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# Statistical release

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## Statistics of civil cases for debt (Preliminary)

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## Key figures

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

Actual estimates	November 2008	% change between November 2007 and November 2008	% change between September 2007 and September 2008
Number of civil summonses issued for debt	105 820	-4,2	5,2
Number of civil judgements recorded for debt	54 326	-16,4	-12,9
Value of civil judgements recorded for debt (R million)	523,2	13,3	-3,4

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

### The number of civil summonses issued for debt increases

*The total number of civil summonses issued for debt for the three months ended November 2008 increased by 5,2% compared with the three months ended November 2007. However, there was a decrease of 4,2% between November 2007 and November 2008 (see Table A).*

The major contributors to the increase in civil summonses issued for debt for the three months ended November 2008 compared with the three months ended November 2007 were civil summonses issued in respect of 'other debts' (1,8 percentage points), goods sold on an open account (1,5 percentage points) and professional services (1,3 percentage points). The 'other services' category was the only negative contributor towards the 5,2% change (with -0,3 of a percentage point) (see Table 6 column 2, page 8).

### 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 November 2008 decreased by 12,9% compared with the three months ended November 2007. There was also a decrease of 16,4% between November 2007 and November 2008 (see Table A).*

Civil judgements in respect of money lent (-9,0 percentage points), promissory notes and other acknowledgements of debt (-3,7 percentage points), goods sold on an open account (-3,5 percentage points) and 'other services' (-1,2 percentage points) were the main drivers behind the 12,9% decrease in the number of civil judgements recorded for debt (see Table 6 column 3, page 8).

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

*The total value of civil judgements recorded for the three months ended November 2008 decreased by 3,4% compared with the three months ended November 2007. However, there was a 13,3% y/y increase in the value of civil judgements recorded for debt in November 2008 (see Table A).*

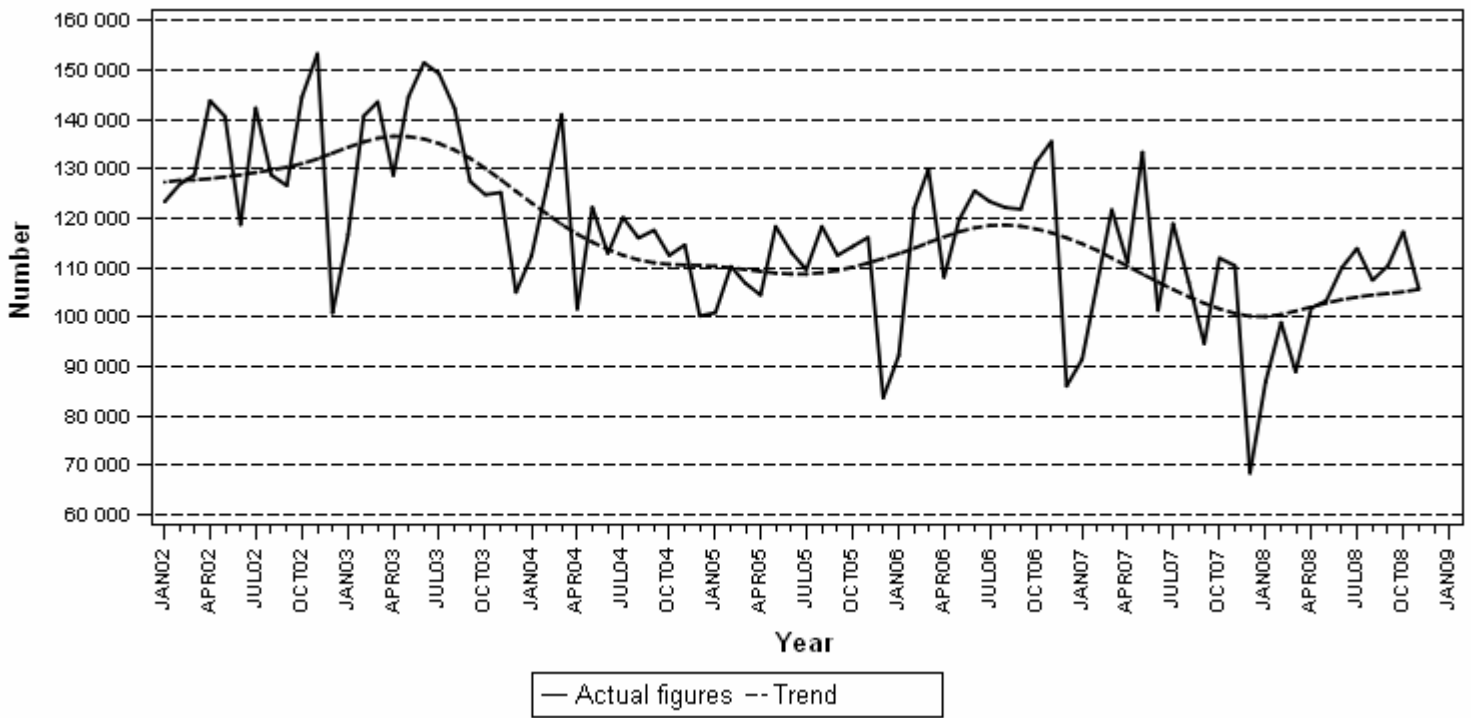
The major contributors to the decrease in the value of civil judgements for the three months ended November 2008 compared with the three months ended November 2007 were 'other debts' (-4,1 percentage points), promissory notes and other acknowledgements of debt (-2,5 percentage points), money lent (-0,7 of a percentage point) and instalment sale transactions (-0,2 of a percentage point) (see Table 6 column 4, page 8).

