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Statistics of civil cases for debt (Preliminary)

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SUMMARY OF FINDINGS: STATISTICS OF CIVIL CASES FOR DEBT (OCTOBER 2009)

Table A – Key figures for the month of October 2009

Actual estimates	October 2009	% change between October 2008 and October 2009	% change between August to October 2008 and August to October 2009
Number of civil summonses issued for debt	122 995	3,6	9,1
Number of civil judgements recorded for debt	70 976	18,1	17,0
Value of civil judgements recorded for debt (R million)	772,4	39,5	34,0

The number of civil summonses issued for debt increases

The total number of civil summonses issued for debt for the three months ended October 2009 increased by 9,1% compared with the three months ended October 2008. There was also a 3,6% increase between October 2008 and October 2009 (see Table A and Tables 5 and 7).

The major contributors to the increase in civil summonses issued for debt for the three months ended October 2009 compared with the three months ended October 2008 were civil summonses issued in respect of money lent (3,3 percentage points), promissory notes and other acknowledgements of debt (3,0 percentage points) (this category includes credit card debt) and 'other debts' (2,0 percentage points). The 'other services' and rent categories were the only negative contributors (see Table 6).

The number of civil judgements recorded for debt increases

Following the trend in the number of civil summonses issued for debt, the total number of civil judgements recorded for debt for the three months ended October 2009 increased by 17,0% compared with the three months ended October 2008. There was also an 18,1% increase between October 2008 and October 2009 (see Table A and Tables 5 and 7).

Civil judgements in respect of money lent (contributing 11,4 percentage points), promissory notes and other acknowledgements of debt (contributing 3,6 percentage points), and goods sold on an open account (contributing 2,0 percentage points) were the main drivers behind the 17,0% increase in the number of civil judgements recorded for debt. The 'other debts' category was the only negative contributor (-2,7 percentage points) (see Table 6).

The value of civil judgements recorded for debt increases

The total value of civil judgements recorded for debt for the three months ended October 2009 increased by 34,0% compared with the three months ended October 2008. There was also a 39,5% increase between October 2008 and October 2009 (see Table A and Tables 5 and 7).

The major contributors to the 34,0% increase in the value of civil judgements for the three months ended October 2009 compared with the three months ended October 2008 were money lent (13,1 percentage points), promissory notes and other acknowledgements of debt (5,6 percentage points) and goods sold on an open account (3,9 percentage points) (see Table 6).

During October 2009, 70 976 civil judgements for debt amounting to R772,4 million were recorded. The largest contributors to the R772,4 million were (see Tables 3 and 4):

- Money lent (R258,8 million or 33,5%)
- 'Other debts' (R137,4 million or 17,8%)
- Promissory notes and other acknowledgements of debt (R107,9 million or 14,0%) and
- Goods sold on an open account (R75,0 million or 9,7%).

Figures 1 and 2 outline the number of civil summonses issued and civil judgements recorded for debt respectively from January 2004 to October 2009.

