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Statistics of civil cases for debt (Preliminary)

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Key findings as at the end of November 2006

The number of civil summonses issued for debt increases

The total number of civil summonses issued for debt for the first eleven months of 2006 increased by 8,6% compared with the first eleven months of 2005. This is a high increase compared to the last five years.

The total number of civil summonses issued for debt for the three months ended November 2006 increased by 12,8% compared with the three months ended November 2005.

In contrast, the total number of civil summonses issued for debt for the three months ended November 2005 reflected a 0,5% decrease compared with the three months ended November 2004.

The major contributors to the increase of 12,8% in civil summonses issued for debt for the three months ended November 2006 compared with the three months ended November 2005, was money lent (+15,7 percentage points) and promissory notes and other (+1,5 percentage points). There was, however, a decrease of 2,2 percentage points with regard to civil summonses issued for goods sold (see Table 6 column 2 page 9).

The total number of civil summonses issued for debt for November 2006 increased by 14,9% compared with November 2005.

The number of civil judgements recorded for debt decreases

The total number of civil judgements recorded for debt for the three months ended November 2006 decreased by 5,6% compared with the three months ended November 2005.

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

The major contributors to the decrease of 5,6% in the number of civil judgements recorded for debt for the three months ended November 2006 compared with the three months ended November 2005, were civil judgements in respect of other debt (-2,6 percentage points), "other" services (-2,2 percentage points) and rent (-1,5 percentage points). However, this decrease was partially counteracted by an increase in goods sold on an open account (+2,3 percentage points) (see Table 6 column 3 page 9).

The total number of civil judgements recorded for debt for November 2006 decreased by 5,6% compared with November 2005.

The value of civil judgements recorded for debt decreases

The total value of civil judgements recorded for debt for the three months ended November 2006 decreased by 6,6% compared with the three months ended November 2005.

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

The major contributors to the decrease of 6,6% in the value of civil judgements recorded for the three months ended November 2006 compared with the three months ended November 2005, were civil judgements recorded in respect of other debt (-4,3 percentage points), promissory notes and other (-2,2 percentage points) and "other" services (-1,3 percentage points). However, this decrease was partially counteracted by an increase in judgements recorded for money lent (+2,4 percentage points) (see Table 6 column 4 page 9).

The total value of civil judgements recorded for debt for November 2006 increased by 8,5% compared with November 2005.

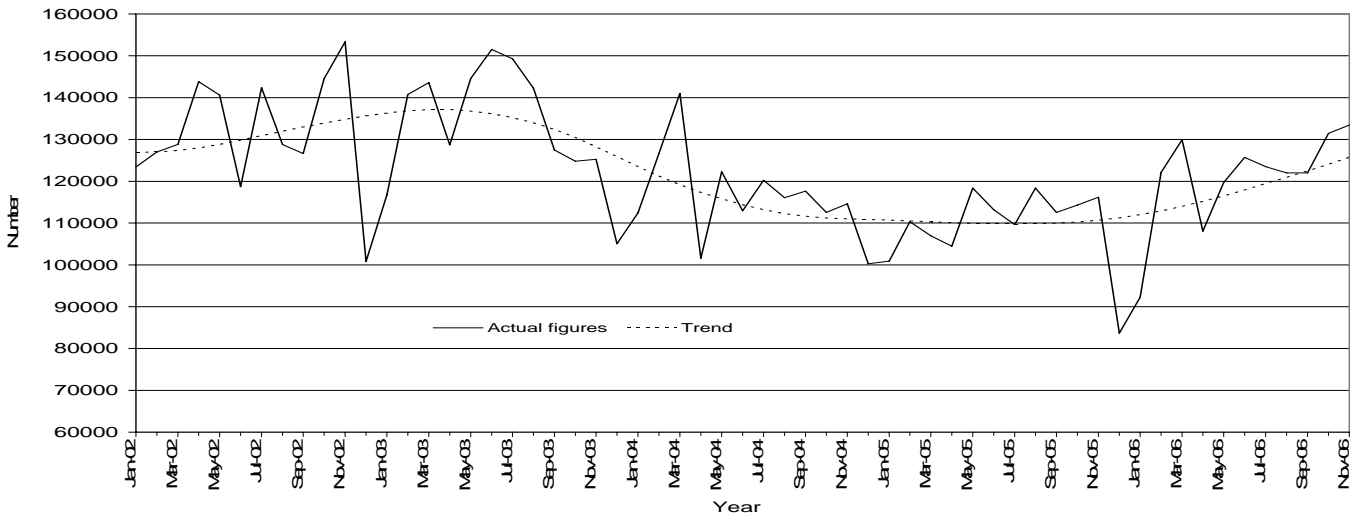
During November 2006, 72 990 civil judgements for debt, amounting to R649,4 million, were recorded. The largest contributors to the R649,4 million were civil judgements relating to money lent (R243,4 million or 37,5%) and other debts (R155,3 million or 24,0 %) (see Table 4 page 8).