During November 2008, 54 326 civil judgements for debt, amounting to R523,2 million, were recorded. The largest contributors to the R523,2 million were:

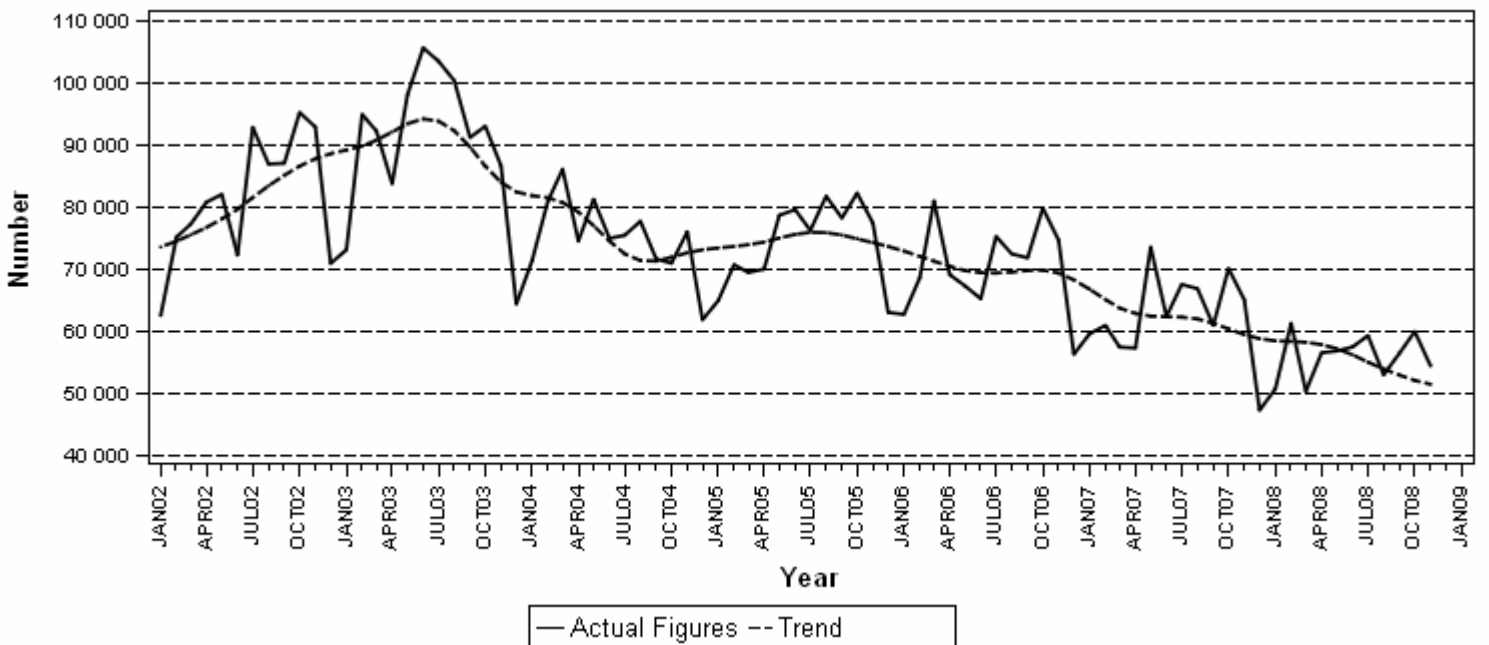
- Civil judgements relating to money lent (R151,1 million or 28,9%)
- 'Other debts' (R113,8 million or 21,8%)
- Promissory notes and other acknowledgements of debt (R75,3 million or 14,4%) and
- Goods sold on an open account (R53,8 million or 10,3%) (see Table 4, page 7).