Figure 1 – Civil summonses issued for debt

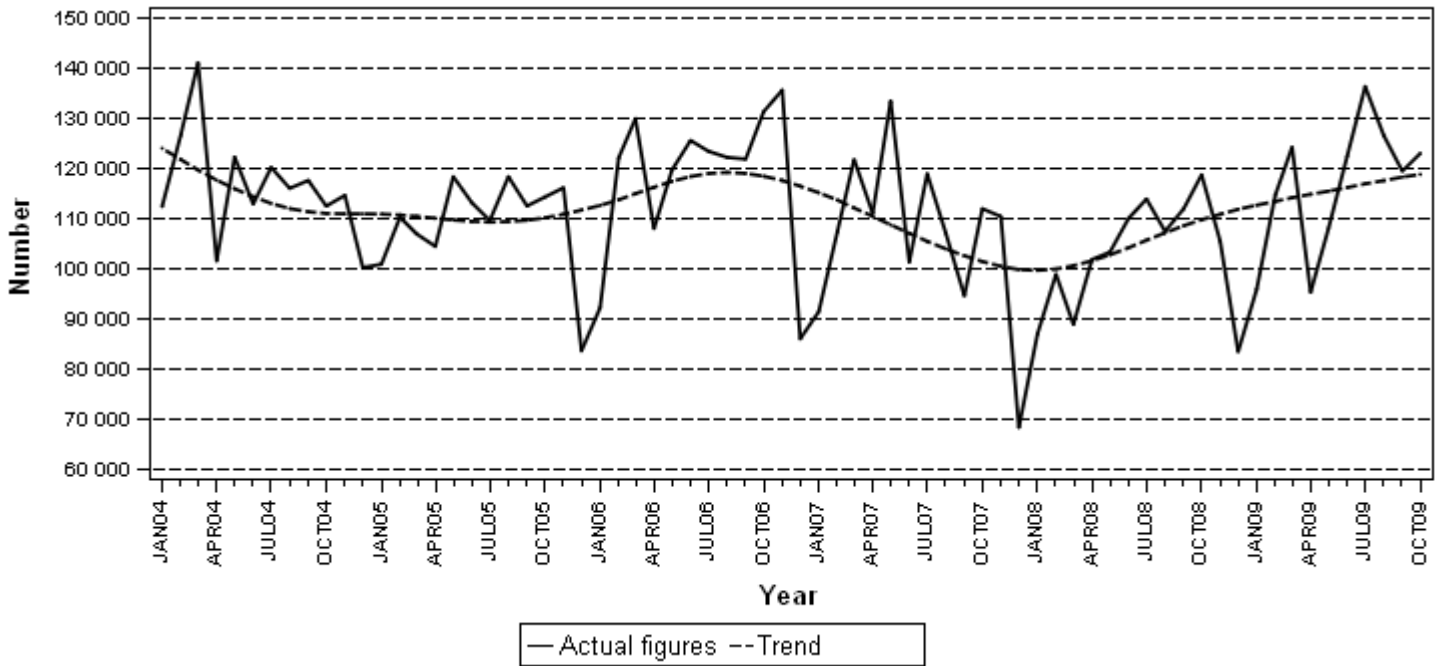
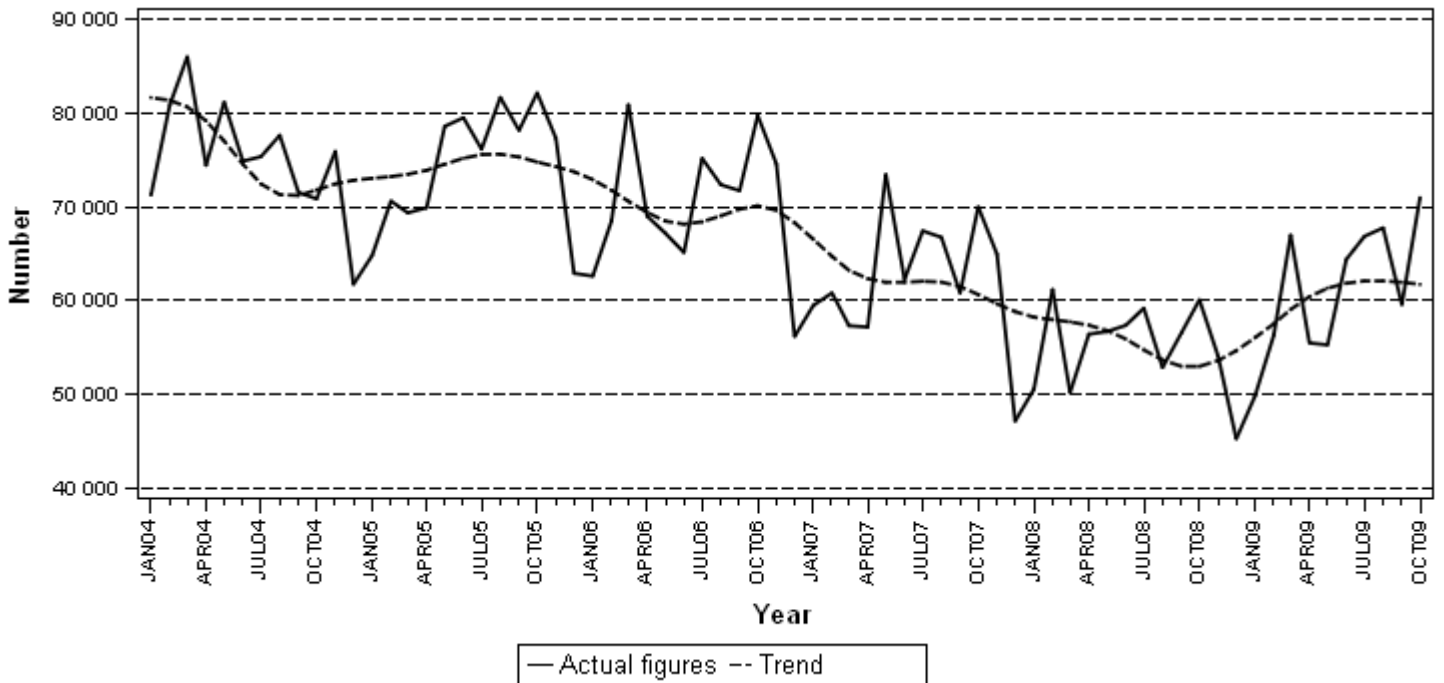


