

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

No. R. 162 1 March 2011

DEBT COLLECTORS ACT, 1998
REGULATIONS RELATING TO DEBT COLLECTORS, 2003: AMENDMENT

The Minister of Justice and Constitutional Development has, under section 23 of the Debt Collectors Act, 1998 (Act No. 114 of 1998), and after consultation with the Council for Debt Collectors, made the regulations in the Schedule.

SCHEDULE

Definition

1. In these regulations "the Regulations" means the regulations published by Government Notice No. R. 185 of 7 February 2003, as amended by Government Notices Nos. R. 1623 of 7 November 2003, R. 741 of 29 July 2005, R. 1044 of 2 November 2007, as corrected by Government Notice No. R. 1093 of 23 November 2007 and amended by Government Notice No. R. 1120 of 27 November 2009.

Amendment of regulation 11 of the Regulations

2. Regulation 11 of the Regulations is hereby amended by the substitution for the expression "R697" of the expression "R736".

Substitution of Annexure B to the Regulations

3. The following Annexure is hereby substituted for Annexure B to the Regulations:

"ANNEXURE B
Expenses and fees
[Regulation 11]

Note: The total amount to be recovered from the debtor in respect of items 1 to 7 of the Annexure shall not exceed the capital amount of the debt or R736, 00, whichever is the lesser.

Item	Description	Amount
1.(a)	Necessary ordinary letter, registered letter, facsimile or e-mail:	R15,00 (and in the case of a registered letter, the costs of the registration fee to be added)
1.(b)	Registered letter (Sec 57 of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944)):	The amount as prescribed from time to time in item 8 of Annexure 2, Table A, Part II of the Rules of Court of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944)
2.	Necessary phone call, which is not a consultation (per call):	R15,00
3.	Other necessary expenses not specifically provided for, a total amount of:	R15,00
4.	Acknowledgement of debt and undertaking to pay debt in terms of section 57 or section 58 of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944) (including the necessary consultation with debtor):	The amount as prescribed from time to time in items 9 and 10 of Annexure 2, Table A, Part II of the Rules of Court of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944)
5.	At the request of the debtor, the drawing up and furnishing of a settlement account, other than the six monthly settlement account:	R30,00
6.	Correspondence received and attended to:	R7,00
7.	Necessary consultation with debtor:	R37,00
8.	Attending taxation:	R59,00

9.	On receipt of an instalment (one or more) in redemption of the debt inclusive of instalments made directly to the client:	A fee of 10% of the instalment received, subject to a maximum amount of R368, 00. No additional fee shall be charged for any attendance in connection with the receipt or payment of any instalment."
----	---	---