Figures 1 and 2 outline the number of civil summonses issued and civil judgements recorded for debt respectively from January 2002 to November 2008.

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



**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	
		November	1/ October	1/ November		November	1/ October	1/ November
<b>1. Cases recorded</b>								
<b>1.1 Actual figures</b>	<b>1 459 945</b>	<b>125 595</b>	<b>136 418</b>	<b>129 096</b>	<b>1 318 425</b>	<b>115 211</b>	<b>121 728</b>	<b>115 405</b>
<b>1.2 Seasonally adjusted</b>		116 305	125 475	119 473		104 166	109 804	104 043
<b>2. Civil summonses for debt</b>								
<b>2.1 Goods sold</b>								
<b>2.1.1 Open account</b>	117 734	10 212	12 593	11 624	98 588	8 189	10 729	9 873
<b>2.1.2 Instalment sale transactions</b>	27 838	2 494	2 823	2 948	23 512	2 141	2 347	2 663
<b>2.2 Services</b>								
<b>2.2.1 Professional</b>	129 259	12 189	13 580	11 872	110 911	10 313	11 258	9 492
<b>2.2.2 Other</b>	182 924	14 751	16 223	12 637	162 590	13 323	14 293	10 556
<b>2.3 Rent</b>	46 108	4 442	4 294	4 474	38 880	3 965	3 539	3 642
<b>2.4 Money lent</b>	350 896	26 369	24 939	24 180	330 652	25 481	23 301	22 651
<b>2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	203 142	21 801	21 865	18 704	190 799	20 948	20 842	17 829
<b>2.6 Other debts</b>	220 217	18 181	20 988	19 381	192 203	16 233	18 089	16 664
<b>2.7 Total</b>								
<b>2.7.1 Actual figures</b>	<b>1 278 118</b>	<b>110 439</b>	<b>117 305</b>	<b>105 820</b>	<b>1 148 135</b>	<b>100 593</b>	<b>104 398</b>	<b>93 370</b>
<b>2.7.2 Seasonally adjusted</b>		102 695	106 841	98 135		93 877	94 146	87 016

