



# NCA - Extension of business days

## Circular 01 of 2020

1. Due to the national shut down, the National Credit Regulator (NCR) is aware that registrants and consumers will be unable to perform their functions or exercise their rights within the prescribed business days as contained in the National Credit Act (NCA).
2. These business days refers to all sections of the NCA and its regulations in which business days are prescribed.
3. Regulation 3 of the NCA provides that the NCR can, on good cause shown, extend the business days as prescribed in the Act. It is submitted that due to the current Covid-19 crisis, good cause exists for the NCR to exercise the provisions of regulation 3 and extend the prescribed business days.
4. In light of the above, no business days shall be counted during the period of shutdown and all days will be extended by such duration. Therefore, if a process is in day 3 when the shutdown commences, day 4 will only be counted the day after the shutdown is lifted.
5. Notwithstanding paragraph 4 above, for purposes of sections 86(10) and 129(1) of the NCA, the following will apply:
  - 5.1 The 60 business days in terms of section 86(10) of the NCA that commenced on 20 December 2019 are increased from 60 business days to 120 business days.
  - 5.2 The 20 business days in terms of section 129 (1) of the NCA for the notices that were dispatched on 2 March 2020 are increased from 20 business days to 40 business days.
6. It has also come to the attention of the NCR that debit order disputes have escalated over recent times and anticipate that this could escalate even further over the current shut down period. Therefore, the 5 business days for distribution of debit order collections by the PDA's will be extended to 20 business days to mitigate any potential losses to the PDA's over this period. These days do not exclude the days during shutdown.
7. The NCR will assess prevailing conditions after the national shutdown and will then revisit this directive as to the lifting or extension thereof.

---

*Disclaimer:*

*While the NCR has taken reasonable care to ensure the factual accuracy of this circular, it cannot guarantee such accuracy especially with regards to future events. Accordingly, NCR does not accept any liability for damages incurred by any party as a result of decisions or actions taken on the basis of information supplied in this Circular.*

**FURTHER INFORMATION**

Please contact **Timmy Van Der Grijp** on [tvandergrijp@ncr.org.za](mailto:tvandergrijp@ncr.org.za) should you have any queries.

---

*Disclaimer:*

*While the NCR has taken reasonable care to ensure the factual accuracy of this circular, it cannot guarantee such accuracy especially with regards to future events. Accordingly, NCR does not accept any liability for damages incurred by any party as a result of decisions or actions taken on the basis of information supplied in this Circular.*