

# Statistical release

## P0041

### Statistics of civil cases for debt (Preliminary)

November 2010

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## Key results for November 2010

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

Actual estimates	November 2010	% change between November 2009 and November 2010	% change between September to November 2009 and September to November 2010
Number of civil summonses issued for debt	97 819	-15,3	-9,7
Number of civil judgements recorded for debt	51 262	-19,7	-15,7
Value of civil judgements recorded for debt (R million)	476,3	-26,1	-19,7

### The number of civil summonses issued for debt

**The three months ended November 2010 reflected a 9,7% decrease in the total number of civil summonses issued for debt compared with the three months ended November 2009.**

The major contributors to the 9,7% decrease were:

- the money lent category (contributing -3,2 percentage points); and
- the goods sold category (contributing -2,5 percentage points) (see Tables 5 and 6).

A year-on-year decrease of 15,3% was recorded in November 2010 for the total number of civil summonses issued for debt (see Table A and Table 7).

### The number of civil judgements recorded for debt

**The total number of civil judgements recorded for debt decreased by 15,7% in the three months ended November 2010 compared with the three months ended November 2009. A 19,7% year-on-year decrease was recorded in November 2010 (see Table A and Tables 5 and 7).**

The main drivers behind the 15,7% decrease were civil judgements relating to:

- the money lent category (contributing -7,4 percentage points);
- the promissory notes and other acknowledgements of debt category (contributing -3,1 percentage points); and
- the goods sold category (contributing -2,9 percentage points) (see Table 6).

### The value of civil judgements recorded for debt

**There was a 19,7% decrease in the total value of civil judgements recorded for debt for the three months ended November 2010 compared with the same period in 2009. A decrease of 26,1% was recorded between November 2009 and November 2010 (see Table A and Tables 5 and 7).**

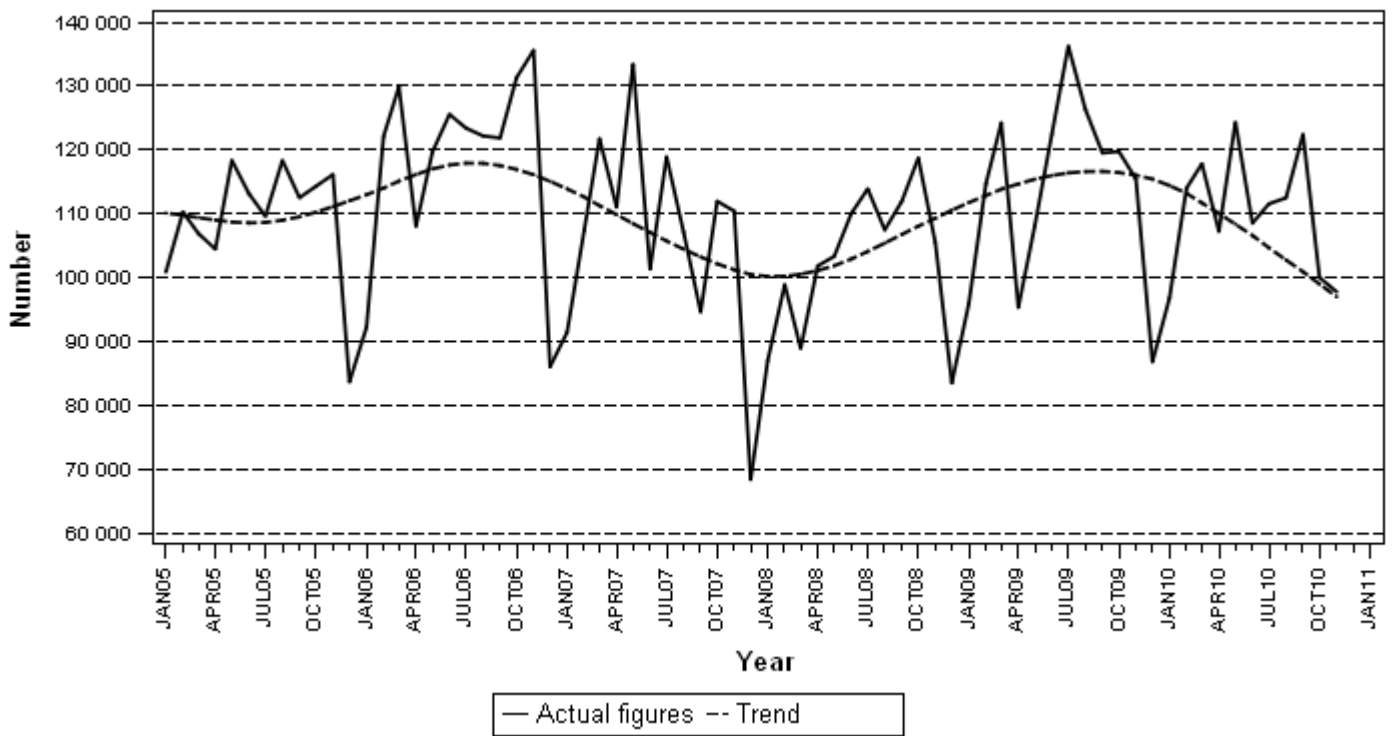
The major contributors to the 19,7% decrease in the value of civil judgements for the three months ended November 2010 compared with the same period in 2009 were:

- the money lent category (contributing -6,4 percentage points);
- the 'other debts' category (contributing -4,8 percentage points);
- the goods sold category (contributing -4,7 percentage points); and
- the promissory notes and other acknowledgements of debt category (contributing -3,5 percentage points) (see Table 6).

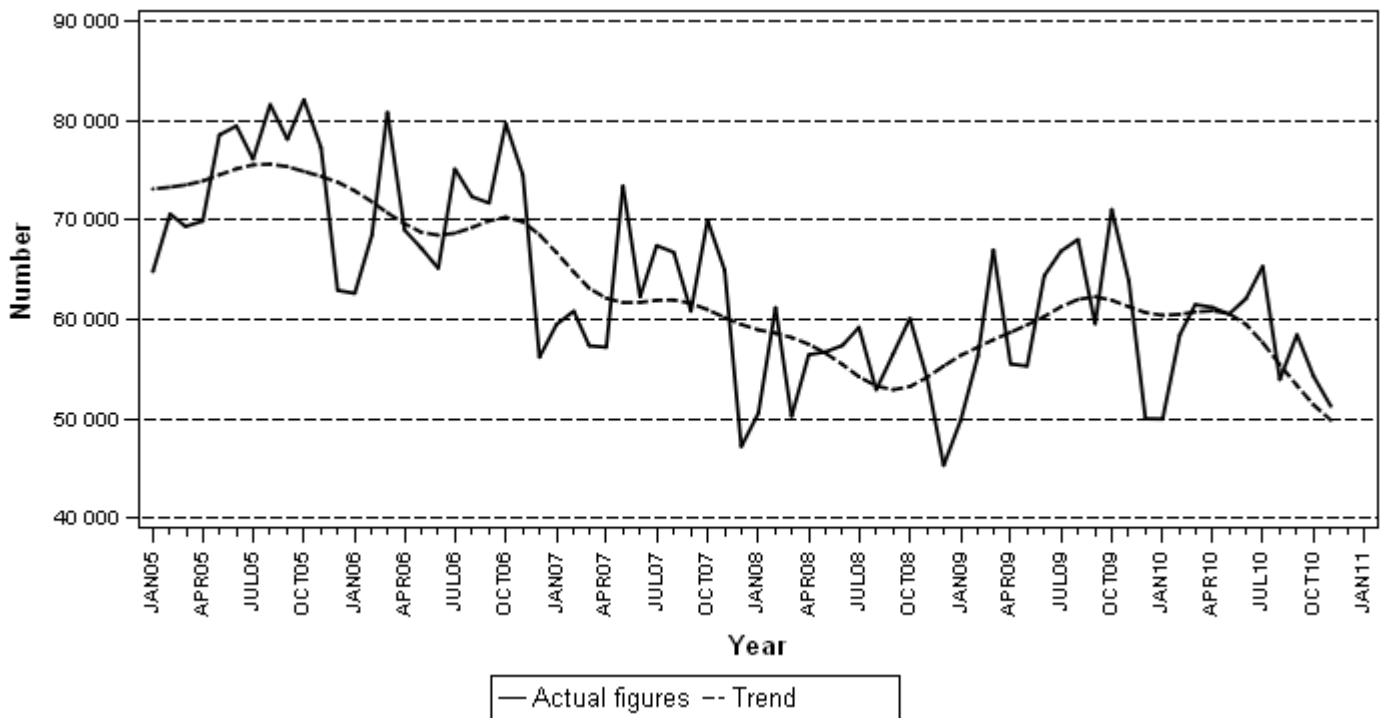
During November 2010, 51 262 civil judgements for debt amounting to R476,3 million were recorded. The largest contributors to the R476,3 million were:

