

# **Statistics of civil cases for debt September 2005**

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## Key figures for the month ended September 2005

	September 2005	% change between September 2004 and September 2005	% change between July 2004 to September 2004 and July 2005 to September 2005
<b>Actual estimates</b>			
Number of civil summonses issued for debt	110 807	-5,8	-4,9
Number of civil judgements recorded for debt	74 900	4,7	1,2
Value of civil judgements recorded for debt (R million)	611,0	-3,6	-8,1

## **Key findings as at the end of September 2005**

### **The number of civil summonses issued for debt decreases**

*The total number of civil summonses issued for debt for the third quarter of 2005 decreased by 4,9% compared with the third quarter of 2004.*

The major contributors to the decrease of 4,9% in civil summonses issued for debt for the third quarter of 2005 compared with the third quarter of 2004, were civil summonses issued in respect of money lent (-2,1 percentage points) and 'other services' (-2,0 percentage points) (see table 5 column 2).

### **The number of civil judgements recorded for debt increases**

*The total number of civil judgements recorded for debt for the third quarter of 2005 increased by 1,2% compared with the third quarter of 2004.*

The major contributors to the increase of 1,2% in the number of civil judgements recorded for debt for the third quarter of 2005 compared with the third quarter of 2004, were civil judgements in respect of money lent (+3,6 percentage points) and 'other' debts (+2,1 percentage points). However, this increase was partially counteracted by a decrease in judgements recorded for debt in respect of rent (-2,1 percentage points) and 'other services' (-1,8 percentage points) (see table 5 column 3).

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

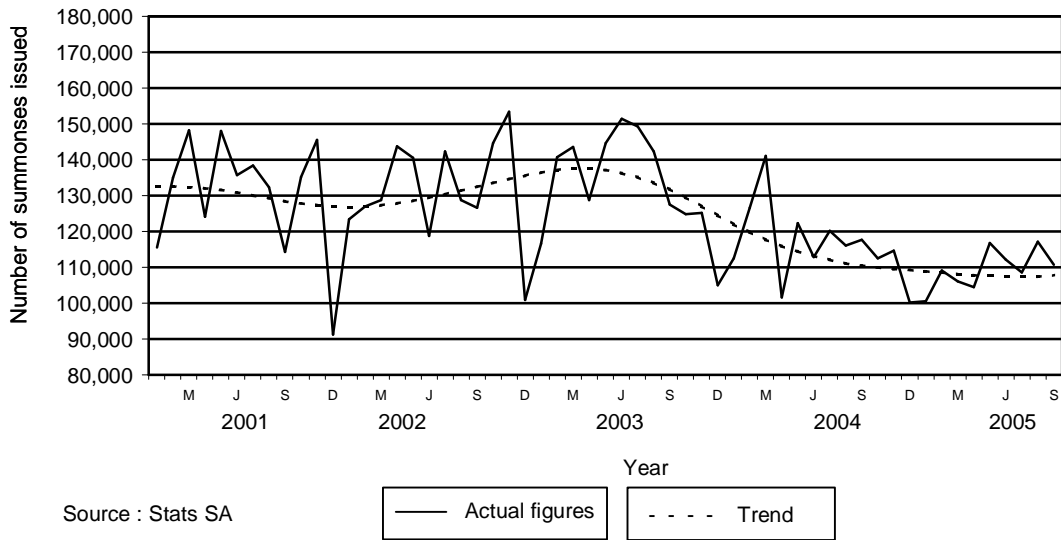
*The total value of civil judgements recorded for debt for the third quarter of 2005 decreased by 8,1% compared with the third quarter of 2004.*

The major contributors to the decrease of 8,1% in the value of civil judgements recorded for the third quarter of 2005 compared with the third quarter of 2004, were civil judgements recorded in respect of 'other' debts (-6,1 percentage points), 'other services' (-3,5 percentage points) and rent (-2,4 percentage points). However, this decrease was partially counteracted by an increase in value of judgements recorded for debt in respect of promissory notes (+3,3 percentage points) and goods sold on account (+2,5 percentage points) (see table 5 column 4)

