

**IN THE NATIONAL CONSUMER TRIBUNAL  
HELD IN CENTURION**

Case Number: **NCT/ 249/2009/138 (1)(P)**

**In the matter between:**

**MBONGWA SIMON BHENGU**

**1<sup>st</sup> Applicant/Consumer**

**ID:**

**and**

**AFRICAN BANK LIMITED**

**1<sup>st</sup> Respondent/Credit Provider**

**ADDCON (PTY) LIMITED**

**2<sup>nd</sup> Respondent/Credit Provider**

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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 re-arrangement facilitated by a Debt Counsellor under section 86(7)(b) read together with section 138(1) of the National Credit Act, Act 34 of 2005 ;( the Act).

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 and signed at Centurion on this 21 day of 01 2012

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**MR. XOLELA MAY**

**PRESIDING MEMBER**

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IN THE NATIONAL CONSUMER TRIBUNAL

HELD AT CENTURION

Case No:

In the matter between:

BHENGU, MBONGWA SIMON  
Identity number: 1

CONSUMER/1<sup>ST</sup> APPLICANT

And

AFRICAN BANK LIMITED  
ADDCON (PTY) LTD

1<sup>ST</sup> RESPONDENT/CREDIT PROVIDER  
2<sup>ND</sup> RESPONDENT/CREDIT PROVIDER

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

WHEREAS:

- The consumer applied for debt review in terms of the National Credit Act 43 of 2005;
- The debt counsellor found that the consumer is experiencing difficulty satisfying all obligations under the credit agreements in a timely manner;
- The debt counsellor recommended a restructuring of the payment instalments to all the credit providers, as per the agreement which is attached hereto marked: "Annexure B";
- 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 National Credit Act, hereby orders, by consent of the parties:

- 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;
- Which agreement restructures the payment instalment by extending the payment period as indicated in Annexure "C"
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Creditor	Reference	Annual Interest	New Monthly Instalment	Balance	Estimated Period in Months
AFRICAN BANK LIMITED	4336250001	15.50%	R293.67	R3 814.96	20
ADDCON (PTY) LTD	4721003	40.90%	R229.01	R4 554.39	34
ADDCON (PTY) LTD	4548710	40.90%	R427.32	R7 830.09	32

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DATED at Centurion this the \_\_\_\_\_ day of \_\_\_\_\_ 2009

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REGISTRAR OF THE NATIONAL CONSUMER TRIBUNAL

\_\_\_\_\_  
Applicant/Consumer  
Debt Counselor on behalf of the Consumer

TO:

THE REGISTRAR OF THE TRIBUNAL  
CENTURION

1. AFRICAN BANK LIMITE  
59 16<sup>TH</sup> ROAD  
MIDRAND  
1685
  
2. ADDCON (PTY) LTD  
ESPLANADE BUSINESS SUITE  
8 CLIFFORD STREET  
QUIGNEY  
5211