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Debt Counselling Compliance Monitoring Visits Circular

CIRCULAR NO.01 OF 2013
DEBT COUNSELLING COMPLIANCE MONITORING VISITS

This circular serves to notify and remind all registered debt counsellors that the National Credit Regulator("the NCR") has a duty in terms of section 15(c) of the National Credit Act 34 of 2005 ("the Act") to monitor the consumer credit market and industry to ensure that prohibited conduct is prevented or detected and prosecuted.

The NCR carries out this duty inter alia, through on site visits to the business premises of debt counsellors. We have noted a trend and practice by some debt counsellors who incessantly and without valid reasons cancel confirmed appointments for the purpose of compliance monitoring. This practice is unacceptable and constitutes a contravention of the conditions of registration which all debt counsellors consented to prior to registration.

Debt counsellors' attention is drawn to the following general condition of registration:

General condition (8): "The Debt Counsellor must permit the NCR or any person authorised by the NCR to enter any premises from which the Debt Counsellor provides debt counselling services or engages with consumers in respect of debt counselling. The Debt Counsellor must satisfy all requests and enquiries related to monitoring compliance with these conditions and the requirements of the Act."

In light of the above, we wish to advise that compliance monitoring visits are a requirement and will be conducted on all registered debt counsellors as and when required by the NCR. Failure to avail yourself for a confirmed monitoring visit without a valid written reason provided within a reasonable period will be deemed as a contravention of your conditions of registration and the NCR will decide on the appropriate action required to address the contravention.

For any queries please contact Nomsa Mavundla, monitoring officer on 011 554 2804; alternatively send an email to nmavundla@ncr.org.za

This document is available from **www.ncr.org.za**

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National Credit Regulator