

Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Vol. 543

Pretoria, 20 September 2010

No. 33529

IMPORTANT NOTICE

The Government Printing Works will not be held responsible for faxed documents not received due to errors on the fax machine or faxes received which are unclear or incomplete. Please be advised that an "OK" slip, received from a fax machine, will not be accepted as proof that documents were received by the GPW for printing. If documents are faxed to the GPW it will be the sender's responsibility to phone and confirm that the documents were received in good order.

Furthermore the Government Printing Works will also not be held responsible for cancellations and amendments which have not been done on original documents received from clients.

CONTENTS • INHOUD

No.

Page
No. Gazette
 No.**GENERAL NOTICE**

Justice and Constitutional Development, Department of

General Notice

851 Debt Collectors Act (114/1998): Notice in terms of section 10 (2) (b) (i)	3	33529
-------------------------------------------------------------------------------------	---	-------

GENERAL NOTICE

NOTICE 851 OF 2010**DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT****NOTICE IN TERMS OF SECTION 10(2)(b)(i) OF THE DEBT COLLECTORS ACT,
1998 (ACT NO. 114 OF 1998)**

I, Jeffrey Thamsanqa Radebe, Minister of Justice and Constitutional Development, acting under section 10(2)(b)(i) of the Debt Collectors Act, 1998 (Act No. 114 of 1998), hereby-

- (a) Publish the applications of N G Ndelu and W A Mundy, as set out in the Schedule, in which they request to be exempted from the disqualification contemplated in section 10(1)(a)(i) of the said Act on the grounds that the circumstances relating to the commission of their offences were of such a nature that the relevant convictions should not disqualify them from exercising the occupation of debt collector; and
- (b) invite, within 21 days from the date of this publication, representations in respect of the applications to be lodged with the Director-General: Justice and Constitutional Development. Representations shall be marked for the attention of the Directorate: Legal Process and –
 - (i) if forwarded by post, be addressed to –
The Director-General: Justice and Constitutional Development
Private Bag X81
Pretoria
0001
 - (ii) if delivered by hand, be delivered at –
Room 218
2nd Floor
Pretmed Building
Pretorius Street
Pretoria

J T RADEBE,
Minister of Justice and Constitutional Development

SCHEDULE
(See attached applications)

FORM 2
REGULATIONS RELATING TO DEBT COLLECTORS, 2002
APPLICATION FOR EXEMPTION

[Regulation 3 (1)]

I, **Ntokozo Gladness Ndelu** (full names), a director/member of **Edcon** (name of company/close corporation) hereby apply to be exempted from the disqualification contemplated in section 10 (1) (a) (i) of the Debt Collectors Act, 1998 (Act No. 114 of 1998), and in support of this application submit the following information:

1. Identity number or date of birth: **8012150387089**.
2. Nationality: **South African**.
3. Residential address: **701 Bishopsgate, 508 Smith Street, Durban**. Postal code: **4001**.
4. Telephone number: **(031) 301-3978**.
5. Postal address: —. Postal code: —.
6. Work address: **273 Pine Street, Aikal House, Durban**. Postal code: **4001**.
7. Telephone number: **(031) 333-2032**.
8. E-mail address: **ntoh@magicman.co.za**
9. Cellular number: **0839857273**.
10. Fax number: —.
11. Full particulars of offence(s) of which violence, dishonesty, extortion, or intimidation is an element, convicted of in the preceding 10 years:
Particulars of charge(s) convicted of: **Theft**.
Date(s) of conviction(s): **23-10-2002**.
Particulars of sentence(s): **Paid R300.00 admission of guilt fine**.
12. The above-mentioned conviction(s) should not be a disqualification for exercising the occupation of debt collector as the circumstances relating to the commission of the offence were as follows:
In September 2002, I went to Hub Store for shopping. I took a pair of bra (underwear) and put it under my file with an intention of not paying, on my way out security checked my bag and file and I was arrested. Charges were withdrawn in Court and admission of guilt value of R300.00 was paid.

I declare that the particulars furnished by me are in all respects complete and correct.