- money lent (R131,7 million or 27,6%);
- services (R111,8 million or 23,5%);
- 'other debts' (R94,6 million or 19,9%); and
- goods sold (R67,3 million or 14,1%) (see Tables 3 and 4).

**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			
	2009	2009	1/ 2010		2009	2009	1/ 2010	
		November	October	November		November	October	November
<b>1. Cases recorded</b>								
<b>1.1 Actual figures</b>	<b>1 595 280</b>	<b>136 216</b>	<b>111 567</b>	<b>107 032</b>	<b>1 420 316</b>	<b>122 155</b>	<b>97 270</b>	<b>92 448</b>
<b>1.2 Seasonally adjusted</b>		132 095	105 626	104 799		117 379	91 750	89 803
<b>2. Civil summonses for debt</b>								
<b>2.1 Goods sold</b>								
<b>2.1.1 Open account</b>	135 281	10 874	7 588	7 278	112 717	8 982	6 167	5 625
<b>2.1.2 Instalment sale transactions</b>	35 710	3 177	2 188	2 054	30 583	2 739	1 841	1 714
<b>2.2 Services</b>								
<b>2.2.1 Professional</b>	153 249	13 739	12 486	10 505	128 153	11 660	10 569	8 627
<b>2.2.2 Other</b>	164 618	15 510	13 603	14 234	142 316	13 162	11 532	11 869
<b>2.3 Rent</b>	51 389	4 611	5 209	4 508	43 153	3 922	4 403	3 654
<b>2.4 Money lent</b>	326 092	27 233	21 037	21 926	308 583	26 046	19 594	20 781
<b>2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	242 246	20 130	19 837	19 069	227 360	18 683	18 888	17 268
<b>2.6 Other debts</b>	256 599	20 176	18 104	18 245	210 475	16 535	14 439	14 329
<b>2.7 Total</b>								
<b>2.7.1 Actual figures</b>	<b>1 365 184</b>	<b>115 450</b>	<b>100 052</b>	<b>97 819</b>	<b>1 203 340</b>	<b>101 729</b>	<b>87 433</b>	<b>83 867</b>
<b>2.7.2 Seasonally adjusted</b>		113 674	94 799	97 249		100 473	82 872	83 571

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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	Pietermaritzburg	Durban	Johannesburg	East Rand	West Rand	Pretoria	Vereeniging, Vanderbijlpark and Meyerton	Bloemfontein
<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	2 849	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	4 505	3 276	13 402	924	6 800
	October	7 298	2 689	939	465	2 019	7 278	16 794	4 712	3 102	12 802	1 546	5 925
	November	6 983	3 340	1 081	351	1 594	7 676	19 021	3 961	2 618	11 105	1 159	4 012

