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**IMPORTANT NOTICE**

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## GENERAL NOTICE

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### NOTICE 21 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 B Smith and M J Mogapi, 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  
2<sup>nd</sup> 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, **Mojalifa John Mogapi** (full names), \*a director/member of — (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: **8612145304089**.
2. Nationality: **South African**.
3. Residential address: **114 Phooko Section, Katlehong**. Postal code: **1431**.
4. Telephone number: —.
5. Postal address: **114 Phooko Section, Katlehong**. Postal code: **1431**.
6. Work address: **2 Boeing Road East, Dunvegan, PO Box 1431, Bedfordview, 2008**. Postal code: **2008**.
7. Telephone number: **(011) 455-4611**.
8. E-mail address: **LERATO@UKUMILA.CO.ZA**
9. Cellular number: **076 273 8497**.
10. Fax number: **(011) 455-5319**.
11. Full particulars of offence(s) of which violence, dishonesty, extortion, or intimidation is an element, convicted of in the preceding 10 years:
  - Offence: **Theft—**
  - Date convicted: **25/4/08 (25 April 2008)**.
  - Sentence: **12 months imprisonment conditionally suspended for 5 years**.
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:
  - I've been found guilty for stealing cheeses and irons. I took cheeses and irons at the sales floor and I put cheeses inside my bag then I called the security to search me at the office, I was hiding my bag next to the offices's table, but the Security didn't recognise the bag yet. When I was approximately gone out to the exist door, the manager approached me suddenly and he requested to check my bag, he found the cheeses in my bag, that were not paid for.**
  - I was working as a call centre/outbouned.**
  - My work was to call the clients to pay off their debts.**
  - I was convincing the clients to make their payments, to prevent interest charges per annual/yearly.**
  - We were given a list of bad debts, to remaind them to pay their installment immediately in order to prevent being black listed.**
  - We were providing our clients with the bank details of SABC so that they can pay off their T.V. Licence.**
  - We were making arrangement of how they going to pay their installment.**
  - We don't keep "Cash" or collect it to our clients.**
  - We don't deal with our clients face to face, because they were'nt make their payment in our branch yet.**

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

Signed at DOJ & CD this 19th day of August 2009.

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

[Regulation 3 (1)]

I, **Beulah Smith** (full names and surname), \*a director/member of/sole proprietor trading as — (name of \*company/close corporation business) 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: **5903030103089**.
2. Nationality: **South African**.
3. Residential address: **1 Gibb Street, South Port, Port Shepstone**. Postal code: **4235**.
4. Telephone number: **073 222 3053**.

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5. Postal address: **Box 1166, Umtentweni. Postal code: 4235.**
  6. Work address: **Private Bag 702, Port Shepstone. Postal code: 4240.**
  7. Telephone number: **086 184 2842.**
  8. E-mail address: **beulah-S.debtors@theholidayclub.com**
  9. Cellular number: **073 222 3053.**
  10. Fax number: **086 132 9842 (work).**
  11. Full particulars of offence(s) of which violence, dishonesty, extortion, or intimidation is an element, convicted of in the preceding 10 years:
    - Offence: **Fraud.**
    - Date convicted: **27 June 2003.**
    - Sentence: **8 months imprisonment conditionally suspended for 5 years.**
  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:

**Worked at ABSA Bank (22 years), reverse amount of R247,50 on my husband's account—Small balances Account. Did not realize that it was my husband's account—worked on a list of small balances. The person that reported this was jealous of my achievement at work and went straight to the fraud department who then made the case against me, as it was classified as fraud. This amount was also paid back to the bank.**

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

Signed at Port Shepstone this 1st day of June 2009.

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