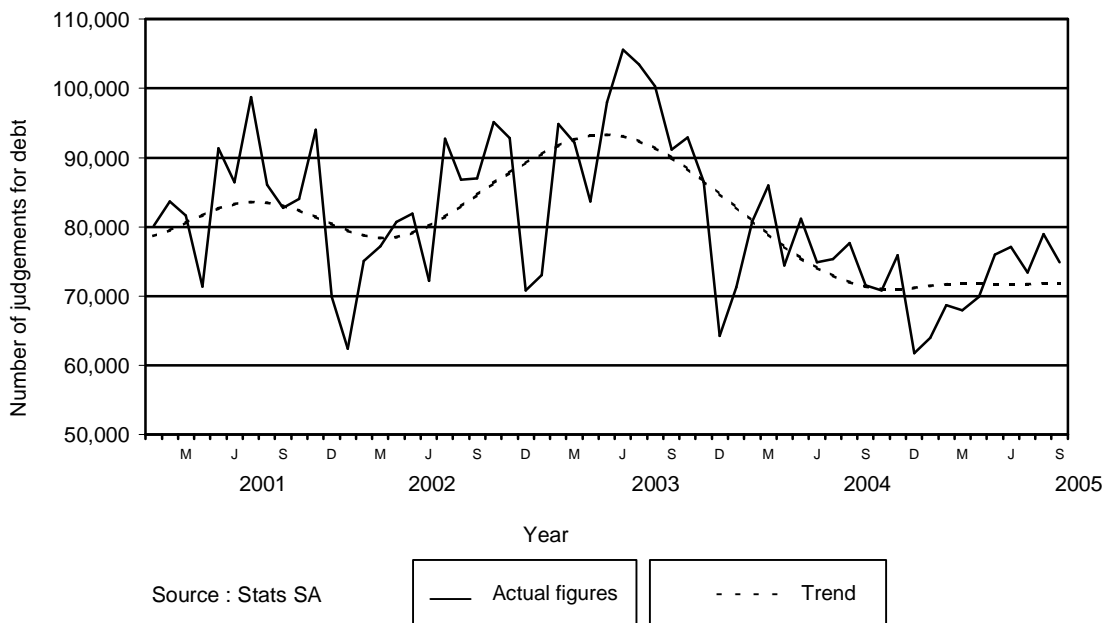
During September 2005, 74 900 civil judgements for debt, amounting to R611,0 million, were recorded. The largest contributors to the R611,0 million were civil judgements relating to money lent (R190,3 million or 31,1%), 'other' debts (R156,2 million or 25,6%), goods sold on account (R81,5 million or 13,3%) and promissory notes (R77,8 million or 12,7%) (see table 4 column 5).

**Figures 1 and 2 outline the number of civil summonses issued and civil judgements recorded from 2001 to 2005**

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



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



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## Notes

<b>Forthcoming issue</b>	<b>Issue</b>	<b>Expected release date</b>
	October 2005	15 December 2005
<b>Purpose of the survey</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>Response rate</b>	The response rate for September 2005 was 83%.	

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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			
	2004	2004	2005	2005	2004	2004	2005	2005
		Sept.	Aug.*	Sept.		Sept.	Aug.*	Sept.
1. Cases recorded								
1.1 Actual figures	1 594 269	134 943	139 180	133 465	1 468 203	123 652	126 337	118 879
1.2 Seasonally adjusted		134 352	133 783	131 986		123 229	121 094	117 703
2. Civil summonses for debt								
2.1 Goods sold								
2.1.1 Open account	166 745	14 172	13 321	14 059	146 808	12 307	11 770	11 702
2.1.2 Instalment sale transactions	50 254	4 369	5 394	5 670	46 274	3 999	4 984	5 329
2.2 Services								
2.2.1 Professional	167 273	14 559	14 424	14 737	158 478	13 684	11 856	11 579
2.2.2 Other	261 068	21 567	22 342	16 845	244 594	19 769	20 481	14 869
2.3 Rent	59 425	3 806	4 593	4 593	45 218	2 714	3 988	3 774
2.4 Money lent	325 544	27 027	24 356	23 441	310 493	25 619	23 428	22 224
2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	131 093	12 218	13 213	11 405	121 148	11 300	12 270	10 635
2.6 Other	236 821	19 901	19 443	20 058	214 152	18 215	17 402	17 782
2.7 Total								
2.7.1 Actual figures	1 398 223	117 619	117 086	110 807	1 287 165	107 607	106 179	97 894
2.7.2 Seasonally adjusted		117 631	111 242	109 744		107 575	100 082	96 927

