



**NATIONAL CONSUMER  
TRIBUNAL**

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

**Case no: NCT/ 228/2009/138 (1)(P)**

**In the matter between:**

**DEAN RELIANCE RATHBONE**

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

**ID: 770107 517 6087**

**DESIREE CHANTELE RATHBONE**

**2<sup>nd</sup> Applicant/Consumer**

**ID: 790823 0214 089**

and

**ABSA BANK LIMITED**

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

**CALL DIRECT A DIVISION OF FIRST RAND BANK**

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

**FIRST NATIONAL BANK t/a FIRST RAND BANK**

**3<sup>rd</sup> Respondent/Credit Provider**

**WESBANK a division of FIRST RAND BANK**

**4<sup>th</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 VEREENIGING on this 21<sup>st</sup> day of January 2010.....

  
\_\_\_\_\_  
**PROF BILL HASLAM**  
**PRESIDING MEMBER**

Annexure A.

IN THE NATIONAL CONSUMER TRIBUNAL

HELD AT CENTURION

Case No:

In the matter between:

RATHBONE, DEAN RELIANCE  
Identity number: 7701075716087

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

RATHBONE, DESIREE CHANTEL  
Identity number: 7908230214089

CONSUMER/2<sup>ND</sup> APPLICANT

And

ABSA BANK LIMITED  
CALL DIRECT a division of FIRST RAND BANK  
FIRST NATIONAL BANK t/a FIRST RAND BANK  
WESBANK a division of FIRST RAND BANK

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

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

**WHEREAS:**

- a. The consumer applied for debt review in terms of the National Credit Act 43 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 instalments 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 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 instalment by extending the payment period as indicated in Annexure "C"

Editor	Reference	Annual Interest	Now Monthly Instalment	Balance	Estimated Period in Months
SA BANK LIMITED	8068229119	8.70%	R4 462.87	R555 113.56	96
SA BANK LIMITED	69514710	7.00%	R553.86	R30 499.74	54
SA BANK LIMITED	4057709227	27.00%	R289.42	R11 998.14	64
SA BANK LIMITED	4790360003528019	7.00%	R178.83	R10 000.00	54
ALL DIRECT a division of FIRST RAND BANK	85136747798	1.40%	R99.70	R9 702.71	70
FIRST NATIONAL BANK t/a FIRST RAND BANK	4901155073303000	15.50%	R269.00	R12 704.47	56
WESBANK a division of FIRST RAND BANK	85099695625	15.78%	R664.22	R15 239.89	28
FSB a division of FIRST RAND BANK	85101020593	14.82%	R1 082.10	R39 836.28	48

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

REGISTRAR OF THE NATIONAL CONSUMER TRIBUNAL

*R. H. Bano*  
 \_\_\_\_\_  
 Applicant/Consumer  
 Debt Counsellor on behalf of the Consumer

TO:

THE REGISTRAR OF THE TRIBUNAL  
CENTURION

1. ABSA BANK LIMITED  
8<sup>TH</sup> FLOOR MARBLE TOWERS  
CNR. JEPPE AND VAN WIELLIGH STREET.  
PO BOX 8636  
JOHANNESBURG  
2000
2. WESBANK a division of FIRST RAND BANK  
WESBANK HOUSE  
ENTERPRISE ROAD  
FAIRLAND  
PO BOX 1066  
JOHANNESBURG  
2000
3. FIRST NATIONAL BANK t/a FIRST RAND BANK  
27 DIAGONAL STREET  
JOHANNESBURG  
PO BOX 1195  
JOHANNESBURG  
2000

4. CALL DIRECT a division of FIRST RAND BANK  
6<sup>TH</sup> FLOOR  
SUNDARE BUILDING  
21 DREYER STREET  
PO BOX 44319  
CLAREMONT  
7735