 252	4 542
M	11 545	8 252	3 521	990	1 712	11 633	14 059	7 474	4 564	9 739	2 504	4 542
J	12 390	3 174	3 521	790	1 682	11 346	12 525	6 408	4 375	9 692	1 442	4 542
J	12 988	3 174	4 823	1 100	2 052	10 239	14 059	5 847	4 347	10 652	2 015	5 292
A	11 424	7 185	3 034	710	1 663	10 867	14 059	8 433	4 750	9 826	2 021	5 676
S	10 897	5 063	3 087	710	1 837	10 867	14 059	7 954	4 369	10 797	1 494	5 676
O	9 933	5 483	3 087	488	1 112	8 878	14 059	9 423	3 928	11 728	3 001	5 676
N	10 688	8 920	3 087	488	1 574	10 239	14 059	8 729	4 388	14 231	2 134	4 195
D	11 613	8 920	3 087	527	1 085	10 239	14 059	6 792	2 714	7 673	1 727	3 995
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	4 152	12 240	2 592	4 182
M	11 976	5 099	2 889	632	1 439	5 740	13 198	4 899	3 850	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	6 441	3 621	12 756	1 832	4 884
J	15 193	6 117	3 350	721	1 636	4 921	12 201	4 335	3 959	12 114	1 794	4 884
J	13 402	4 474	3 240	873	1 894	4 921	12 726	4 973	3 690	11 494	2 127	5 083
A	17 524	5 573	2 941	861	2 220	7 311	14 095	4 914	5 759	11 839	3 311	5 083
S	15 391	5 612	3 517	911	1 539	7 311	13 090	4 988	4 851	12 216	1 112	5 083
O	14 575	7 432	3 951	871	1 433	6 397	13 889	4 622	4 479	11 456	1 901	5 083
N	16 106	6 489	4 009	740	1 410	6 397	11 730	5 345	4 627	12 428	2 469	5 083



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			
	2004	2004	2005	2005	2004	2004	2005	2005
		Nov.	Oct. *	Nov.		Nov.	Oct. *	Nov.
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	112 511	8 833	9 250	9 451	103 007	8 048	8 244	8 572
1.1.2 Instalment sale transactions	16 017	1 431	1 730	1 160	14 307	1 278	1 509	1 010
1.2 Services								
1.2.1 Professional	84 612	6 577	6 493	7 317	80 025	6 272	5 757	6 570
1.2.2 Other	139 466	12 366	10 139	8 587	131 269	11 534	9 533	8 031
1.3 Rent	41 418	2 835	3 417	4 107	31 039	2 082	2 561	3 374
1.4 Money lent	308 851	26 929	30 459	27 450	303 361	26 498	29 957	27 067
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	94 137	7 440	8 657	5 304	89 724	6 982	8 219	4 911
1.6 Other	104 609	9 509	12 007	12 388	96 031	8 899	11 163	11 466
1.7 Total								
1.7.1 Actual figures	901 621	75 920	82 152	75 764	848 763	71 593	76 943	71 001
1.7.2 Seasonally adjusted		73 258	77 974	73 819		69 246	73 617	69 353

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			
	2004	2004	2005	2005	2004	2004	2005	2005
		Nov.	Oct. *	Nov.		Nov.	Oct. *	Nov.
R' 000								
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	585 615	50 746	50 789	69 302	453 401	39 039	36 864	52 779
1.1.2 Instalment sale transactions	284 507	39 036	31 831	23 661	233 000	32 126	24 333	18 084
1.2 Services								
1.2.1 Professional	260 267	20 608	40 408	22 648	226 121	18 259	34 176	17 876
1.2.2 Other	744 612	75 362	62 863	48 108	642 577	59 032	55 328	40 418
1.3 Rent	316 836	24 317	25 572	21 987	226 720	17 266	20 496	20 259
1.4 Money lent	2 285 479	241 640	208 423	194 677	2 200 833	238 427	192 816	176 856
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	902 100	71 714	95 221	70 763	826 289	65 307	80 913	46 106
1.6 Other	1 523 389	108 923	171 656	157 113	1 068 799	82 326	123 360	127 972
1.7 Total								
1.7.1 Actual figures	6 902 805	632 346	686 763	608 259	5 877 740	551 782	568 286	500 350
1.7.2 Seasonally adjusted		602 363	621 922	579 062		516 837	524 682	466 591

Table 5 - Contribution of the different kinds of debts to the total number and value of debts recorded

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

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 September 2004 to November 2004, divided by 100.

Table 6 - 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 November 2004	Actual estimates November 2005	% change between November 2004 and November 2005	Difference between November 2004 and November 2005
Number of summonses for debt	114 645	114 755	0,1%	110
Number of judgements for debt	75 920	75 764	-0,2%	-156
Value of judgements for debt (R million)	632,3	608,3	-3,8%	-24,1

Table 7 - 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 September 2004 to November 2004	Actual estimates September 2005 to November 2005	% change between September 2004 to November 2004 and September 2005 to November 2005	Difference between September 2004 to November 2004 and September 2005 to November 2005
Number of summonses for debt	344 781	341 025	-1,1%	-3 756
Number of judgements for debt	218 313	236 062	8,1%	17 749
Value of judgements for debt (R million)	1 809,6	1 911,1	5,6%	101,5

## 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 152 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 152 magistrates' offices.
- Seasonal adjustment**
- 7 Seasonal adjustment (variation) is a means of removing the estimated effects of normal seasonal variation from the series so that the effects of other influences on the series can be more clearly recognised. Seasonal adjustment does not aim to remove irregular or non-seasonal influences which may be present in any particular month. Influences that are volatile or unsystematic can still make it difficult to interpret the movement of the series even after adjustment for seasonal variations. This means the month-to-month movements of seasonally adjusted estimates may not be reliable indicators of trend behaviour.
- Trend cycle**
- 8 Smoothed seasonally adjusted estimates are generated using the X-11 Seasonal Adjustment Programme.
- Publications**
- 9 Users may also wish to refer to the following publications:
    - *Bulletin of Statistics* issued quarterly.
    - *SA Statistics* issued annually.

**Unpublished statistics**

- 10** 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**

- 11** 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 refers 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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