



## Welcome and Congratulations!

Alliance Debt Counsellors would like to welcome and congratulate you for taking the first step to financial freedom and getting out of the spiral of bad debt!

More than 10 million South Africans out of a total of 18 million are over in debt - your decision and action speaks of responsibility and intelligence.

We will assist and guide you every step on your way to a debt free life!

ALLIANCE  
DEBT COUNSELLORS

Let us explain some of these steps to you.

### STEP 1

Attached to this document you will find a form that you need to complete and submit to us in order to get the Debt Counselling process started. Please include the following when submitting this form:

- > Copy of all identity documents
- > Salary Advice
- > Bank Statement
- > Proof of Residence
- > Statements of all Creditors (not older than three months)

### STEP 2

From this point we will take over all negotiations with your Creditors

We will capture all relevant information on our systems

The National Credit Regulator will be informed about your application

We will obtain your latest Certificates of balances (COB) from your Creditors

We will check for reckless credit

### STEP 3

We will make an assessment whether you are over in debt or not and inform your creditors accordingly. If found that you are over in debt we will provide your Creditors with a proposed repayment plan and negotiate terms and interest rates with them

### STEP 4

As soon as an agreement between ourselves on your behalf and your Creditors are reached, your matter will be revered to your local Magistrate Court where the Court will make an order confirming our repayment plan to the Creditors

### STEP 5

As long as you keep to the payment plan as agreed and ordered in Court, all creditors must adhere to this. We will issue you with a Clearance Certificate when you make your last payment and you will be considered a credit active person again.



## YOUR PERSONAL AND FINANCIAL INFORMATION

**ALLIANCE**  
DEBT COUNSELLORS

Alliance Debt Counsellors WP Nel – NCRDC1593 / MM Nel - NCRDC1594 105A

Library Gardens, Hans van Rensburg Street, Polokwane, 0700

T: (015) 295 8068 ; f: (086) 551 8577 ; email: [help@adc.org.za](mailto:help@adc.org.za)

### APPLICATION BY CONSUMER FOR DEBT REVIEW IN TERMS OF SECTION 86 OF THE NATIONAL CREDIT ACT 34 OF 2005

Please note that:

On receipt of this application the Debt Counsellor will advise all credit providers and all registered credit bureaus that you have applied for debt review;

1. You will be listed with all registered credit bureaus that you have applied for Debt Review;
2. This form must be accompanied by a list of all Credit Providers as well as copies of all documents requested;
3. Should any documents not be submitted within **10** days of the application being received by the Debt Counsellor, your application will not be accepted.

#### PART 1 – PERSONAL INFORMATION

NCR Ref Number:		Registration Date:	
Full names and surname:			
Maiden Name: (if applicable)			
Identity number: (please attach a copy)			
Marital Status:		In COP or not:	
No of Dependants: (age & gender)			
Physical Address:			
Postal Code:			
Home Owner?		Period at address:	
Postal Address:			
Postal Code:			
Tel No (home):		Cell phone number:	
Email address:			

#### PART 2 – INCOME (PLEASE ATTACH A COPY OF YOUR SALARY SLIP)

What type of work you do/Occupation:			
Name of Employer/Company:			
Address of Employer:			
Tel of Employer:		Fax of Employer:	
Period at current Employer:			
Gross Salary			

Deductions	
Tax	
Medical Aid	
Pension	
Other deductions (specify)	
Total deductions	
Other income (specify source)	
Other income (specify source)	
<b>Total NET income</b>	

### PART 3 – PARTNER INFO

Full names and Surname	
Maiden name (if applicable)	
Identity number (please attach copy)	
Telephone number (Work)	
Telephone number (Home)	
Cell phone number	
Email address	
<b><u>PART 3 (A) PARTNERS INCOME</u></b>	<b>(Please attach a copy of salary slip)</b>
Type of work your partner does	
Name of Employer	
Period at current Employer	
Address of Employer	
Gross Salary	
Deductions	
Tax:	
Medical Aid:	
Pension:	
Other deductions: (specify)	
Total deductions:	
Other income: (specify the source)	
Other:	
<b>Total Net income:</b>	

