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# Statistical release

## P0041

# Statistics of civil cases for debt (Preliminary)

**November 2012**

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### **Enquiries**

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User Information Services  
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## Results for November 2012

**Table A – Key figures for the month of November 2012**

Actual estimates	November 2012	% change between November 2011 and November 2012	% change between September to November 2011 and September to November 2012
Number of civil summonses issued for debt	70 537	-23,9	-21,9
Number of civil judgements recorded for debt	35 268	-9,8	-15,2
Value of civil judgements recorded for debt (R million)	414,1	1,4	3,2

### The number of civil summonses issued for debt

**A 21,9% decrease in the total number of civil summonses issued for debt was recorded in the three months ended November 2012 compared with the three months ended November 2011. A 23,9% year-on-year decrease was recorded in November 2012 – see Table A and Tables 5 and 7.**

Categories that contributed to the 21,9% decrease were services (contributing -11,4 percentage points) and money lent (contributing -3,7 percentage points) – see Table 6.

### The number of civil judgements recorded for debt

**The total number of civil judgements recorded for debt decreased by 15,2% in the three months ended November 2012 compared with the three months ended November 2011. A year-on-year decrease of 9,8% was recorded in November 2012 – see Table A and Tables 5 and 7.**

The categories behind the 15,2% decrease were civil judgements relating to:

- money lent (contributing -5,8 percentage points);
- goods sold (contributing -4,5 percentage points);
- 'other' debts (contributing -3,3 percentage points); and
- services (contributing -3,2 percentage points).

The only positive contribution was recorded in the promissory notes and other acknowledgements of debt category (contributing 2,3 percentage points) – see Table 6.

### The value of civil judgements recorded for debt

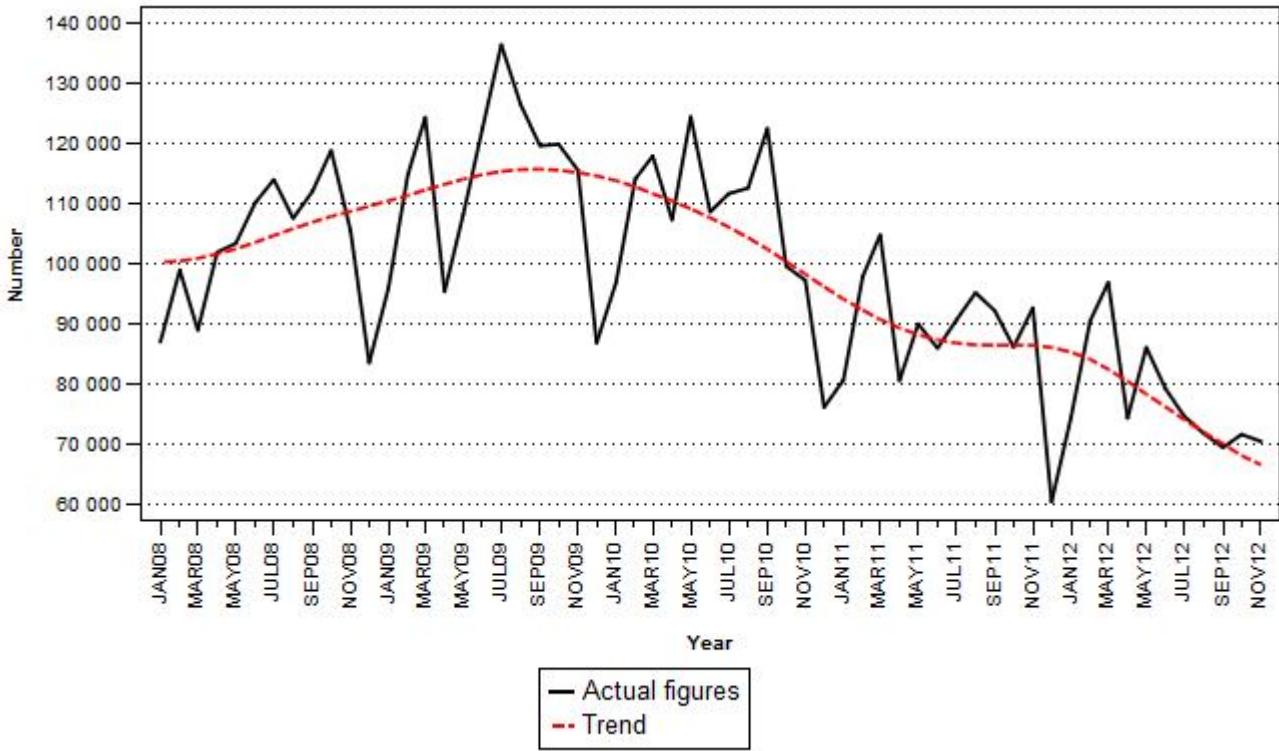
**There was a 3,2% increase in the total value of civil judgements recorded for debt in the three months ended November 2012 compared with the three months ended November 2011. A year-on-year increase of 1,4% was recorded in November 2012 – see Table A and Tables 5 and 7.**

