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Statistical release

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Statistics of civil cases for debt (Preliminary)

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SUMMARY OF FINDINGS: STATISTICS OF CIVIL CASES FOR DEBT (SEPTEMBER 2009)**Table A – Key figures for the month of September 2009**

Actual estimates	September 2009	% change between September 2008 and September 2009	% change between July to September 2008 and July to September 2009
Number of civil summonses issued for debt	119 476	6,7	14,7
Number of civil judgements recorded for debt	59 588	5,4	15,2
Value of civil judgements recorded for debt (R million)	640,4	29,4	23,6

The number of civil summonses issued for debt increases

The total number of civil summonses issued for debt for the third quarter of 2009 increased by 14,7% compared with the third quarter of 2008. There was also a 6,7% increase between September 2008 and September 2009 (see Table A and Tables 5 and 7).

The major contributors to the increase in civil summonses issued for debt for the third quarter of 2009 compared with the third quarter of 2008 were civil summonses issued in respect of money lent (5,0 percentage points), promissory notes and other acknowledgements of debt (4,6 percentage points) (this category includes credit card debt) and 'other debts' (2,2 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 third quarter of 2009 increased by 15,2% compared with the third quarter of 2008. There was also a 5,4% increase between September 2008 and September 2009 (see Table A and Tables 5 and 7).

Civil judgements in respect of money lent (contributing 11,9 percentage points), promissory notes and other acknowledgements of debt (contributing 2,4 percentage points) and professional services (contributing 2,3 percentage points) were the main drivers behind the 15,2% increase in the number of civil judgements recorded for debt. The 'other debts' category was the only negative contributor (-4,1 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 third quarter of 2009 increased by 23,6% compared with the third quarter of 2008. There was also a 29,4% increase between September 2008 and September 2009 (see Table A and Tables 5 and 7).

The major contributors to the 23,6% increase in the value of civil judgements for the third quarter of 2009 compared with the third quarter of 2008 were money lent (10,3 percentage points), promissory notes and other acknowledgements of debt (4,1 percentage points) and goods sold on an open account (2,8 percentage points). The 'other debts' category was the only negative contributor (-0,4 of a percentage point) (see Table 6).

During September 2009, 59 588 civil judgements for debt amounting to R640,4 million were recorded. The largest contributors to the R640,4 million were:

- Money lent (R223,5 million or 34,9%)
- 'Other debts' (R128,9 million or 20,1%)
- Goods sold on an open account (R75,7 million or 11,8%) and
- Promissory notes and other acknowledgements of debt (R64,1 million or 10,0%).