Figure 2 – Civil judgements recorded for debt



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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			
	2008	2008	1/ 2009		2008	2008	1/ 2009	
		October	September	October		October	September	October
1. Cases recorded								
1.1 Actual figures	1 442 676	137 767	137 780	142 005	1 265 159	122 449	122 952	126 174
1.2 Seasonally adjusted		127 588	136 921	131 301		112 342	129 773	115 475
2. Civil summonses for debt								
2.1 Goods sold								
2.1.1 Open account	116 702	12 882	10 152	10 379	95 703	10 899	8 265	8 585
2.1.2 Instalment sale transactions	31 242	3 022	2 574	3 540	26 472	2 469	2 239	3 104
2.2 Services								
2.2.1 Professional	132 886	13 551	13 218	14 483	112 140	11 125	10 879	11 654
2.2.2 Other	173 709	16 255	13 770	15 774	151 941	14 284	12 097	13 754
2.3 Rent	53 031	4 378	4 310	4 508	42 964	3 553	3 522	3 701
2.4 Money lent	283 693	24 747	30 597	26 914	262 921	22 985	28 720	25 047
2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	201 891	21 935	23 587	23 588	189 884	20 885	22 517	22 345
2.6 Other debts	238 253	21 974	21 268	23 809	205 941	18 919	17 234	19 572
2.7 Total								
2.7.1 Actual figures	1 231 407	118 744	119 476	122 995	1 087 966	105 119	105 473	107 762
2.7.2 Seasonally adjusted		110 101	119 535	113 966		96 961	105 543	99 319

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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 and Vanderbijlpark	Bloemfontein
2007	Year Total	117 403	65 797	32 766	9 226	17 420	77 021	215 297	51 978	40 863	153 646	26 219	45 913
2008	Year Total	117 171	54 474	17 553	7 236	19 284	78 092	205 869	59 060	33 410	138 384	26 859	33 374
	January	6 304	5 151	1 278	274	1 136	5 286	10 193	3 392	1 905	15 008	4 496	3 068
	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	5 257	2 816	14 527	1 839	2 962
	October	12 480	3 866	1 549	405	1 966	7 767	18 597	5 758	3 777	14 812	1 975	2 374
	November	12 497	3 655	1 535	844	2 050	8 149	18 480	5 704	2 879	11 611	1 375	2 356
December	9 844	2 415	1 376	546	1 055	7 707	15 598	4 619	1 867	7 328	774	2 093	
1/ 2009	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	3 833	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	10 329	20 819	5 002	3 420	11 304	1 589	3 200