Signed at Durban (Bishopsgate) this 2nd day of August 2010.

ANNEXURE A
FORM 2
REGULATIONS RELATING TO DEBT COLLECTORS, 2002
APPLICATION FOR EXEMPTION

[Regulation 3 (1)]

I, **Wendy Ann Mundy**, employee of **Van Den Berg Investigations**, and applying in my private capacity, hereby apply to be exempted from the disqualification contemplated in section 10 (1) (a) (i) of the Debt Collectors Act, 1998 (Act No. 114 of 1998), and in support of this application submit the following information:

1. Identity number or date of birth: **5503260037008**.
2. Nationality: **RSA**.
3. Residential address: **113 Dowland Road, Hillary, Durban**. Postal code: **4093**.
4. Telephone number: **0844686282**.
5. Postal address: **PO Box 525, Westville**. Postal code: **3630**.
6. Work address: **Van Den Berg Investigations, 2nd Floor, Stride House, 40 Buckingham Terrace**. Postal code: **3630**.
7. Telephone number: **(031) 266-1520**.
8. E-mail address: **info@quicksurf.co.za**
9. Cellular number: **0844686282**.
10. Fax number: **(031) 267-2983**.
11. Full particulars of offence(s) of which violence, dishonesty, extortion, or intimidation is an element, convicted of in the preceding 10 years:
Particulars of charge(s) convicted of: **Theft**.
Date(s) of conviction(s): **17/01/2001**.

Particulars of sentence(s): 4 years imprisonment conditionally suspended for 5 years and 576 hours community service and 3 years correctional supervision.

12. The above-mentioned conviction(s) should not be a disqualification for exercising the occupation of debt collector as the circumstances relating to the commission of the offence(s) were as follows:

12.1 Reasons for my offence:

The circumstances leading up to my conviction were as follows: I was a bank employee and stole money from the bank to the value of R130,000.00 over a period of a year in 2000. At the time of the theft, I was an alcoholic and suffering from depression due to an abusive relationship that I had with my husband. I stole the money to buy alcohol. Since my conviction, I paid back over R100,000 to the bank as I declared my pension fully payable to the bank. I had also divorced my husband, managed my depression via a psychiatrist successfully, and cured my alcoholism via a rehab centre. I don't state that my reasons for my actions should excuse my offence, but I had acted completely irrationally and out of character—as are the effects of alcoholism and depression.

12.2 Eight (8) years has passed since my conviction:

On 2008/07/20, it would have been eight (8) years since my conviction. I have fully served my sentence and completed it in 2004/07/19. I have not committed any other offence since then. Since the criminal system has finalised my conviction and subsequent rehabilitation, I can, in myself, declare that I am fully cured of my offence and reasons for the offence. I plead that I be given back the right to opportunities that others have and that my past not further disqualify me from earning an honest living. Since eight (8) years have passed and the fact that I have finalised my sentence successfully, I feel that I have paid the price society required and would earnestly want to move on with my life. Kindly find Mr S P Voster, Parole Officer for the Department: Correctional Services, letter certifying the serving of my sentence.

12.3 My current job:

I am currently employed as an administration clerk by a debt collecting company. An opportunity to become a "tele-debt collector" in the company's call centre has become available to me but as I cannot register as a debt collector due to my conviction, I cannot fill this position. If I could register with the Council for Debt Collectors, I will not only be applying my banking experience and current training to the job at hand, but also earning a better living. Furthermore, my employer has a call centre who phones debtors owing payments to its clients but does not collect any cash at any stage. All payments are made directly to the entity concerned. I will therefore not be handling any cash or other type payments at any stage. Kindly find Mr W H van den Berg of Van Den Berg investigations, my employer, letter of application to the Council for Debt Collectors.

12.4 My application:

I plead with you to consider my situation and consider exempting me from my offence which will enable me to register as a debt collector with the Council for Debt Collectors. I hope I have fulfilled all requirements required for such exemption and that this application finds your favourable consideration.

I declare that the particulars furnished by me are in all respects complete and correct.

Signed at Durban this 6th day of June 2008.