The major contributors to the 3,2% increase were the 'other' debts category (contributing 9,4 percentage points) and money lent category (contributing 3,4 percentage points) – see Table 6.

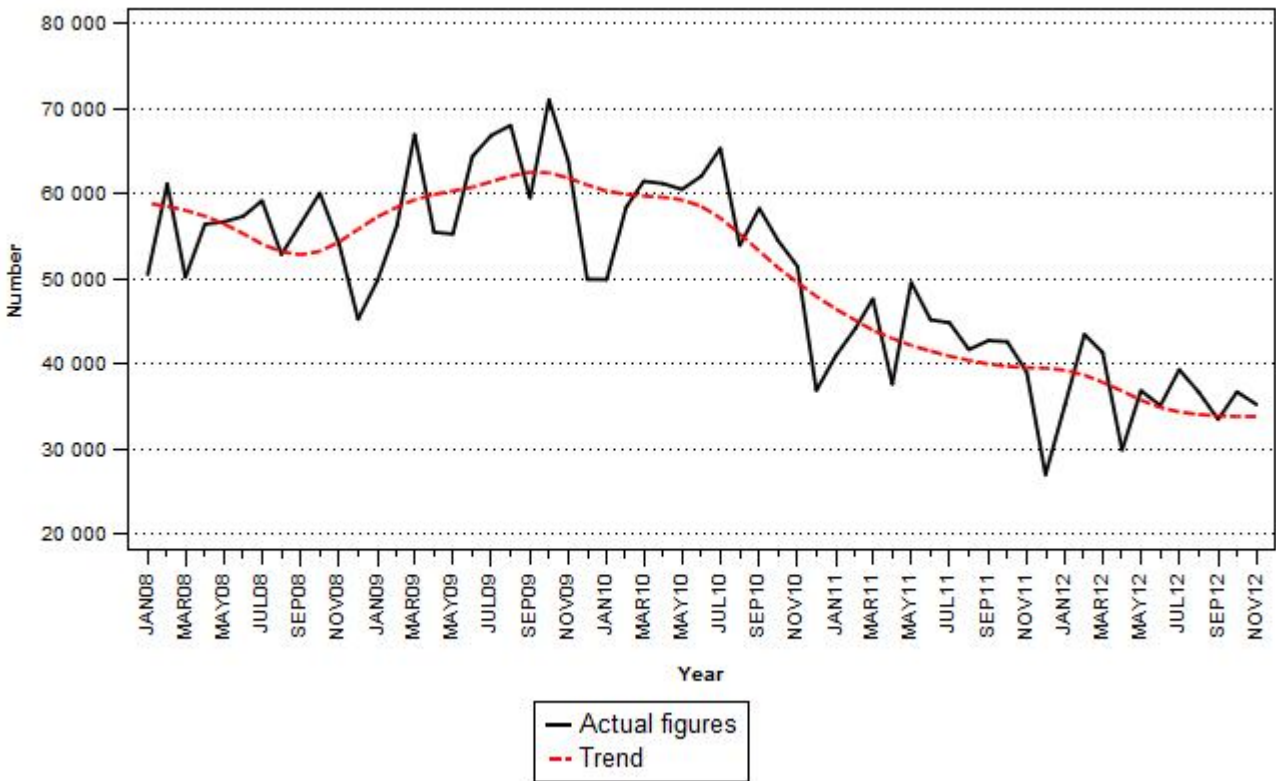
During November 2012, 35 268 civil judgements for debt amounting to R414,1 million were recorded. The largest contributors to the R414,1 million were:

- money lent (R142,5 million or 34,4%);
- 'other' debts (R87,4 million or 21,1%);
- services (R67,1 million or 16,2%); and
- goods sold (R48,7 million or 11,8%) – see Tables 3 and 4.

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



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



**PJ Lehohla**  
**Statistician-General**

## Tables

**Table 1 – Number of civil cases recorded and summonses issued for debt: Total and private persons**

Item		Total				Private persons			
		2011	November 2011	1/ October 2012	1/ November 2012	2011	November 2011	1/ October 2012	1/ November 2012
<b>Cases recorded</b>	<b>Actual figures</b>	<b>1 228 074</b>	<b>99 198</b>	<b>77 883</b>	<b>76 464</b>	<b>1 074 543</b>	<b>85 577</b>	<b>63 557</b>	<b>65 596</b>
	<b>Seasonally adjusted</b>		98 321	77 293	75 777		82 594	64 200	63 195
<b>Civil summonses for debt</b>	Goods sold - Open account	82 722	9 422	6 049	7 131	63 885	7 525	4 485	5 327
	Goods sold - Instalment sale transactions	24 715	3 216	1 927	3 011	20 451	2 510	1 627	2 393
	Services - Professional	117 707	10 706	9 402	9 130	102 139	9 326	7 294	8 083
	Services - Other	197 580	21 512	11 139	11 532	176 093	19 676	8 998	9 961
	Rent	46 160	5 486	3 861	4 388	36 613	4 369	3 152	3 445
	Money lent	232 578	17 968	17 925	15 302	214 837	16 650	13 572	14 340
	Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	171 991	9 003	9 815	6 995	151 980	6 889	8 894	5 468
	Other debts	183 793	15 364	11 576	13 048	156 535	13 132	10 085	11 336
	<b>Total - Actual figures</b>	<b>1 057 246</b>	<b>92 677</b>	<b>71 694</b>	<b>70 537</b>	<b>922 533</b>	<b>80 077</b>	<b>58 107</b>	<b>60 353</b>
	<b>Total - Seasonally adjusted</b>		90 190	70 490	68 233		78 412	58 281	58 757