Key figures for the month of November 2006

	November 2006	% change between November 2005 and November 2006	% change between September 2005 to November 2005 and September 2006 to November 2006
Actual estimates			
Number of civil summonses issued for debt	133 433	14,9	12,8
Number of civil judgements recorded for debt	72 990	-5,6	-5,6
Value of civil judgements recorded for debt (R million)	649,4	8,5	-6,6

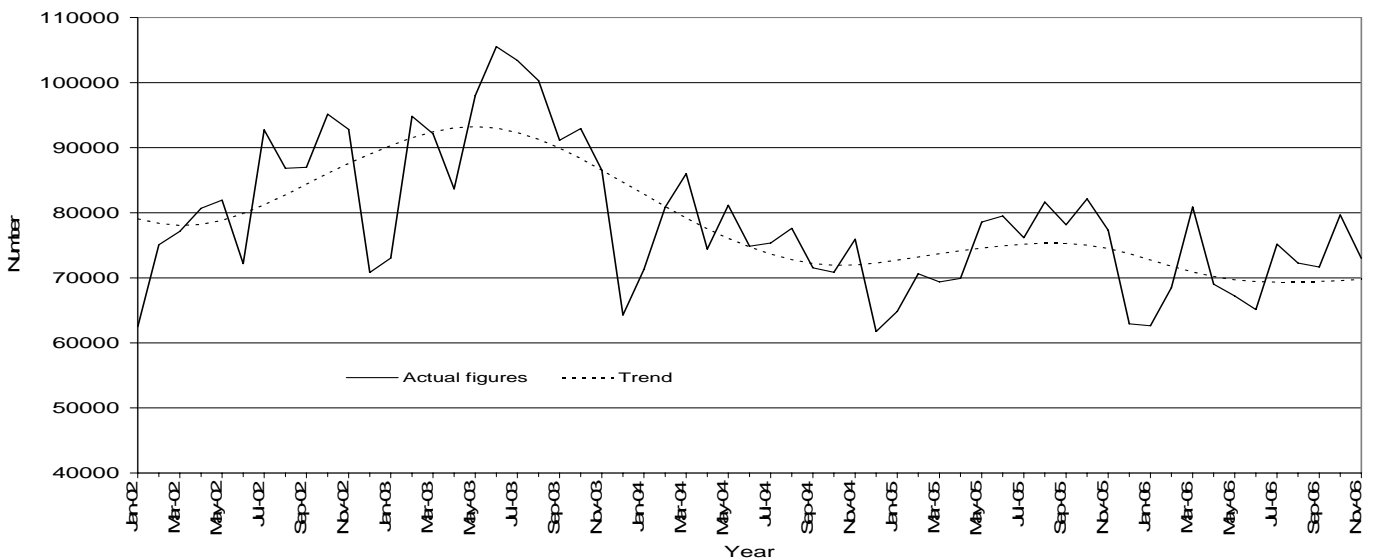
Figures 1 and 2 outline the number of civil summonses issued and civil judgements recorded for debt from January 2002 to November 2006 respectively. In figure 1 since March 2002 the trend estimates for the total number of civil summonses issued for debt showed an increasing trend until April 2003. The trend started decreasing from May 2003 until November 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 May 2002 the trend estimates for civil judgements recorded for debt showed an increasing trend until May 2003. The trend has decreased since June 2003 until October 2004 but since November 2004 it has increased slightly until August 2005 and has been decreasing until April 2006. Since May 2006 the trend started to level off until present.

