

**NOTICE OF NON-COMPLIANCE BY AN UNREGISTERED  
ENTITY/INDIVIDUAL IN TERMS OF SECTION 55(1) OF THE NATIONAL  
CREDIT ACT 34 OF 2005**

NCR Form 13

**Name of unregistered entity/individual**

TOPAZ LAKE TRADING 112 CC t/a MEGA CASH LOANS  
Member: N. Pieterse

**Address**

No 43 BOOM STREET  
SANLAM CENTRE  
RUSTENBURG

**A. In terms of Section 55(1) and 55(3) of the Act your attention is drawn to the fact that you have failed to comply with the provisions of the Act, in that you:**

- i. Retain consumers' bank cards and personal identification numbers (PIN's) or other auto teller access cards or similar items as security for collection purposes in contravention of section 91(b) and section 133 of the Act;
- ii. Require consumers to sign blank process documents in contravention of section 91 read with section 90(2)(k)(iii).
- iii. Approach the courts to enforce credit agreements without the required debt procedures being followed in terms of section 129 and section 130 of the Act.

**B. In terms of Section 55(3) of the Act, you are hereby notified to take the following steps to address the non-compliance with the Act:**

With immediate effect:

- i. Return to every consumer his/her bank card in your possession and delete/destroy all records of PIN's or auto teller access cards or similar items and refrain from such practice in the future;
- ii. Desist from requiring consumers to sign blank process documents.
- iii. Refrain from approaching the court to enforce credit agreements without the necessary debt procedures being followed.

**C. As required in terms of Section 55(3)(e), we would like to bring under your attention that the following order may be made and penalties may be imposed if the required steps are not taken to rectify the areas of non-compliance:**

- i. The National Credit Regulator may refer this matter to the National Consumer Tribunal, which may impose the penalties as defined in Section 150 of the Act for each act of non-compliance, including -
  - (a) declaring any conduct prohibited;
  - (b) interdicting such prohibited conduct;
  - (c) an administrative fine not exceeding the greater of 10% of your annual turnover during the preceding financial year or R1 000 000.00 (One million rand);
  - (d) requiring repayment of any excess amounts charged; or
  - (e) any other appropriate order.
- ii. The National Credit Regulator may further refer certain matters to the National Prosecuting Authority, which may institute legal action resulting in criminal prosecution.
- iii. In terms of Section 54(5) of the Act, failure to comply with this notice is an offence capable of an order of a fine or imprisonment or both a fine and imprisonment.

**D. We wish to bring to your attention that you may object to this Notice in terms of Section 56 of the Act and may request the National Consumer Tribunal to review this Notice, within 15 business days after receiving this notice.**

Signed at Midrand on this the 1st day of June 2009.



Gabriel Davel  
Chief Executive Officer  
National Credit Regulator