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, Vanderbijlpark and Meyerton	Bloemfontein
<b>2010</b>	<b>Year Total</b>	<b>118 066</b>	<b>37 136</b>	<b>15 823</b>	<b>5 246</b>	<b>22 836</b>	<b>90 782</b>	<b>256 134</b>	<b>54 366</b>	<b>33 988</b>	<b>138 594</b>	<b>17 342</b>	<b>64 259</b>
<b>2011</b>	<b>Year Total</b>	<b>79 463</b>	<b>60 025</b>	<b>11 782</b>	<b>4 842</b>	<b>16 605</b>	<b>64 927</b>	<b>222 519</b>	<b>47 918</b>	<b>37 724</b>	<b>94 991</b>	<b>14 597</b>	<b>41 547</b>
	January	4 253	2 019	876	293	1 493	6 512	22 549	3 222	2 516	8 018	934	3 585
	February	5 379	3 184	1 197	344	1 805	6 343	28 740	4 472	3 473	9 927	1 563	2 946
	March	6 907	4 548	1 301	419	826	6 034	24 728	4 818	2 831	8 569	1 405	4 354
	April	5 317	3 823	1 423	290	1 581	6 031	19 903	3 398	2 711	7 212	1 016	4 428
	May	5 999	6 607	1 430	351	1 469	6 728	20 295	3 556	2 599	9 172	1 098	4 520
	June	7 480	5 207	975	374	1 325	5 738	17 516	3 829	2 459	8 132	1 368	3 855
	July	7 879	4 502	1 309	549	2 056	6 124	17 611	3 913	3 476	7 393	1 765	3 492
	August	7 482	6 460	1 137	680	1 268	4 909	15 940	4 581	3 251	6 977	1 448	3 982
	September	7 689	5 978	610	578	1 740	4 341	19 759	4 414	3 125	7 876	1 070	3 364
	October	6 220	6 621	588	244	1 141	3 976	12 013	5 438	3 187	8 655	924	2 893
	November	6 482	7 447	627	461	1 171	4 410	13 803	3 987	4 811	8 658	1 435	2 488
December	8 376	3 629	309	259	730	3 781	9 662	2 290	3 285	4 402	571	1 640	
<b>2012</b>	January	6 626	4 188	264	321	1 251	3 717	9 405	3 477	4 217	7 230	838	1 590
	February	6 421	6 720	345	710	1 269	4 068	12 143	4 107	6 091	7 905	987	2 259
	March	6 674	11 178	160	423	2 006	3 799	10 661	5 089	6 182	7 524	1 115	2 006
	April	6 630	4 986	152	350	1 591	3 374	9 428	3 524	3 944	7 098	1 083	2 194
	May	6 931	4 543	159	537	2 411	3 355	14 658	3 973	2 492	7 892	1 041	1 891
	June	6 655	3 038	125	590	2 048	3 373	10 056	4 548	2 500	9 580	1 079	1 976
	July	5 643	2 626	268	297	2 685	3 332	10 834	4 596	2 144	11 884	911	1 520
	August	6 176	2 522	193	414	2 036	3 427	11 463	3 626	2 342	8 474	1 083	1 908
	1/ September	5 865	1 845	159	649	1 831	3 407	12 486	3 593	2 282	7 439	1 289	1 516
	1/ October	5 343	2 501	197	1 053	1 551	3 642	12 909	4 725	3 018	6 855	603	1 161
1/ November	5 256	2 663	184	1 150	1 310	3 490	11 312	4 018	2 393	6 770	1 270	1 400	

1/ Preliminary.

**Table 3 – Number of civil default and consent judgements for debt: Total and private persons**

Item		Total				Private persons			
		2011	November 2011	1/ October 2012	1/ November 2012	2011	November 2011	1/ October 2012	1/ November 2012
Number of civil judgements	Goods sold - Open account	56 599	4 303	3 633	3 204	48 208	3 630	2 870	2 659
	Goods sold - Instalment sale transactions	10 636	876	735	763	8 673	676	604	648
	Services - Professional	68 314	5 435	5 315	4 789	63 158	5 133	4 800	4 339
	Services - Other	57 871	4 610	5 124	4 665	50 115	4 028	4 523	4 095
	Rent	25 693	2 276	2 206	1 853	20 599	1 878	1 817	1 542
	Money lent	163 337	11 545	10 759	10 164	158 119	11 200	10 417	9 725
	Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	44 550	3 673	3 777	4 764	38 545	3 096	3 332	4 391
	Other debts	76 406	6 369	5 195	5 066	67 988	5 775	4 680	4 651
	<b>Total - Actual figures</b>	<b>503 406</b>	<b>39 087</b>	<b>36 744</b>	<b>35 268</b>	<b>455 405</b>	<b>35 416</b>	<b>33 043</b>	<b>32 050</b>
	<b>Total - Seasonally adjusted</b>		38 357	34 018	34 586		34 554	30 432	31 258

1/ Preliminary.