Figure 2 - Civil judgements recorded for debt



**PJ Lehohla
Statistician-General**

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
		Nov.	Oct.*	1/ Nov.		Nov.	Oct.	Nov.
1. Cases recorded								
1.1 Actual figures	1 514 116	133 083	147 166	154 912	1 373 027	119 957	133 513	141 170
1.2 Seasonally adjusted		124 025	143 035	144 991		111 344	129 303	131 500
2. Civil summonses for debt								
2.1 Goods sold								
2.1.1 Open account	159 679	15 295	12 437	12 711	138 886	13 159	10 338	10 895
2.1.2 Instalment sale transactions	51 566	3 952	2 995	3 408	46 903	3 337	2 563	2 786
2.2 Services								
2.2.1 Professional	152 858	12 105	11 045	11 721	133 286	9 594	9 480	10 277
2.2.2 Other	229 019	16 803	19 341	18 682	208 046	15 184	16 956	16 583
2.3 Rent	49 151	4 670	4 737	4 548	39 785	3 597	3 935	3 569
2.3.1 Money lent	296 341	28 385	45 219	46 247	277 400	27 181	43 477	44 732
2.3.2 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	128 403	11 503	12 514	14 698	118 238	10 784	11 609	13 647
2.6 Other debts	241 952	23 451	23 170	21 418	215 513	20 654	20 002	18 354
2.7 Total								
2.7.1 Actual figures	1 308 969	116 164	131 458	133 433	1 178 057	103 490	118 360	120 843
2.7.2 Seasonally adjusted		111 070	128 418	128 185		98 115	115 026	115 144

1/ Preliminary.

* Revised.

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
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
J	12 981	5 770	5 218	442	1 348	5 867	16 060	6 478	5 190	10 318	3 847	5 449
A	11 196	3 824	4 814	480	1 348	5 796	15 146	6 702	5 147	8 550	2 712	5 513
S	12 137	5 315	2 350	507	1 140	5 291	18 632	5 593	5 057	13 258	1 869	5 368
O	13 397	6 537	2 616	532	1 577	5 291	19 761	6 699	5 199	14 758	*5 172	*5 174
1/ N	13 193	6 315	2 616	271	1 837	5 291	21 268	4 784	5 278	19 625	4 144	4 145

1/Preliminary.

* Revised.

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
		Nov.	Oct.*	1/ Nov.		Nov.	Oct.	Nov.
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	114 109	9 882	14 576	10 266	104 472	8 948	13 838	9 391
1.1.2 Instalment sale transactions	16 620	1 163	968	934	14 927	1 016	789	801
1.2 Services								
1.2.1 Professional	83 017	7 738	6 675	6 682	77 613	6 942	5 921	6 120
1.2.2 Other	122 987	8 621	7 972	8 000	115 538	8 000	7 479	7 537
1.3 Rent	29 088	4 109	2 130	1 988	22 870	3 375	1 720	1 601
1.4 Money lent	309 063	27 381	30 118	29 445	304 434	27 014	29 746	29 056
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	82 229	5 311	6 178	6 089	77 741	4 918	5 770	5 836
1.6 Other debts	134 032	13 106	11 062	9 586	121 147	11 721	9 942	8 708
1.7 Total								
1.7.1 Actual figures	891 145	77 311	79 679	72 990	838 742	71 934	75 205	69 050
1.7.2 Seasonally adjusted		74 929	73 121	70 793		69 592	68 557	66 828

1/ Preliminary.

* Revised.

