

IN THE NATIONAL CONSUMER TRIBUNAL

HELD IN CENTUTION

REF NO: NCT 165/2009/67 (1) (B)

In the matter between:

NATIONAL CREDIT REGULATOR

Applicant

and

CREDIT CARE (PTY) LTD

Respondent

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SETTLEMENT ORDER

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WHEREAS

- A. The Applicants have commenced proceedings before the National Consumer Tribunal for an order for relief pending the hearing of the principal matter described in the application;
- B. The Respondent has admitted to being in possession of bank cards and/or personal identification numbers ("PIN's") belonging to its clients, thus the Respondent further admitting contravening Section 133 and Section 91(b) of the Act;
- C. The parties have settled the dispute and wish to make it an order of the Tribunal.

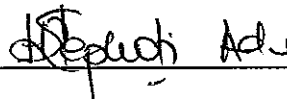

**NOW THEREFORE** an order is made in the following terms:

1. Respondent's registration as Credit Provider is not cancelled;
2. Respondent is prohibited from further contravening the National Credit Act, Act 34 of 2005;
3. The Respondent to immediately return all bank cards and (PIN's) in its possession to the appropriate parties and/or rightful holder of such bank card and (PIN) before Saturday the 24<sup>th</sup> October 2009. Any card not returned by that date must be handed to the financial institution which issued such a bank card and/or Pin before 27 October 2009;
4. The Applicant to expeditiously conduct follow-up investigations into the Respondent's business practices. The real cost of any follow up investigation done within 6 month from 19 October 2009 will be borne by the Respondent, the cost of which will not exceed R50 000.00. The cost of any follow-up investigation will be due and payable within 15 (fifteen) days after delivery of an invoice by the Applicant to the Respondent or as arranged between the parties. Payment in terms of an arrangement shall not exceed more than three consecutive installments;
5. The Respondent must grant the Applicant full access to any of the premises of the Respondent and co-operate fully with the Applicants' investigators.

**Dated and signed at CENTURION on this 19<sup>th</sup> day of October 2009.**

  
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**PRESIDING MEMBER**

  
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**PANEL MEMBER**

  
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**PANEL MEMBER**