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

Figure 1 – Civil summonses issued for debt

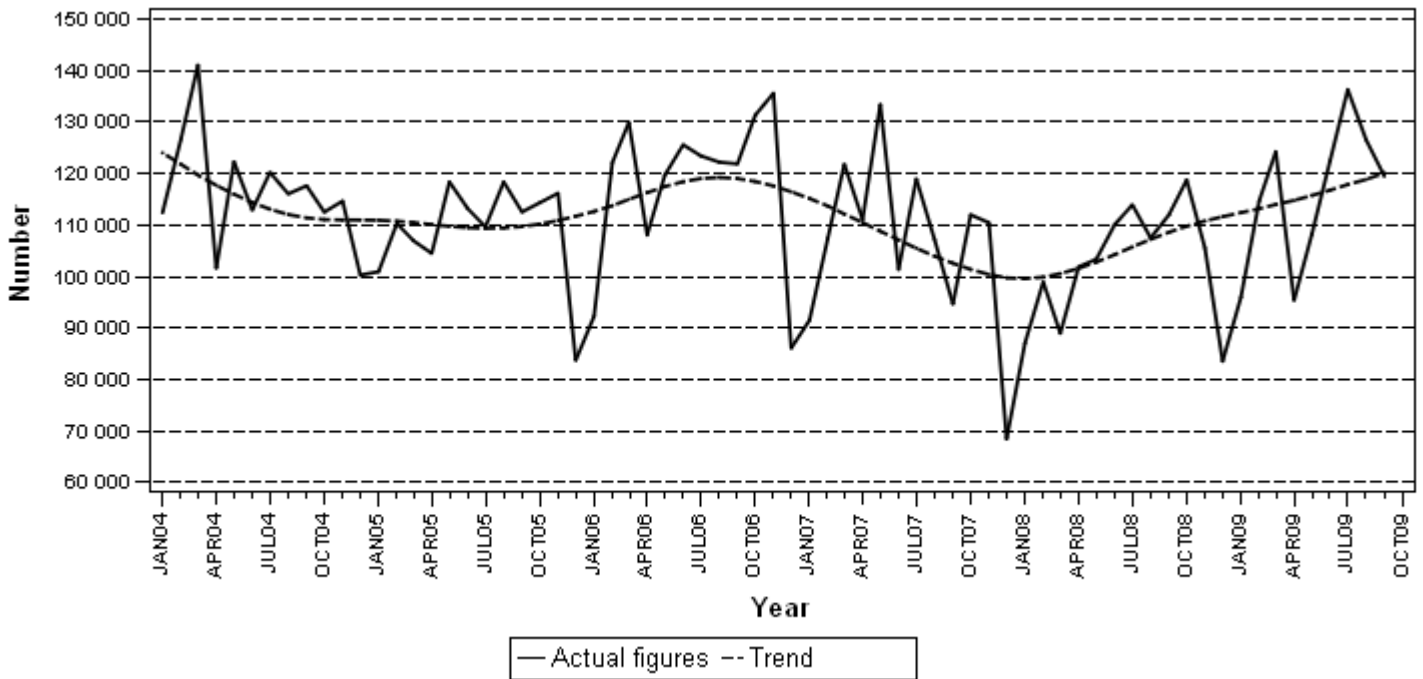


Figure 2 – Civil judgements recorded for debt



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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	
		September	August	September		September	August	September
1. Cases recorded								
1.1 Actual figures	1 442 676	131 505	146 860	137 780	1 265 159	94 952	130 826	122 952
1.2 Seasonally adjusted		131 026	142 309	137 923		99 915	127 158	130 839
2. Civil summonses for debt								
2.1 Goods sold								
2.1.1 Open account	116 702	9 366	12 090	10 152	95 703	7 344	9 923	8 265
2.1.2 Instalment sale transactions	31 242	2 954	2 966	2 574	26 472	2 430	2 485	2 239
2.2 Services								
2.2.1 Professional	132 886	12 789	13 980	13 218	112 140	10 589	11 875	10 879
2.2.2 Other	173 709	14 606	15 398	13 770	151 941	12 637	13 400	12 097
2.3 Rent	53 031	4 879	4 659	4 310	42 964	3 563	3 899	3 522
2.4 Money lent	283 693	26 115	30 643	30 597	262 921	23 998	28 973	28 720
2.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	201 891	21 505	23 775	23 587	189 884	20 311	22 118	22 517
2.6 Other debts	238 253	19 756	23 043	21 268	205 941	17 740	19 114	17 234
2.7 Total								
2.7.1 Actual figures	1 231 407	111 970	126 554	119 476	1 087 966	98 612	111 787	105 473
2.7.2 Seasonally adjusted		112 243	122 699	120 294		99 022	109 018	106 339

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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

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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	
		September	August	September		September	August	September
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	85 779	6 420	8 561	7 200	75 644	5 466	7 336	5 931
1.1.2 Instalment sale transactions	9 655	1 287	1 275	963	8 047	944	1 095	786
1.2 Services								
1.2.1 Professional	77 331	7 159	8 368	7 572	67 961	6 191	7 267	6 674
1.2.2 Other	80 433	7 207	7 623	6 266	72 556	6 458	6 621	5 582
1.3 Rent	30 891	2 603	2 617	2 307	23 363	1 961	2 029	1 815
1.4 Money lent	222 378	17 318	26 174	23 601	216 753	15 993	25 662	23 196
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	47 916	4 106	5 691	4 279	42 595	3 556	4 731	3 754
1.6 Other debts	106 174	10 447	7 453	7 400	95 631	9 344	6 691	6 599
1.7 Total								
1.7.1 Actual figures	660 557	56 547	67 762	59 588	602 550	49 913	61 432	54 337
1.7.2 Seasonally adjusted		55 718	63 709	58 916		49 549	57 291	54 181

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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			
	2008	2008	1/ 2009		2008	2008	1/ 2009	
		September	August	September		September	August	September
1. Judgements								
1.1 Goods sold								
1.1.1 Open account	631 110	56 744	69 786	75 678	442 239	35 758	45 593	47 589
1.1.2 Instalment sale transactions	254 184	17 172	32 424	27 889	199 440	14 046	29 273	22 916
1.2 Services								
1.2.1 Professional	281 951	30 352	25 387	25 923	217 663	22 425	20 466	19 657
1.2.2 Other	595 868	59 026	79 095	58 920	455 915	46 857	61 296	46 053
1.3 Rent	323 395	30 847	41 496	35 557	212 835	18 129	24 771	23 324
1.4 Money lent	1 956 374	158 064	238 104	223 483	1 827 288	143 019	230 210	189 616
1.5 Promissory notes, bills, R/D cheques, credit cards and other acknowledgements of debt	662 489	47 368	76 999	64 097	555 402	39 633	58 593	50 927
1.6 Other debts	1 314 647	95 511	93 557	128 877	1 012 729	74 696	70 406	104 339
1.7 Total								
1.7.1 Actual figures	6 020 018	495 084	656 848	640 424	4 923 511	394 563	540 608	504 421
1.7.2 Seasonally adjusted		486 430	631 116	635 104		393 027	524 899	508 219

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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 July to September 2008	Actual estimates July to September 2009	% change between July to September 2008 and July to September 2009	Difference between July to September 2008 and July to September 2009
Number of summonses for debt	333 385	382 319	14,7	48 934
Number of judgements for debt	168 634	194 208	15,2	25 574
Value of judgements for debt (R million)	1 584,3	1 958,0	23,6	373,7

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	1,7	1,8	2,8
--Instalment sale transactions	0,3	0,4	2,3
Professional services	1,5	2,3	0,0
Other services	-0,1	0,4	2,1
Rent	-0,6	0,0	2,4
Money lent	5,0	11,9	10,3
Promissory notes, bills, R/D cheques, credit cards and other acknowledgement of debt	4,6	2,4	4,1
Other debts	2,2	-4,1	-0,4
Total	14,7	15,2	23,6

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 July to September 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 September 2008	Actual estimates September 2009	% change between September 2008 and September 2009	Difference between September 2008 and September 2009
Number of summonses for debt	111 970	119 476	6,7	7 506
Number of judgements for debt	56 547	59 588	5,4	3 041
Value of judgements for debt (R million)	495,1	640,4	29,4	145,3

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 each month from 151 magistrates' offices.</p>
Response rate	7	<p>The response rate for the civil cases for debt survey for September 2009 was 92,1%.</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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