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**IN THE NATIONAL CONSUMER TRIBUNAL  
HELD AT VEREENIGING**

**Case No: NCT/163/2009/138(1) (P)**

**In the matter between**

**LETSEMA JOSEPH MAFISA**

**Applicant**

**And**

**NEDBANK LIMITED**

**First Respondent**

**CONSUMER FRIEND (MARKHAMS AND RCS CREDIT CARD)**

**Second Respondent**

**AFRICAN BANK LIMITED**

**Third Respondent**

**EDCON (PTY) LTD (EDGARS ACCOUNT)**

**Fourth Respondent**

**MOLENAAR & GRIFFITHS INC**

**Fifth Respondent**

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**CONSENT ORDER**

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The Tribunal having read the papers filed of record and heard the debt counsellor.

The Tribunal, being satisfied that the Applicant and the Respondents are parties to a debt rearrangement facilitated by a debt counsellor under section 86(7) (b) read together with Section 138(1) of the National Credit Act, 34 of 2005.

The Tribunal hereby orders that;

1. The draft consent order formulated as the order of the Tribunal attached hereto and marked annexure "A" is confirmed.

2. The parties are warned that failure to comply with the order of the Tribunal constitutes an offence in terms of Section 160(1) of the Act.

Dated this 26<sup>th</sup> day of October 2009.

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**ADV F. MANAMELA**

**PRESIDING MEMBER**

IN THE NATIONAL CONSUMER TRIBUNAL

HELD AT CENTURION

CASE NO. NCT/163/2009/138(1)(P)

In the matter between:

Letsema Josphe Mafisa  
Identity number: 1

Applicant/Consumer

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and

African Bank Limited  
Consumer Friend  
(Markhams Account & RCS Account)  
Edcon (Pty) Ltd  
(Edgars Account)  
Molenaar & Griffiths Inc  
Nedbank Limited

1<sup>st</sup> Respondent/Credit Provider  
2<sup>nd</sup> Respondent/Credit Provider  
3<sup>rd</sup> Respondent/Credit Provider  
4<sup>th</sup> Respondent/Credit Provider  
5<sup>th</sup> Respondent/Credit Provider

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DRAFT CONSENT ORDER IN TERMS OF SECTION 86(8) READ TOGETHER  
WITH SECTION 138 OF THE NATIONAL CREDIT ACT 34 OF 2005

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WHEREAS:

- a. The consumer applied for debt review in terms of the National Credit Act 34 of 2005;
- b. The debt counsellor found that the consumer is experiencing difficulty satisfying all obligations under the credit agreements in a timely manner;
- c. The debt counsellor recommended a restructuring of the payment installments to all the credit providers, as per the agreement which is attached hereto marked: "Annexure B";
- d. All the respective credit providers and the consumer/applicant consented to this agreement, which consents are hereto attached marked "Annexure C"

NOW THEREFORE:

The Tribunal, being satisfied that the Applicant and Respondent are parties to a debt rearrangement facilitated by a debt counsellor under section 86(7) of the National Credit Act, hereby orders, by consent of the parties:

1. That the payment structures of the agreement between the Applicant and the respondents as set out in Annexure "B", be made an order of the National Consumer Tribunal;
2. Which agreement restructures the payment installment by extending the payment period as indicated in Annexure "B"

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Creditor	Reference	Annual Interest	New Monthly Installment	Balance	Estimated Period in Months
African Bank Limited	5484917002	15.50%	R200.00	R5 347.97	26 months
Consumer Friend	Faschini Acc 1201000072755989 3	26.00%	R50.00	R713.15	20 months
	RCS Account 5005395675	16.00%	R100.00	R1 799.46	22 months
Edcon (Pty) Ltd	Edgars Account 7000100100025103 391	21.00%	R80.00	R990.77	15 months
Molenaar & Griffiths Inc	N VD WESTHUIZEN/CC/ M1035	15.50%	R150.00	R1 140.00	11 months
Koodbank Ltd	8138753065001	16.00%	R220.00	R5 733.62	26 months

DATED at Centurion this the \_\_\_\_\_ day of \_\_\_\_\_

**REGISTRAR OF THE NATIONAL CONSUMER TRIBUNAL**

Dated at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_

L. J. MABEISA  
Applicant/Consumer

TO:  
THE REGISTRAR OF THE TRIBUNAL  
CENTURION

1. African Bank Limited  
39 16<sup>th</sup> Road  
Midrand  
1685

2. Consumer Friend  
3 The Crescent, Westway Office Park  
Westville  
4000