

IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG

CASE NUMBER : 27157/2012

In the matter between

NEDBANK LIMITED

Applicant

and

HENDRIK PETRUS GOOSEN THOMPSON

First Respondent

CORNELIA THOMPSON

Second Respondent

SUGGESTED FLYNOTE

Credit agreement - consumer credit agreement – debt review order – role of payment distribution agency – appointed by debt counsellor and approved by National Credit Regulator

Credit agreement - consumer credit agreement – debt review order – payment distribution agency – not the agent of the consumer in the absence of agreement – consumer not responsible for errors made by payment distribution agency

Credit agreement - consumer credit agreement – National Credit Act, No 34 of 2005 – default as envisaged in section 88(3) – interpreted to exclude minor, unwitting and excusable defaults.