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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	1/ 2010			2009	1/ 2010		
		November	October	November		November	October	November
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
<b>1.1.1 Open account</b>	85 641	7 699	6 476	4 969	73 332	6 438	5 678	3 925
<b>1.1.2 Instalment sale transactions</b>	13 313	1 162	998	856	11 200	1 002	850	698
<b>1.2 Services</b>								
<b>1.2.1 Professional</b>	92 657	7 975	6 699	7 280	80 893	7 337	6 178	6 820
<b>1.2.2 Other</b>	78 652	6 961	6 351	7 658	69 473	6 252	5 705	6 942
<b>1.3 Rent</b>	28 873	2 746	2 526	2 034	22 483	1 947	2 190	1 689
<b>1.4 Money lent</b>	273 794	22 443	18 677	17 505	267 864	21 955	18 241	17 131
<b>1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	59 645	7 257	5 423	3 366	51 777	6 349	4 820	3 014
<b>1.6 Other debts</b>	95 130	7 605	7 123	7 594	86 580	6 940	6 462	6 938
<b>1.7 Total</b>								
<b>1.7.1 Actual figures</b>	<b>727 705</b>	<b>63 848</b>	<b>54 273</b>	<b>51 262</b>	<b>663 602</b>	<b>58 220</b>	<b>50 124</b>	<b>47 157</b>
<b>1.7.2 Seasonally adjusted</b>		61 582	48 656	49 762		55 725	44 548	45 448

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**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			
	2009	2009		1/ 2010	2009	2009		1/ 2010
		November	October	November		November	October	November
<b>1. Judgements</b>								
<b>1.1 Goods sold</b>								
<b>1.1.1 Open account</b>	750 317	68 278	56 266	46 575	497 848	44 938	37 805	24 939
<b>1.1.2 Instalment sale transactions</b>	387 538	36 096	22 550	20 709	319 087	29 753	17 340	14 940
<b>1.2 Services</b>								
<b>1.2.1 Professional</b>	333 644	32 910	21 996	33 617	266 902	27 265	17 166	28 151
<b>1.2.2 Other</b>	715 777	58 117	64 769	78 163	556 872	45 418	48 877	65 616
<b>1.3 Rent</b>	459 493	38 242	43 089	30 244	312 500	23 919	28 804	18 100
<b>1.4 Money lent</b>	2 551 641	209 789	181 674	131 657	2 411 391	198 696	163 245	120 733
<b>1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt</b>	790 247	103 047	91 595	40 653	627 760	87 976	80 785	33 334
<b>1.6 Other debts</b>	1 233 280	98 032	78 224	94 639	975 583	73 641	63 289	76 823
<b>1.7 Total</b>								
<b>1.7.1 Actual figures</b>	<b>7 221 937</b>	<b>644 511</b>	<b>560 163</b>	<b>476 257</b>	<b>5 967 943</b>	<b>531 606</b>	<b>457 311</b>	<b>382 636</b>
<b>1.7.2 Seasonally adjusted</b>		637 186	491 531	473 667		521 464	398 451	377 977

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 November 2009 and the three months ended November 2010**

Actual estimates	Actual estimates September to November 2009	Actual estimates September to November 2010	% change between September to November 2009 and September to November 2010	Difference between September to November 2009 and September to November 2010
Number of summonses for debt	354 761	320 325	-9,7	-34 436
Number of judgements for debt	194 451	163 996	-15,7	-30 455
Value of judgements for debt (R million)	2 032,3	1 631,9	-19,7	-400,4

**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 November 2009 and the three months ended November 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	-1,9	-2,6	-2,8
– Instalment sale transactions	-0,6	-0,3	-1,9
Services			
– Professional	-1,4	-0,9	-0,4
– Other	-0,2	0,1	0,7
Rent	0,3	-0,5	-0,6
Money lent	-3,2	-7,4	-6,4
Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	-1,2	-3,1	-3,5
Other debts	-1,6	-1,0	-4,8
<b>Total</b>	<b>-9,7</b>	<b>-15,7</b>	<b>-19,7</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 September to November 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 November 2009	Actual estimates November 2010	% change between November 2009 and November 2010	Difference between November 2009 and November 2010
Number of summonses for debt	115 450	97 819	-15,3	-17 631
Number of judgements for debt	63 848	51 262	-19,7	-12 586
Value of judgements for debt (R million)	644,5	476,3	-26,1	-168,2

## 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, ejectment 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 November 2010 was 84,8%. Improved response rate for October 2010 was 88,1%.
<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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