**Table 4 – Value of civil default and consent judgements for debt: Total and private persons (R'000)**

Item		Total				Private persons			
		2011	November 2011	1/ October 2012	1/ November 2012	2011	November 2011	1/ October 2012	1/ November 2012
Value of civil judgements	Goods sold - Open account	522 678	42 316	41 681	34 898	333 611	26 035	22 717	20 193
	Goods sold - Instalment sale transactions	284 150	16 109	13 410	13 775	230 821	13 243	9 913	12 114
	Services - Professional	308 692	24 810	23 634	23 148	264 557	21 882	18 969	18 072
	Services - Other	592 032	42 421	58 785	43 942	444 349	31 707	47 009	33 981
	Rent	374 423	32 394	34 403	33 428	223 786	20 278	22 247	21 300
	Money lent	1 525 895	97 547	100 586	142 459	1 422 619	91 798	94 369	136 369
	Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	536 585	74 535	43 575	34 987	436 042	64 861	33 841	29 202
	Other debts	1 016 435	78 128	144 526	87 419	728 727	58 666	65 933	53 832
	<b>Total - Actual figures</b>	<b>5 160 890</b>	<b>408 260</b>	<b>460 600</b>	<b>414 056</b>	<b>4 084 512</b>	<b>328 470</b>	<b>314 998</b>	<b>325 063</b>
	<b>Total - Seasonally adjusted</b>		401 163	414 682	407 095		313 535	285 062	309 675

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 2012 and the three months ended November 2011**

Actual estimates	Actual estimates September to November 2011	Actual estimates September to November 2012	% change between September to November 2011 and September to November 2012	Difference between September to November 2011 and September to November 2012
Number of civil summonses issued for debt	271 016	211 758	-21,9	-59 258
Number of civil judgements recorded for debt	124 499	105 524	-15,2	-18 975
Value of civil judgements recorded for debt (R million)	1 235,4	1 274,5	3,2	39,1

**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 2012 and the three months ended November 2011 1/**

	Contribution (% points) to the total % change		
	Civil summonses for debt	Number of civil judgements	Value of civil judgements
Goods sold - Open account	-2,3	-4,0	-1,9
Goods sold - Instalment sale transactions	-0,2	-0,5	-2,1
Services - Professional	-1,7	-2,2	-0,7
Services - Other	-9,7	-1,0	0,2
Rent	-0,5	-0,8	-0,3
Money lent	-3,7	-5,8	3,4
Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	-2,0	2,3	-4,9
Other debts	-1,8	-3,3	9,4
<b>Total</b>	<b>-21,9</b>	<b>-15,2</b>	<b>3,2</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 2011, divided by 100. Due to rounding off, contributions might not add up to the total.

**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 2011	Actual estimates November 2012	% change between November 2011 and November 2012	Difference between November 2011 and November 2012
Number of civil summonses issued for debt	92 677	70 537	-23,9	-22 140
Number of civil judgements recorded for debt	39 087	35 268	-9,8	-3 819
Value of civil judgements recorded for debt (R million)	408,3	414,1	1,4	5,8



## Explanatory notes

<b>Introduction</b>	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, ejectment orders and other non-debt cases are excluded.
<b>Purpose of the survey</b>	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.
<b>Scope of the survey</b>	4	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>	5	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>	6	The survey is conducted by mail, fax and telephone each month from 151 magistrates' offices.
<b>Collection rate</b>	7	The preliminary collection rate for the civil cases for debt survey for November 2012 was 87,4%. Improved collection rate for October 2012 was 93,4%.
<b>Trend cycle</b>	8	Smoothed seasonally adjusted and trend estimates are generated using the X-11 Seasonal Adjustment Programme.
<b>Publications</b>	9	Users may also wish to refer to the following publications: <ul style="list-style-type: none"> <li>• <i>Bulletin of Statistics</i> issued quarterly; and</li> <li>• <i>SA Statistics</i> issued annually.</li> </ul>
<b>Unpublished statistics</b>	10	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>	11	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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