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
		Nov.	Oct.*	1/ Nov.		Nov.	Oct.	Nov.
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	661 352	58 282	65 513	55 876	540 967	46 269	54 889	43 666
1.1.2 Instalment sale transactions	273 731	17 380	22 100	27 740	227 774	14 405	17 110	19 589
1.2 Services								
1.2.1 Professional	258 691	18 019	34 743	25 863	219 341	14 609	31 022	21 261
1.2.2 Other	601 147	44 248	42 570	48 350	507 366	36 681	34 117	37 897
1.3 Rent	217 608	17 880	21 541	18 985	155 938	17 096	14 830	12 467
1.4 Money lent	2 152 458	176 114	185 155	243 424	2 028 303	169 431	164 159	234 762
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	822 425	65 606	53 924	73 849	729 677	42 814	46 449	69 310
1.6 Other debts	1 663 448	201 082	158 032	155 308	1 281 651	174 205	128 632	130 686
1.7 Total								
1.7.1 Actual figures	6 650 860	598 611	583 578	649 395	5 691 017	515 510	491 208	569 638
1.7.2 Seasonally adjusted		540 585	517 505	581 318		451 047	446 102	493 183

1/ Preliminary.

* Revised.

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 September 2005 to November 2005	Actual estimates September 2006 to November 2006	% change between September 2005 to November 2005 and September 2006 to November 2006	Difference between September 2005 to November 2005 and September 2006 to November 2006
Number of summonses for debt	343 017	386 899	12,8%	43 882
Number of judgements for debt	237 609	224 323	-5,6%	-13 286
Value of judgements for debt (R million)	1 908,4	1 782,7	-6,6%	-125,7

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	-2,2	2,3	-1,0
Instalment sale transactions	-1,5	-0,7	-0,2
Professional services	-1,5	-0,8	0,2
Other services	0,2	-2,2	-1,3
Rent	-0,1	-1,5	-0,2
Money lent	15,7	-0,2	2,4
Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	1,5	0,1	-2,2
Other debts	0,7	-2,6	-4,3
Total	12,8	-5,6	-6,6

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 2005 to November 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 November 2005	Actual estimates November 2006	% change between November 2005 and November 2006	Difference between November 2005 and November 2006
Number of summonses for debt	116 164	133 433	14,9%	17 269
Number of judgements for debt	77 311	72 990	-5,6%	-4 321
Value of judgements for debt (R million)	598,6	649,4	8,5%	50,8

Explanatory notes

Introduction	<p>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.</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>
Purpose of the survey	<p>3 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>
Scope of the survey	<p>4 This survey covers -</p> <ul style="list-style-type: none"> • 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	<p>5 The statistical unit for collection of information is a magistrates' 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 is drawn using only the number of civil cases recorded as the measure of size.</p>
Survey methodology and design	<p>6 The survey is conducted by mail each month from approximately 151 magistrates' offices.</p>
Response rate	<p>7 The response rate for the civil cases for debt for September 2006 was 90,7%.</p>
Trend cycle	<p>8 Smoothed seasonally adjusted and trend estimates are generated using the X-11 Seasonal Adjustment Programme.</p>
Publications	<p>9 Users may also wish to refer to the following publications:</p> <ul style="list-style-type: none"> • <i>Bulletin of Statistics</i> issued quarterly. • <i>SA Statistics</i> issued annually.
Unpublished statistics	<p>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.</p>
Symbols and abbreviations	<p>11 R/D Refer to Drawer CD Compact Disc Stats SA Statistics South Africa TBVC Transkei, Bophuthatswana, Venda, Ciskei. * Revised figures</p>

Glossary

Acknowledgement of debt	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.
Bills	Bills are statements of charges for services rendered or for amounts owed.
Civil judgements	Civil judgements are decisions taken in a civil matter or a dispute between two people or parties.
Civil summonses	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.
Consent judgements	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.
Default judgements	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.
Instalment sale transaction	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.
Litigants	Litigants are people who take part in court proceedings, usually against each other, like a debtor and a creditor.
Litigants referred	Litigants referred relates to a case where the parties have been referred to another instance/court.
Open account transaction	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.
Other services	“Other services” refers to municipal services (except outstanding assessment rates), plumbers, builders, mechanics, panel-beaters and electricians.
Other debts	“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.
Plaintiff	Plaintiff is a person/party in a civil case who asks the court for judgement against another person.
Professional services	Professional services refer to medical doctors/dentists, advocates/attorneys, auditors/accountants, architects, engineers and hospital services.
Promissory note	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.
Reference month	Reference month refers to one calendar month.
Refer to drawer (R/D) cheques	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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