

SOUTH AFRICA / JUDGMENT

Sager v Cokile and Others

(NCT/75349/2017/138(1)(P))

[2018] ZANCT 7 (7 February 2018)

[2018] ZANCT 7

COURT

National Consumer Tribunal

BEFORE

A Potwana

CASE / FILE NUMBER

NCT/75349/2017/138(1)(P)

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IN THE NATIONAL CONSUMER TRIBUNAL HELD IN CENTURION

Case Number: NCT/75349/2017/138(1)(P)

In the matter between:

BENAY SAGER APPLICANT

NCR REGISTRATION NUMBER: 2484

And

MONWABISI COKILE IDENTITY NUMBER: [...] PEGGY COKILE IDENTITY NUMBER: [...] 1ST CONSUMER 2ND CONSUMER

JET ON BEHALF OF EDCON (PTY) LTD 1ST CREDIT PROVIDER NEDBANK LIMITED 2ND CREDIT PROVIDER RCS GENERAL PURPOSE RCS CARD 3RD CREDIT PROVIDER RUSSELS, A DIVISION OF CENTURY CAPITAL (PTY) LTD 4TH CREDIT PROVIDER STANDARD BANK OF SOUTH AFRICA LIMITED 5TH CREDIT PROVIDER THE MOTOR FINANCE CORPORATION (MFC), A DIVISION OF NEDBANK LIMITED 6TH CREDIT PROVIDER WESBANK, A DIVISION OF FIRSTRAND BANK LIMITED 7TH CREDIT PROVIDER WOOLWORTHS (PTY) LTD 8TH CREDIT PROVIDER WOOLWORTHS FINANCIAL SERVICES (PTY) LTD 9TH CREDIT PROVIDER

VARIED CONSENT ORDER

The original order on this matter was signed on 9 May 2017. During September 2017 Nedbank Limited applied for a variation of the order to reflect the correct payment terms in respect of Nedbank Limited Account Number:[...]. The application was granted and the original consent order is now varied to reflect the correct payment terms for Nedbank Limited Account Number:[...]. No other changes to the order have been made.

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 WOOLWORTHS FINANCIAL SERVICES (PTY) LTD 4.10E+015 R 11,890.83 52 10.96% R275.97 2 WOOLWORTHS FINANCIAL SERVICES (PTY) LTD 4.10E+015 R 36,855.25 50 10.96% R898.60 3 NEDBANK LIMITED 5.90E+015 R31,178.03 29 19.90% R 877.44 1 R883.03 9 R884.61 1 R1,074.38 1 R1,251.68 1 R1,263.48 3 R1,273.21 14 R1,305.76 4 RCS GENERAL PURPOSE RCS CARD 5.18E+017 R 9,968.34 53 8.00% R 210.00 5 WOOLWORTHS (PTY) LTD 6.01E+015 R5,479.40 45 10.96% R 152.42 6 RUSSELS, A DIVISION OF CENTURY CAPITAL (PTY) LTD 6.37E+015 R5,728.63 53 8.00% R 120.00 7 NEDBANK LIMITED 8139644087701 R 354,757.12 60 8.70% R3,972.15 8 THE MOTOR FINANCE CORPORATION (MFC), A DIVISION OF NEDBANK LIMITED 10977880001 R 133,808.38 41 9.65% R 3,925.92 9 JET ON BEHALF OF EDCON (PTY) LTD 7.01E+018 R7,893.09 48 9.20% R 193.57 1 R165.14 10 WESBANK, A DIVISION OF FIRSTRAND BANK LIMITED 85200972390 R85,778.62 71 9.85% R1,627.08 (CASCADING) 11 NEDBANK LIMITED 1983159727 R1,038.51 8 7.56% R 158.69 12 STANDARD BANK OF SOUTH AFRICA LIMITED 5.22E+015 R 14,436.75 60 months or until repayment of the debt or until you can meet your original contractual obligations, whichever occurs earlier. 8.90% R 305.07 13 JET ON BEHALF OF EDCON (PTY) LTD 7.01E+018 R 3,267.63 32 9.20% R114.81 1 R15.51

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 this 07th day of February 2018

[signed] Mr. A Potwana Tribunal Member National Consumer Tribunal

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Prepared on 9 October 2026 · Esheria