**For commission earners or self-employed please use this formula:**

Month:	Income:
Month:	Income:
Month:	Income:
Month:	Income:
Month:	Income:
Month:	Income:
Add 6 months then divide by 6 to get average:	Ave Income:

**TOTAL HOUSEHOLD INCOME** (after deductions): \_\_\_\_\_

(I.e. personal income plus partner's income, less all deductions)

**PART 3 (B) NEXT OF KIN INFO**

Full names and surname:	
Relationship to you:	
Telephone number (work/home):	
Cell phone number:	
Email address:	

**PART 4 – MONTHLY COMMITMENTS**

(Please list all **monthly** commitments other than outstanding debt, i.e. school fees, travelling costs, medical expenses, etc.)

NOTE: if you pay any of these amounts as a once –off per year, then please divide the amount by 12 to get a monthly cost.

COMMITMENTS	MONTHLY EXPENSE	Office use	COMMITMENTS	MONTHLY EXPENSE	Office use
Rental only (for bond, see pg. 5)			<b>CAR</b> rental only.(For Bank repayments see pg. 5)		
Water			Insurance (car)		
Levy			Services		
Electricity			Petrol & Oil		
Water/Sewage			Other Transportation (bus. Taxi etc.) if no car		
Rates			Car license (divided by 12)		
Insurance on house structure			<b>CHILDREN</b>		
Insurance on house contents			School Fees		
Groceries			School Clothes (divided by 12)		
Toiletries & Cosmetics			Books/stationary (divided by 12)		

Snacks (at work/school)			Transport to school		
Alcohol (drinks at pub)			Lunch money		
TV Licence (per month)			Pocket money		
M-Net, Dstv etc.			Monthly medication		
Going out for dinner – entertainment, movies			Contact Lenses		
DVD/video rentals			<b>Other:</b>		
Computer rental			<b>UNUSUAL REGULAR EXPENSES</b>		
<b>Other:</b>			Banking Fees		
<b>TELEPHONE</b>			<b>Entertainment</b>		
Mobile Phone (1)			Newspapers		
Mobile Phone (2)			Alimony		
Internet			Clothing not on account		
Landline			Magazine subscriptions		
Cigarettes/etc.			Tithe (church)		
Char/House keeper/nanny			Charity/Donations		
<b>Sub-Total:</b>			<b>Sub-Total:</b>		
			<b>Grand Total:</b>		

#### PART 5 – DEBT OBLIGATIONS (PLEASE list from largest to smallest debt)

ACCOUNT NUMBER	TYPE OF DEBT (Home/car/clothing)	NAME OF CREDITOR	Interest Rate	TOTAL AMOUNT OUTSTANDING	MONTHLY COMMITMENT
			<b>Total:</b>		

**Reasons for present financial difficulty:**

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**Plans to overcome present difficulties:**

Plans to increase income and lower expenses or things you could sell:

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(As per previous page) Amount I think I can repay each month: \_\_\_\_\_

\_\_\_\_\_

**SIGNATURE**

\_\_\_\_\_

**DATE**

*Discover your financial freedom with us!*



## DECLARATION BY THE APPLICANT

I hereby apply for the debt review process to be commenced on my current financial affairs.

I am of firm belief that I cannot meet all of my present financial commitments and obligations and state the following:

1. I understand that this application is the beginning of an extended process and in no way gives any guarantee that my application will be accepted or processed successfully.
2. I hereby undertake to give my full co-operation in this process and will submit any and all documents and information that might have an impact on the result of this application as well as any and all legal documentation that I have in my possession with regards to this application. I also undertake to comply with all requests from the DC to assist him/her to evaluate my state of indebtedness and the prospects for reasonable debt restructuring.
3. I understand that if I do not co-operate in this process, withhold information and/or documentation that will influence the result this review and/or give false representation to my budget, this application will immediately be terminated/rejected and that I will remain responsible for any and all cancellation fees.
4. I hereby consent to the submission of my information to all registered credit bureaus by the DC. I also consent that the DC may obtain my credit from any/all registered credit bureaus and any other registers which may contain any on my credit information.
5. I will inform the advisor of any calls, sms, messages, telephone calls and letters/accounts that I receive. I understand that my creditors will still contact me with regards to my accounts and payments and that I must refer all such enquiries to the DC assisting me.
6. I undertake not to enter into any further credit agreements, other than a consolidated agreement, with any credit provider until a) The DC rejects my application; or b) The court determines I am not over-indebted; or c) All my obligations under credit agreements as re-arranged are fulfilled.
7. I was explained the power-of-attorneys enabling the DC and the appointed associates to conduct and conclude my application for debt review.
8. I specifically understand that certain accounts will not be included in this process because of legal actions already taken by the creditors and/or any other reasons. Each account will be considered by the advisor and I will be notified which accounts will remain my responsibility if and when this review process has concluded, either by finalization or rejection.
9. I understand that it is VERY IMPORTANT to change my bank account immediately to a neutral bank where I do not have any account and where my creditors cannot claim monies from such an account. If the creditors do claim monies from my existing account I cannot hold the DC responsible for claiming back such monies from the bank or the creditor claiming the money. If I opened a new account and monies are withdrawn from that account by a creditor, the DC will assist with the claim-back of such monies, but no guarantees can be given in this regard.
10. I understand that I must make full and timeous payments of the new installment as determined by the DC. If I do not make payments as instructed, the process will be cancelled and my creditors can proceed with any further legal action against me, including further fees, costs and interest.
11. I am aware of all the fees for this review and all fee structures was explained to me comprehensively.
12. If I do not start making payments, or stop them without cancellation in writing, I will be liable for the full restructuring fee plus costs and interests.
13. I understand that I can cancel this application and process only in writing and that a cancellation letter will only be issued once all fees are paid-up if and when applicable.
14. I undertake to inform the Debt Counsellor if my income or expenses change with more than 10%.
15. I undertake to inform the Debt Counsellor of any extra amount I receive, if it is more than 10% of my salary (ex inheritance, pension or policy, payouts, bonus, increase in salary etc).
16. I undertake to inform my Debt Counsellor of any change of address and /or cell phone number.
17. I acknowledge that the debt counsellor brings this application on my behalf. I hereby indemnify the debt counsellor of any cost order that may be given against him. Any such payment may be deducted from my monthly payments, before Credit Providers are paid, or any other action can be taken to recover these costs.
18. I undertake to pay the monthly amounts calculated by my Debt Counsellor and acknowledge that failure to make prompt payments, entitles the Debt Counsellor to terminate this debt review and restructuring process
19. I confirm that the information obtained in this document is to the best of my knowledge true and correct.

**I also confirm that I attach to this application the following documentation:**

1. Copy of Identity documents;
2. Copy of pay slips / other proof of income;
3. At least one month's bank statement;
4. Latest statements received from all credit providers;
5. All legal documentation received in connection with any of my accounts; and
6. Any other documentation and information that might influence the determination, re-calculation, proposal and / or outcome of this application.

## ACKNOWLEDGEMENT OF OBLIGATION:

(Fees allowed to be charged by the Debt Counsellor)

**Please Note:** The process of Debt Counselling for which you are about to apply, cannot be executed without the incurrance of certain costs. **An initial application fee of R50 is payable by all applicants.** Should you not be in a position to pay this fee immediately, it will become payable together with the fees as explained here below.

Should you decide to proceed with the application by **signing NCR-Form 16** (Application by Consumer for Debt Review), the Debt Counsellor is allowed to charge fees according to the following guidelines:

- 1. A Restructuring Fee:** The Restructuring fee is a once off fee that will be equal to the Affordability amount (plus 14% VAT) with a maximum of R6000 (plus 14% VAT) in the case of a single application, or R6000 (plus 14% VAT) in the case of a joint application which will be payable by you. You will be responsible for paying this fee on the date of receiving your next salary. **This fee will be deducted from the monthly payment**
- 2. Legal Fee:** A legal fee of R 3250.00 **FOR THE CONSENT ORDER AND R3250.00 FOR THE RECISSION OF THE ORDER.** Any additional legal work done after that will be charged separately on an attorney and client scale. **This fee will be deducted from the monthly payment**  
The legal fee will cover, but is not limited to:
  - a. Drafting Founding affidavit
  - b. Drafting Supporting affidavit(s)
  - c. Debt Review Consent Order
  - d. Debt Review Magistrates Court Order
  - e. Serving above-mentioned documentation on all necessary parties
  - f. All other administrative tasks as required relating to the above
- 3. After-care fee:** The Debt Counsellor may also charge a monthly after-care fee equal to 5% (plus 14% VAT) for the first 24 months and thereafter 3% (plus 14% VAT) of the monthly instalment of the debt re-arrangement plan, up to a maximum of R400 (plus 14% VAT). **This fee will be deducted from the monthly payment.**
- 4. 75% Restructuring Fee:** Should you wish to withdraw from the process after the debt counsellor has already completed the restructuring negotiations, a cancelation fee equal to 75% of the restructuring fee will become payable by you. Should you already have paid the full restructuring fee; the surplus of 25% will be refunded.
- 5. A Rejection Fee:** of R300 will be charged, should you decide to withdraw from the process in the period between signing Form-16 and the completion of the restructuring negotiations by the Debt Counsellor. You will become liable for the payment of this fee immediately after withdrawing from the process.
- 6. 100% Refund:** If the debt counsellor fails to submit proposals to credit providers or refer the matter to a tribunal or a magistrate's court within 60 business days from the date of signing NCR Form-16, the debt counsellor will refund 100% of the fee already paid by you.

**I hereby acknowledge:** that the abovementioned fee structure was comprehensively explained to me, and that I understand the implications thereof. I also acknowledge and understand that I will be liable for payment of the fees as set out here above. **I understand that I am applying for debt review as part of the Debt Counselling process.** I understand this process and acknowledge that the future procedures have been explained to me.

### **WHEREAS**

The Client has indicated that he/she is not able to maintain his/her full monthly obligations to his/her creditors;

**AND WHEREAS** the Client has requested that the DC act on his/her behalf with regards to the client's creditors;

**WHEREFORE** the Client hereby grants to the DC a mandate to inter alia:

1. To obtain any records from the Client, his/her creditors and / or credit bureau to assist with the compilation of a schedule of payment and determining a budget.
2. To submit all information to all registered credit bureaus.
3. Have a payment schedule drawn for the creditors.
4. Make an offer of payment to the creditors in accordance with the said schedule, and the DC can amend this offer to the Creditors as the DC deems it necessary.
5. That the DC will at all times advise on and assist the Client on the well-being of his or her financial affairs in as far as this mandate is concerned; including all that is reasonably and legally necessary to assist the Client in relieving and / or settling his / her debt to a creditor(s).
6. To launch an application in terms of Section 79 read with Section 86 and 87 to have the client declared over-indebted and for his/ her debt to be re-arranged.
7. To negotiate with Creditors on the Client's behalf and if the Debt Counsellor deems it necessary to instruct a legal representative to oppose any collection proceedings that a Creditor may institute against the client. The client will be liable for the costs of such legal representative.

**Signature of client:** \_\_\_\_\_



## CREDITOR REPORTS

<b>Name of Creditor No.1:</b>	
Date and time of the call:	
Who was the person you spoke to:	His or her Contact number:
What was the outcome of the conversation:	

<b>Name of Creditor No.2:</b>	
Date and time of the call:	
Who was the person you spoke to:	His or her Contact number:
What was the outcome of the conversation:	

<b>Name of Creditor No.3:</b>	
Date and time of the call:	
Who was the person you spoke to:	His or her Contact number:
What was the outcome of the conversation:	

<b>Name of Creditor No.4:</b>	
Date and time of the call:	
Who was the person you spoke to:	His or her Contact number:
What was the outcome of the conversation:	

<b>Name of Creditor No.5:</b>	
Date and time of the call:	
Who was the person you spoke to:	His or her Contact number:
What was the outcome of the conversation:	

That is the long and the short of it. Submit your completed form to:

**FAX: 086 551 8577 / [help@adc.org.za](mailto:help@adc.org.za)**

We will contact you once we have received your form. Should you need any further assistance or additional information, please feel free to contact us on **015 295 8068** or email us at [help@adc.org.za](mailto:help@adc.org.za)

I am looking forward to being of assistance in your path to financial freedom!

Kind regards

**Willem Nel**

Debt counsellor (NCRDC1593)

*Discover your financial freedom with us!*

