



**NATIONAL CONSUMER
TRIBUNAL**

Physical
Ground Floor
East Wing, Building B
Lakefield Office Park
272 West Avenue
(cnr West Ave &
Lenchen Ave North)
Centurion

Postal
Private Bag X110
Centurion 0046

Tel 012 663 5615
Fax 012 663 5693
Website www.thenct.org.za

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

Case Number: **NCT/ 258/2009/138 (1)(P)**

In the matter between:

GANWAYINI BHENGU

Applicant/Consumer

ID: 530529 52287 082

and

AFRICAN BANK LIMITED

1st Respondent/Credit Provider

BOSTON FINANCE CC

2nd Respondent/Credit Provider

NEDBANK LIMITED

3rd Respondent/Credit Provider

CONSENT ORDER

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.....**2010**.....

A handwritten signature in black ink, appearing to read 'XOLELA MAY', is written over a horizontal line. The signature is stylized and cursive.

MR. XOLELA MAY

PRESIDING MEMBER

IN THE NATIONAL CONSUMER TRIBUNAL

HELD AT CENTURION

Case No:

In the matter between:

GANWAYINI BHENGU
Identity number: 5305295228082

CONSUMER/1ST APPLICANT

And

AFRICAN BANK
BOSTON FINANCE CC
NEDBANK LIMITED

1ST RESPONDENT/CREDIT PROVIDER
2ND RESPONDENT/CREDIT PROVIDER
3RD 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"

Creditor	Reference	Annual	New	Balance	Estimated
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		Interest	Monthly Instalment		Period in Months
AFRICAN BANK LIMITED	5706167003	10.00%	R410.37	R7 974.84	24
AFRICAN BANK LIMITED	5706167005	10.00%	R232.62	R5 005.78	25
AFRICAN BANK LIMITED	5706167004	10.00%	R403.00	R12 822.69	30
BOSTON FINANCE CC	01977/0003/029	15.50%	R200.43	R3 737.45	24
NEDBANK LIMITED	8000380343901	15.00%	R273.58	R9 456.24	31

DATED at Centurion this the _____ day of _____ 2009

REGISTRAR OF THE NATIONAL CONSUMER TRIBUNAL


 Applicant/Consumer
 Debt Counsellor on behalf of the Consumer

TO:

THE REGISTRAR OF THE TRIBUNAL
 CENTURION

1. AFRICAN BANK LIMITED
 59 16TH ROAD
 MIDRAND
 1685
2. BOSTON FINANCE CC
 PO BOX 61755
 MARSHALLTOWN
 2107
3. NEDBANK LIMITED
 100 MAIN STREET
 JOHANNESBURG
 2000