

SOUTH AFRICA / JUDGMENT

National Credit Regulator v Bridge Finance CC t/a Bridge Finance (NCT/320435/2024/140(1)) [2025] ZANCT 15 (15 April 2025)

[2025] ZANCT 15

COURT

National Consumer Tribunal

BEFORE

S Hockey

CASE / FILE NUMBER

NCT/320435/2024/140(1)

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IN THE NATIONAL CONSUMER TRIBUNAL

HELD IN CENTURION

Case Number: NCT/320435/2024/140(1)

In the matter between: NATIONAL CREDIT REGULATOR APPLICANT and BRIDGE FINANCE CC T/
A BRIDGE FINANCE RESPONDENT

Coram:

Mr S Hockey -

Tribunal member

Date of consideration (in chambers) - 15 April 2025

Date of

judgment

- 15 April 2025

JUDGMENT AND CONSENT ORDER

INTRODUCTION

1. Having settled their dispute, the parties in this matter now apply for their settlement agreement to be made an order of the National Consumer Tribunal (the Tribunal) in terms of section 138(1) of the National Credit Act, 34 of 2005 (the NCA).

2. The applicant is the National Credit Regulator (the NCR), a state organ and a juristic person established under section 12 of the NCA to regulate the consumer credit market and ensure compliance with the NCA.
3. The Respondent is Bridge Finance CC t/a Bridge Finance (the respondent), a close corporation incorporated in terms of the company laws of South Africa with registration number 1993/014544/23 and registered credit provider under the provisions of the NCA with registration number NCRCP2318

BACKGROUND

4. Following a scouting exercise in the area where the respondent conducts their business, the NCR identified the respondent as one of the businesses that might be breaching the provisions of the NCA. Accordingly, it initiated a complaint and authorised an investigation into the respondent's business activities.
5. The inspectors of the NCR, who were appointed to investigate the business activities of the respondent, compiled a report after the investigation wherein they concluded that the respondent contravened various provisions of the NCA and its regulations, which constituted prohibited conduct.
6. As a result of the above, the NCR instituted proceedings against the respondent with the Tribunal, seeking declaratory orders and various sanctions against the respondent.
7. After further papers were filed, including answering and replying affidavits, the parties engaged in settlement discussions and reached a settlement agreement, which is attached hereto marked "A."
8. The Tribunal must decide whether the settlement agreement must be made an order of this Tribunal.

CONSIDERATION

9. In terms of section 138(1) of the NCA, if the NCR had investigated a matter and thereafter agreed to the proposed terms of an appropriate order with a respondent, the Tribunal may confirm that resolution or agreement as a consent order without hearing any evidence.
10. The Tribunal has considered the papers filed of record, including the settlement agreement, which authorised representatives of the parties duly signed.
11. The Tribunal is satisfied that the settlement agreement is competent and proper, its contents relate directly to the issues between the parties, it is not objectionable, and it can be included in an order of this Tribunal from a practicable and legal point of view.[1]

THE ORDER

12. In the result, the following order is made:

12.1. The agreement attached to this order and marked “A” is confirmed as an order of the Tribunal in terms of section 138 of the NCA.

12.2. The parties’ attention is drawn to section 152 of the NCA, in terms of which any decision, judgment or order of the Tribunal may be served, executed and enforced as if it were an order of the High Court.

12.3. Failure to comply with the order of the Tribunal constitutes an offence in terms of section 160(1) of the NCA.

12.4. There is no order as to costs.

Mr S Hockey

(Presiding Tribunal member)

[1] See *Eke v Parsons* 2016 (3) SA 37 (CC) at paras 25 -26.

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