

NATIONAL ASSEMBLY
QUESTION FOR WRITTEN REPLY
QUESTION NUMBER: 3488 [NW3932E]
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3488. Adv A de W Alberts (FF Plus) to ask the Minister of Finance:†

- (1) (a) In terms of the legal prescriptions the National Credit Regulator (NCR) relies on for any powers to raise debt counselling fees, which were introduced as an interim measure in 2008, (b) whether the measures are binding in any way and (c) what are the specific legal precepts;
- (2) why National Treasury has not submitted any amendments in terms of section 171 of the Credit Act, Act 34 of 2005, to Parliament to authorise the Minister to prescribe debt counsellors' fees in the regulations;
- (3) (a) on which directives in South African legislation does the NCR rely to enforce any guidelines when article 16(1)(b)(i) of the Credit Act stipulates the NCR's guidelines as non-enforceable and (b) why the guidelines have subsequently, as prescribed in the Constitution, 1996, also not been followed up with public feedback through an official notice in the Government Gazette by the Minister;
- (4) (a) what company has been appointed by the NCR to conduct the investigation regarding debt counselling fees, (b) whether the tender processes have been followed properly, (c) what is the cost relating to the investigation and (d) how the expense is justified when such investigation has been suspended after four months?

[NW4058E]

REPLY:

The National Credit Act, 35 of 2005 does not fall under the mandate of the National Treasury.

The question should rather be directed to the National Credit Regulator and the Department of Trade and Industry.