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IN THE NATIONAL CONSUMER TRIBUNAL HELD IN CENTURION

Case Number: NCT/67516/2016/165 (1)(P)

In the matter between:

BENAY SAGER
NCR REGISTRATION NUMBER: 2484

APPLICANT

And

NOLUVUYO EUGINIA SINQE
IDENTITY NUMBER: [7...]

CONSUMER

And

AFRICAN BANK LIMITED
FIRST NATIONAL BANK, A DIVISION OF FIRSTRAND BANK LIMITED
FOSCHINI RETAIL GROUP (PTY) LTD
RCS GROUP
TRUWORTHS LIMITED

1ST CREDIT PROVIDER
2ND CREDIT PROVIDER
3RD CREDIT PROVIDER
4TH CREDIT PROVIDER
5TH CREDIT PROVIDER

VARIED CONSENT ORDER

The original order on this matter was granted on 8 December 2016. The debt counsellor subsequently informed the Tribunal that the identity number for the consumer was omitted from the order and applied for a variation of the order to include the identity number. The application was granted and the order is hereby varied to now reflect the Consumer's identity number. No other change has been made to the order.

The Tribunal, having read the papers filed of record and being satisfied that the Applicant(s) and The Respondent(s) are parties to a debt re-arrangement facilitated by a Debt Counsellor under section 86(7)(b) read with section 138(1) of The National Credit Act, Act 34 of 2005 (the Act), hereby makes the following order:

1. The payment structure between the consumer (s)and the credit provider(s) is confirmed as an order of the Tribunal in terms of section 150 of the Act

	Credit Provider	Reference	Current Outstanding	Proposed Payment Period	Proposed Annual Interest	Proposed Instalment
1	RCS GROUP	0005022190307660136	R6,489.07	53	0.26%	R130.47
2	FOSCHINI RETAIL GROUP (PTY) LTD	0010010000574558489	R2,562.07	30	0.28%	R93.60

3	TRUWORTHS LIMITED	10101118560093	R2,126.69	38	0.28%	R59.03
4	AFRICAN BANK LIMITED	6006452001	R139,002.12	84	16.00%	R2,777.13
5	FIRST NATIONAL BANK, A DIVISION OF FIRSTRAND BANK LIMITED	4000057854265	R2,714.73	47	0.32%	R73.66 (Cascade)
6	FIRST NATIONAL BANK, A DIVISION OF FIRSTRAND BANK LIMITED	4000055310527	R51,885.29	63	0.30%	R697.94 (Cascade)
7	AFRICAN BANK LIMITED	75020769217	R19,850.51	81	18.33%	R429.55

2. The parties' attention is drawn to sections 71(1), 71(5)(a) and 152 of the Act which states as follows:

Section 71(1).

A consumer, whose debts have been re-arranged in terms of part D of this chapter, may apply to a debt counsellor at any time for a clearance certificate

Section 71(5)

Upon receiving a copy of a clearance certificate, a credit bureau, or the national credit register must expunge from its records the fact that the consumer was subject to the relevant debt re-arrangement order or agreement

Section 152

Any decision, judgement or order of the Tribunal may be served, executed and enforced as if it were an order of the High Court.

3. 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 at CENTURION on 15 May 2017



Adv J Simpson

Presiding member

National Consumer Tribunal