\* 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
2003	184 499	86 919	37 534	26 953	30 153	131 913	183 463	78 614	53 072	145 245	33 818	71 882
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
2004 - J	13 627	7 634	2 149	1 370	1 249	8 053	14 070	5 493	3 745	11 949	1 568	3 417
F	15 167	6 921	2 149	1 957	1 713	9 997	16 006	6 014	5 127	11 989	2 513	4 337
M	12 787	10 896	3 587	1 957	2 427	10 711	17 689	9 544	5 759	12 922	2 827	3 945
A	10 087	5 786	2 243	1 957	1 215	8 415	11 018	5 510	3 806	7 605	2 252	4 542
M	11 545	8 252	3 521	990	1 712	11 633	14 059	7 474	4 564	9 739	2 504	4 542
J	12 390	3 174	3 521	790	1 682	11 346	12 525	6 408	4 375	9 692	1 442	4 542
J	12 988	3 174	4 823	1 100	2 052	10 239	14 059	5 847	4 347	10 652	2 015	5 292
A	11 424	7 185	3 034	710	1 663	10 867	14 059	8 433	4 750	9 826	2 021	5 676
S	10 897	5 063	3 087	710	1 837	10 867	14 059	7 954	4 369	10 797	1 494	5 676
O	9 933	5 483	3 087	488	1 112	8 878	14 059	9 423	3 928	11 728	3 001	5 676
N	10 688	8 920	3 087	488	1 574	10 239	14 059	8 729	4 388	14 231	2 134	4 195
D	11 613	8 920	3 087	527	1 085	10 239	14 059	6 792	2 714	7 673	1 727	3 995
2005 - J	11 896	6 551	2 247	545	1 578	10 239	14 059	3 943	3 547	9 006	2 093	4 441
F	14 772	6 551	3 172	895	1 781	9 815	11 918	5 120	4 152	12 240	2 592	4 182
M	11 976	5 099	2 889	632	1 439	5 740	13 198	4 899	3 850	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	6 441	3 621	12 756	1 832	4 884
J	15 193	6 117	3 350	721	1 636	4 921	12 201	4 335	3 959	12 114	1 794	4 884
J	13 402	4 474	3 240	873	1 894	4 921	12 726	4 973	3 690	11 494	2 127	5 083
A	17 524	5 573	2 941	861	2 220	7 311	14 095	3 993	3 752	11 839	3 311	5 083
S	15 391	5 612	3 517	911	1 539	7 311	13 090	4 196	3 146	12 216	1 112	5 083



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			
	2004	2004	2005	2005	2004	2004	2005	2005
		Sept.	Aug.*	Sept.		Sept.	Aug.*	Sept.
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	112 511	8 028	9 647	8 417	103 007	7 195	8 781	7 558
1.1.2 Instalment sale transactions	16 017	1 191	1 656	1 625	14 307	1 044	1 500	1 445
1.2 Services								
1.2.1 Professional	84 612	7 367	7 153	6 398	80 025	6 865	6 608	5 821
1.2.2 Other	139 466	11 809	11 258	10 219	131 269	11 043	10 590	9 709
1.3 Rent	41 418	3 703	1 889	1 984	31 039	2 581	1 525	1 581
1.4 Money lent	308 851	24 840	29 430	29 986	303 361	24 050	29 145	29 526
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	94 137	5 828	6 760	5 889	89 724	5 631	6 512	5 559
1.6 Other	104 609	8 770	11 171	10 382	96 031	8 030	10 281	9 424
1.7 Total								
1.7.1 Actual figures	901 621	71 536	78 964	74 900	848 763	66 439	74 942	70 623
1.7.2 Seasonally adjusted		70 187	72 787	73 453		65 404	68 920	69 511