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 and Vanderbijlpark	Bloemfontein
<b>2006</b>	<b>Year Total</b>	<b>147 564</b>	<b>69 334</b>	<b>50 557</b>	<b>5 922</b>	<b>18 095</b>	<b>69 501</b>	<b>181 787</b>	<b>64 780</b>	<b>59 891</b>	<b>142 102</b>	<b>39 909</b>	<b>60 344</b>
<b>2007</b>	<b>Year Total</b>	<b>117 403</b>	<b>65 797</b>	<b>32 766</b>	<b>9 226</b>	<b>17 420</b>	<b>77 021</b>	<b>215 297</b>	<b>51 978</b>	<b>40 863</b>	<b>153 646</b>	<b>26 219</b>	<b>45 913</b>
	January	7 940	6 102	1 275	729	1 282	5 789	22 003	3 455	2 138	14 856	1 635	4 238
	February	9 788	5 904	2 832	581	1 452	6 018	18 368	4 228	5 791	11 214	954	3 922
	March	12 802	7 935	3 553	1 123	1 613	8 978	15 648	4 318	5 925	13 803	2 186	4 010
	April	9 349	5 013	3 167	1 123	1 748	8 518	15 648	5 118	4 826	12 558	4 822	3 652
	May	10 792	6 650	5 105	1 332	2 346	5 245	25 094	5 655	2 760	16 251	2 714	4 242
	June	10 167	4 387	5 688	503	638	7 164	8 213	3 077	3 142	10 948	4 326	4 105
	July	13 170	4 784	1 799	983	2 173	7 164	20 470	5 775	2 865	14 144	3 004	4 110
	August	8 805	5 275	2 532	764	1 178	4 977	18 632	4 513	3 950	13 494	1 895	4 189
	September	8 734	4 614	1 922	470	1 442	5 154	16 515	3 804	2 855	11 363	1 217	4 070
	October	9 056	6 584	2 181	469	1 558	5 671	23 806	4 444	2 559	13 617	1 515	3 261
	November	9 144	5 153	1 202	788	1 065	6 383	22 542	4 899	3 027	13 026	1 367	3 236
December	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>	<b>6 304</b>	<b>5 151</b>	<b>1 278</b>	<b>274</b>	<b>1 136</b>	<b>5 286</b>	<b>10 193</b>	<b>3 392</b>	<b>1 905</b>	<b>15 008</b>	<b>4 496</b>	<b>3 068</b>
	February	9 395	4 538	2 187	431	1 132	5 476	11 003	4 424	3 242	11 748	3 638	2 842
	March	9 382	4 278	1 399	822	1 447	6 079	11 776	4 716	2 482	7 997	1 470	2 905
	April	8 158	6 398	1 807	465	1 851	6 648	17 776	5 253	2 858	9 995	1 815	2 658
	May	9 157	6 544	1 695	597	1 814	5 513	17 667	5 407	2 499	10 008	2 666	3 087
	June	8 499	6 045	1 578	928	1 557	5 572	19 524	5 494	2 673	12 313	1 865	2 987
	July	11 015	3 344	1 144	869	1 954	7 370	22 450	4 484	2 922	11 901	2 710	2 992
	August	9 558	4 502	1 180	500	1 615	6 213	20 052	4 552	3 490	11 136	2 236	3 050
	September	10 882	3 738	825	555	1 707	6 312	22 753	4 528	2 816	14 527	1 839	2 962
	1/ October	12 480	3 866	1 549	405	1 966	7 767	18 597	5 758	3 777	14 812	1 975	1 286
	1/ November	12 497	3 655	1 535	844	2 050	8 149	17 936	5 833	2 879	11 611	1 375	1 275

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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	2008	
		November	1/ October	1/ November	November		1/ October	1/ November
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
<b>1.1.1 Open account</b>	91 240	8 245	6 846	6 376	82 514	7 479	6 267	5 530
<b>1.1.2 Instalment sale transactions</b>	8 676	624	763	860	7 422	529	622	721
<b>1.2 Services</b>								
<b>1.2.1 Professional</b>	70 236	6 072	7 873	7 185	63 963	5 610	6 848	6 223
<b>1.2.2 Other</b>	83 337	7 844	7 587	6 279	78 276	7 475	6 814	5 666
<b>1.3 Rent</b>	25 174	2 117	2 307	2 205	20 002	1 727	1 752	1 751
<b>1.4 Money lent</b>	284 538	25 194	20 023	17 853	280 107	24 920	19 674	17 363
<b>1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	79 219	6 402	4 779	4 233	75 470	6 180	4 076	3 720
<b>1.6 Other debts</b>	105 316	8 455	9 670	9 335	96 936	7 964	8 884	8 678
<b>1.7 Total</b>								
<b>1.7.1 Actual figures</b>	<b>747 736</b>	<b>64 953</b>	<b>59 848</b>	<b>54 326</b>	<b>704 690</b>	<b>61 884</b>	<b>54 937</b>	<b>49 652</b>
<b>1.7.2 Seasonally adjusted</b>		60 434	51 998	50 427		57 087	47 337	45 668