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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			
	2008	2008	1/ 2009		2008	2008	1/ 2009	
		October	September	October		October	September	October
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	85 779	7 083	7 200	7 960	75 644	6 263	5 931	6 509
1.1.2 Instalment sale transactions	9 655	764	963	1 313	8 047	623	786	1 085
1.2 Services								
1.2.1 Professional	77 331	7 873	7 572	7 794	67 961	6 846	6 674	6 824
1.2.2 Other	80 433	7 585	6 266	7 737	72 556	6 812	5 582	6 827
1.3 Rent	30 891	2 295	2 307	2 804	23 363	1 745	1 815	2 184
1.4 Money lent	222 378	20 021	23 601	25 207	216 753	19 672	23 196	24 749
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	47 916	4 768	4 279	8 639	42 595	4 069	3 754	7 983
1.6 Other debts	106 174	9 708	7 400	9 522	95 631	8 956	6 599	8 702
1.7 Total								
1.7.1 Actual figures	660 557	60 097	59 588	70 976	602 550	54 986	54 337	64 863
1.7.2 Seasonally adjusted		52 552	58 967	61 939		47 714	54 221	56 180

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			
	2008	2008	1/ 2009		2008	2008	1/ 2009	
		October	September	October		October	September	October
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	631 110	54 779	75 678	75 021	442 239	36 209	47 589	49 722
1.1.2 Instalment sale transactions	254 184	21 530	27 889	49 508	199 440	18 669	22 916	41 298
1.2 Services								
1.2.1 Professional	281 951	26 943	25 923	32 327	217 663	22 729	19 657	23 328
1.2.2 Other	595 868	58 573	58 920	70 611	455 915	47 709	46 053	55 433
1.3 Rent	323 395	28 750	35 557	40 849	212 835	16 877	23 324	25 248
1.4 Money lent	1 956 374	185 313	223 483	258 803	1 827 288	179 462	189 616	226 170
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	662 489	65 105	64 097	107 897	555 402	41 599	50 927	94 191
1.6 Other debts	1 314 647	112 563	128 877	137 351	1 012 729	86 663	104 339	108 107
1.7 Total								
1.7.1 Actual figures	6 020 018	553 556	640 424	772 367	4 923 511	449 917	504 421	623 497
1.7.2 Seasonally adjusted		484 534	639 567	679 875		394 905	510 938	549 637

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 August to October 2008	Actual estimates August to October 2009	% change between August to October 2008 and August to October 2009	Difference between August to October 2008 and August to October 2009
Number of summonses for debt	338 210	369 025	9,1	30 815
Number of judgements for debt	169 533	198 326	17,0	28 793
Value of judgements for debt (R million)	1 544,3	2 069,6	34,0	525,4

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

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	0,3	2,0	3,9
--Instalment sale transactions	0,2	0,5	3,6
Professional services	1,1	1,5	0,0
Other services	-0,7	0,3	2,7
Rent	-0,1	0,5	2,2
Money lent	3,3	11,4	13,1
Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	3,0	3,6	5,6
Other debts	2,0	-2,7	3,0
Total	9,1	17,0	34,0

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 August to October 2008, 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 October 2008	Actual estimates October 2009	% change between October 2008 and October 2009	Difference between October 2008 and October 2009
Number of summonses for debt	118 744	122 995	3,6	4 251
Number of judgements for debt	60 097	70 976	18,1	10 879
Value of judgements for debt (R million)	553,6	772,4	39,5	218,8

Explanatory notes

Introduction	1	<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>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	3	<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>
Scope of the survey	4	<p>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	5	<p>The statistical unit for collection of information is a magistrate's 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 the number of civil cases recorded as measure of size.</p>
Survey methodology and design	6	<p>The survey is conducted by mail, fax and telephone each month from 151 magistrates' offices.</p>
Response rate	7	<p>The response rate for the civil cases for debt survey for October 2009 was 84,1%.</p>
Trend cycle	8	<p>Smoothed seasonally adjusted and trend estimates are generated using the X-11 Seasonal Adjustment Programme.</p>
Publications	9	<p>Users may also wish to refer to the following publications:</p> <ul style="list-style-type: none"> • <i>Bulletin of Statistics issued quarterly.</i> • <i>SA Statistics issued annually.</i>
Unpublished statistics	10	<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 electronic versions. Generally a charge is made for providing unpublished statistics.</p>
Symbols and abbreviations	11	<p>R/D Refer to Drawer 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 debt he owes without defending the action. This usually happens before the debtor signs a binding contract, e.g. 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 salaries, 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, hospital services etc.
Promissory note	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.
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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