\* 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			
	2004	2004	2005	2005	2004	2004	2005	2005
		Sept.	Aug.*	Sept.		Sept.	Aug.*	Sept.
R' 000								
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	585 615	45 884	57 020	81 517	453 401	33 592	46 357	72 358
1.1.2 Instalment sale transactions	284 507	24 230	19 159	22 291	233 000	20 285	16 112	18 715
1.2 Services								
1.2.1 Professional	260 267	24 330	16 826	17 705	226 121	20 994	14 353	13 687
1.2.2 Other	744 612	74 541	49 867	49 737	642 577	64 917	42 853	41 973
1.3 Rent	316 836	32 772	15 450	15 402	226 720	23 550	10 161	9 836
1.4 Money lent	2 285 479	209 341	210 893	190 255	2 200 833	200 947	204 365	179 468
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	902 100	51 951	80 108	77 826	826 289	47 672	75 984	68 215
1.6 Other	1 523 389	170 695	145 807	156 249	1 068 799	119 456	108 553	118 051
1.7 Total								
1.7.1 Actual figures	6 902 805	633 744	595 130	610 982	5 877 740	531 413	518 738	522 303
1.7.1 Seasonally adjusted		599 065	544 879	570 187		504 175	473 149	489 465

\* Revised

Table 5 - Contribution of the different kinds of debts to the total number and value of debts recorded

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	-1,2	-0,2	2,5
Instalment sale transactions	0,7	0,5	-0,4
Professional services	-0,3	-0,3	-1,6
Other services	-2,0	-1,8	-3,5
Rent	0,2	-2,1	-2,4
Money lent	-2,1	3,6	0,1
Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	0,6	-0,6	3,3
Other debts	-0,8	2,1	-6,1
<b>Total</b>	<b>-4,9</b>	<b>1,2</b>	<b>-8,1</b>

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 May 2004 to July 2004, divided by 100.

Table 6 - 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 September 2004	Actual estimates September 2005	% change between September 2004 and September 2005	Difference between September 2004 and September 2005
Number of summonses for debt	117 619	110 807	-5,8%	-6 811
Number of judgements for debt	71 536	74 900	4,7%	3 364
Value of judgements for debt (R million)	633,7	611,0	-3,6%	-22,7

Table 7 - 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 July 2004 to September 2004	Actual estimates July 2005 to September 2005	% change between July 2004 to September 2004 and July 2005 to September 2005	Difference between July 2004 to September 2004 and July 2005 to September 2005
Number of summonses for debt	353 878	336 509	-4,9%	-17 369
Number of judgements for debt	224 517	227 312	1,2%	2 795
Value of judgements for debt (R million)	1 853,4	1 702,6	-8,1%	-150,8

## Explanatory notes

- Introduction**
- 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, ejection orders and other non-debt cases are excluded.
- Scope of the survey**
- 3 This survey covers -
    - 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**
- 4 The statistical unit for collection of information is a magistrates' office. Magistrates' offices include the small claims courts.
  - 5 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 152 magistrates' offices is drawn using only the number of civil cases recorded as the measure of size.
- Survey methodology and design**
- 6 The survey is conducted by mail each month for approximately 152 magistrates' offices.
- Seasonal adjustment**
- 7 Seasonal adjustment (variation) is a means of removing the estimated effects of normal seasonal variation from the series so that the effects of other influences on the series can be more clearly recognised. Seasonal adjustment does not aim to remove irregular or non-seasonal influences which may be present in any particular month. Influences that are volatile or unsystematic can still make it difficult to interpret the movement of the series even after adjustment for seasonal variations. This means the month-to-month movements of seasonally adjusted estimates may not be reliable indicators of trend behaviour.
- Trend cycle**
- 8 Smoothed seasonally adjusted estimates are generated using the X-11 Seasonal Adjustment Programme.
- Publications**
- 9 Users may also wish to refer to the following publications:
    - *Bulletin of Statistics* issued quarterly.
    - *SA Statistics* issued annually.

**Unpublished statistics**

- 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.

**Symbols and abbreviations**

- 11** R/D            Refer to Drawer  
CD              Compact Disc  
Stats SA        Statistics South Africa  
TBVC           Transkei, Bophuthatswana, Venda, Ciskei.

## 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 a debt he owes without defending the action. This usually happens before the debtor signs a binding contract, e.g. a 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 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 refers to medical doctors/dentists, advocates/attorneys, auditors/ accountants, architects, engineers and hospital services.
<b>Promissory note</b>	Promissory note is 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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