

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

**ANNEXURE A**  
**IN THE NATIONAL CONSUMER TRIBUNAL**  
**HELD AT CENTURION**

Case number: NCT/19119/2014/138(1) (P)

In the matter between:

TOMMIE WIESIE  
ID: [.....]

1<sup>st</sup> Applicant / Consumer

AND

ANNA WIESIE  
ID : [.....]

2<sup>nd</sup> Applicant / Consumer

And

WESBANK  
FIRST NATIONAL BANK  
CAPFIN (PTY) LTD  
MDD

1<sup>st</sup> Credit Provider  
2<sup>nd</sup> Credit Provider  
3<sup>rd</sup> Credit Provider  
4<sup>th</sup> Credit Provider

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**CONSENT ORDER**

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An order granting the debt re-arrangement was made an order of the Tribunal and issued on 27 January 2015. An application was lodged on 13 February 2015 to vary the order granted on 27 January 2015 and upheld on 31 August 2015.

Accordingly, 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:

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.

Creditor	Account reference	Annual interest rate	Monthly instalment	Balance	Estimated repayment term in months	Monthly fee
Wesbank	85184670096	9.00%	R2 714.26	R161 505.58	Until settled	
First National Bank	3000000705971	8.90%	R1 233.90	R75 965.00	60 months and thereafter the contractual terms and conditions of will apply	R380.59
Capfin (Pty) Ltd	C142756	1.00%	R201.00	R11 683.50	60	
MDD	502219030303528683	1.00%	R44.00	R2 521.99	60	

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, judgment or order of the Tribunal may be served, executed and enforced as if it were an order of the High Court.

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 the 31<sup>st</sup> August 2015

(Signed)  
**P A BECK**

**Member**  
**National Consumer Tribunal**