

SOUTH AFRICA / JUDGMENT

Wason and Another v Absa Bank Limited and Others (NCT/23946/2015/165(1)(P)) [2017] ZANCT 62 (15 May 2017) [2017] ZANCT 62

COURT
National Consumer Tribunal

BEFORE
J Simpson

CASE / FILE NUMBER
NCT/23946/2015/165(1)(P)

Source: saflii.org · Research copy typeset by Esheria. Not court-issued or certified.

SAFLII Note: Certain personal/private details of parties or witnesses have been redacted from this document in compliance with the law and SAFLII Policy

IN THE NATIONAL CONSUMER TRIBUNAL HELD AT CENTURION

Case Number: NCT/23946/2015/165(1)(P)

In the matter between:

IAN ROMER WASON

APPLICANT

NCR REGISTRATION NUMBER: 1817

And

TONNY NELSON MATJILA 1ST CONSUMER

IDENTITY NUMBER: [8...]

ABSA BANK LIMITED 1ST CREDIT PROVIDER

DISCOVERY CREDIT CARD 2ND CREDIT PROVIDER

FIRST NATIONAL BANK LIMITED 3RD CREDIT PROVIDER

FOSCHINI RETAIL GROUP LTD 4TH CREDIT PROVIDER

NEDBANK LIMITED 5TH CREDIT PROVIDER

RCS CARDS (PTY) LTD 6TH CREDIT PROVIDER

STANDARD BANK OF SOUTH AFRICA LIMITED 7TH CREDIT PROVIDER

VARIED CONSENT ORDER

The original order on this matter was issued on 4 September 2015. The debt counsellor subsequently informed the Tribunal that the repayment terms stated on the order for the FNB loan account [3...] were incorrect as they did not match the letter from FNB accepting the repayment proposal. The application to vary the order was granted and the order is now varied in this regard. The order also now includes the name of the debt counsellor. 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 MONTHLY ASSURANCE PREMIUM
 INSURANCE PREMIUM DISCOVERY 4043070393863000 R5,514.50 41 2.06% R146.29 FOSCHINI
 RETAIL GROUP 0016110000300502518 R644.26 17 2.45% R44.41 ABSA BANK 000003035677663
 R47,524.77 1 1.92% R34.98 57 1.92% R887.82 ABSA BANK 4550270166284013 R7,875.47 2 2.17%
 R22.89 47 2.17% R174.31 NEDBANK 5898460858599152 R36,106.98 1 2.09% 56 2.09% R675.72 RCS
 6010243100000114577 R221.61 35 2.20% R79.16 FIRST NATIONAL BANK [3...] R360,507.10 60
 month concession period. Thereafter normal contractual terms and conditions apply 7.78%
 R2,671.53 R236.54 R89.24 STANDARD BANK 5221266264247833 R23,526.98 58 2.09% R438.24

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 certificateSection 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 15 May 2017

Adv J Simpson

Presiding member

National Consumer Tribunal

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://www.saflii.org/za/cases/ZANCT/2017/62.html>

CASE PAGE <https://chat.esheria.ai/case-law/south-africa/wason-and-another-v-absa-unknown-topic-anct-2017>

Prepared on 27 October 2026 · Esheria