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			
	2007	2007	2008		2007	2007	2008	
		November	1/ October	1/ November		November	1/ October	1/ November
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
<b>1.1.1 Open account</b>	645 348	47 845	53 862	53 768	499 331	37 679	36 246	34 465
<b>1.1.2 Instalment sale transactions</b>	220 929	29 402	24 384	23 558	180 234	26 262	18 599	17 022
<b>1.2 Services</b>								
<b>1.2.1 Professional</b>	234 349	20 364	26 945	25 856	188 541	17 903	22 732	20 156
<b>1.2.2 Other</b>	569 505	41 671	57 130	52 720	442 362	33 353	47 724	42 531
<b>1.3 Rent</b>	248 826	20 432	28 086	27 092	179 717	14 773	16 936	22 313
<b>1.4 Money lent</b>	1 996 121	161 076	185 345	151 081	1 868 083	147 716	179 494	143 421
<b>1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	819 376	49 520	65 434	75 295	738 603	44 623	41 728	61 459
<b>1.6 Other debts</b>	1 404 039	91 316	114 157	113 798	1 145 086	73 738	86 376	97 765
<b>1.7 Total</b>								
<b>1.7.1 Actual figures</b>	<b>6 138 493</b>	<b>461 626</b>	<b>555 343</b>	<b>523 168</b>	<b>5 241 957</b>	<b>396 047</b>	<b>449 835</b>	<b>439 132</b>
<b>1.7.2 Seasonally adjusted</b>		419 393	482 082	474 697		336 922	387 155	372 177

1/ Preliminary.



**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 September to November 2007	Actual estimates September to November 2008	% change between September to November 2007 and September to November 2008	Difference between September to November 2007 and September to November 2008
Number of summonses for debt	317 084	333 583	5,2	16 499
Number of judgements for debt	195 786	170 524	-12,9	-25 262
Value of judgements for debt (R million)	1 619,1	1 564,8	-3,4	-54,3

**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	1,5	-3,5	0,2
--Instalment sale transactions	0,4	0,4	-0,2
Professional Services	1,3	2,0	1,4
Other Services	-0,3	-1,2	1,0
Rent	0,2	0,3	1,4
Money lent	0,3	-9,0	-0,7
Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	0,0	-3,7	-2,5
Other debts	1,8	1,9	-4,1
<b>Total</b>	<b>5,2</b>	<b>-12,9</b>	<b>-3,4</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 September to November 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 November 2007	Actual estimates November 2008	% change between November 2007 and November 2008	Difference between November 2007 and November 2008
Number of summonses for debt	110 439	105 820	-4,2	-4 619
Number of judgements for debt	64 953	54 326	-16,4	-10 627
Value of judgements for debt (R million)	461,6	523,2	13,3	61,6

## 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>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' 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>	<b>6</b>	<p>The survey is conducted by mail each month from 151 magistrates' offices.</p>
<b>Response rate</b>	<b>7</b>	<p>The response rate for the civil cases for debt for November 2008 was 82,8%.</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 issued quarterly.</i></li> <li>• <i>SA Statistics issued annually.</i></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 CD. Generally a charge is made for providing unpublished statistics.</p>
<b>Symbols and abbreviations</b>	<b>11</b>	<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 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 to 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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