



**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/ 307/2009/138 (1)(P)

In the matter between:

ADEL VAN WIJK

1st Applicant/Consumer

ID: 751021 0014 081

and

ABSA BANK LIMITED

1st Respondent/Credit Provider

DIRECT AXIS SA (PTY) LIMITED

2nd Respondent/Credit Provider

THE MOTOR FINANCE CORPORATION

3rd Respondent/Credit Provider

NEDBANK LIMITED

4th Respondent/Credit Provider

STANDARD BANK

5th Respondent/Credit Provider

CONSENT ORDER

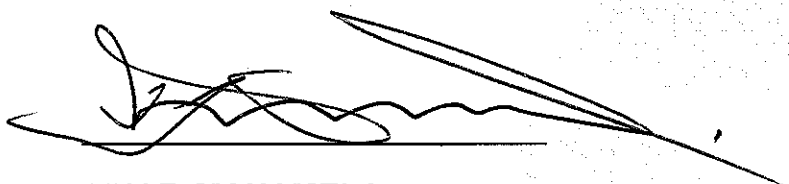
The Tribunal having read the papers filed of record and heard the Debt Counsellor;

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 2nd Day of February, 2010



ADV F. MANAMELA

PRESIDING MEMBER

IN THE NATIONAL CONSUMER TRIBUNAL

HELD AT CENTURION

Case No:

In the matter between:

VAN WIJK, ADEL
Identity number: 7510210014081

CONSUMER/1ST APPLICANT

And

ABSA BANK LIMITED
DIRECT AXIS SA (PTY) LTD on behalf of FIRST RAND BANK
THE MOTOR FINANCE CORPORATION t/a MFC
NEDBANK LIMITED
STANDARD BANK GROUP LIMITED

1ST RESPONDENT/CREDIT PROVIDER
2ND RESPONDENT/CREDIT PROVIDER
3RD RESPONDENT/CREDIT PROVIDER
4TH RESPONDENT/CREDIT PROVIDER
5TH 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:

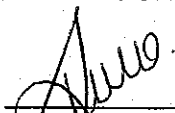
The Tribunal, being satisfied that the Applicant and Respondent are parties to a debt rearrangement facilitated by a debt counsellor under section 86(7) of National Credit Act, hereby orders, by consent of the parties:

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 Interest	New Monthly Instalment	Balance	Estimated Period in Months
ABSA BANK LIMITED	5471200141966015	20.00%	R165.77	R8 866.26	68.00
ABSA BANK LIMITED	3024504770	15.00%	R286.25	R11 539.69	48.00
DIRECT AXIS SA (PTY) LTD on behalf of FIRST RAND BANK	85080266979	0.00%	R188.21	R6 390.00	33.00
THE MOTOR FINANCE CORPORATION t/a MFC	VANWIJO7108490	14.00%	R1,454.26	R139 917.78	94.00
NEDBANK LIMITED	589846071485553	25.90%	R177.09	R5 383.70	45.00
STANDARD BANK GROUP LIMITED	5120570200692800	14.00%	R198.42	R8 037.41	48.00

DATED at Centurion this the _____ day of _____ 2009

PRESIDING OFFICER



Applicant/Consumer
Debt Counsellor on behalf of the Consumer

TO:

**THE REGISTRAR OF THE TRIBUNAL
CENTURION**

1. ABSA BANK LIMITED
8TH FLOOR MARBLE TOWERS
CNR JEPPE AND VAN WIELLIGH STREET
PO BOX 8686
JOHANNESBURG
2000
2. DIRECT AXIS SA (PTY) LTD on behalf of FIRST RAND BANK
6TH FLOOR
SUNDARE BUILDING
21 DREYER STREET
PO BOX 44319
CLAREMONT
7735
3. THE MOTOR FINANCE CORPORATION t/a MFC
1ST FLOOR REGENT LIFE HOUSE
6E HERMAN ROAD
MEADOWDALE
PO BOX 4005
EDENVALE
1610
4. NEDBANK LIMITED
100 MAIN STREET
JOHANNESBURG