

**NOTICE OF NON-COMPLIANCE BY AN UNREGISTERED  
ENTITY/INDIVIDUAL IN TERMS OF SECTION 54(1) OF THE NATIONAL  
CREDIT ACT 34 OF 2005**

NCR Form 12

**Name of unregistered entity/individual**

Perumal Roger Marimuthoo  
ID number: 7610315069087  
(Member of *Debt Solutions CC t/a Debt Management Services CC*)

**Address**

Shop 31  
The Ridge Shopping Centre  
Shallcross  
Durban  
4030

- A. It has come to the attention of the National Credit Regulator that you and your employees are engaging in or offering to engage in or holding yourselves out as authorised to be engaged in the following activity(s) –

Conducting the business of a debt counsellor without being registered with the National Credit Regulator as required in terms of Section 44(2) of the National Credit Act 34 of 2005 ("the Act").

- B. It has also come to the attention of the National Credit Regulator that you are unlawfully:

Using the registration numbers of two other registered debt counsellors.

- C. In terms of Section 54(1) and (3) of the Act, you are hereby notified to take the following steps to address the non-compliance with the Act:

1. With immediate effect cease engaging in, offering to engage in or holding yourself out as authorised to engage in the activities of conducting the

business of a debt counsellor without being registered with the National Credit Regulator.

2. With immediate effect cease using other registered debt counsellors' registration numbers.
3. Within 7 business days of receipt of this notice, compile a list of all consumers who applied for debt review with you. The list, together with the files of the said consumers which are still in your possession must be made available for collection by the National Credit Regulator within these 7 days in order to enable the National Credit Regulator to make appropriate arrangements for the transfer of these files to other debt counsellors;
4. Within 20 business days of the days of receipt of this notice refund any amount paid to you by consumers who applied for debt review.
5. Within 25 days after receiving this notice furnish the National Credit Regulator with a written affidavit to the effect that the required steps as set out in Part C of this notice have been complied with and implemented. The affidavit must contain a detailed list of the names of the consumers, all monies received and refunded to the said consumers; and the dates on which such monies were received and refunded.

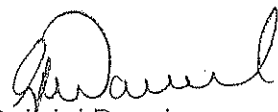
**D. As required in terms of Section 54(3)(e), we would like to bring under your attention that the following order may be made and penalties may be imposed if the required steps are not taken to rectify the areas of non-compliance:**

- (i) The NCR may refer this matter to the 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) suspending or cancelling your registration;
  - (e) requiring repayment to consumers of any excess amounts charged;  
or

- (f) any other appropriate order.
- (ii) The NCR 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 and capable of an order of a fine or imprisonment or both a fine and imprisonment

E. 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 Tribunal to review this Notice, within 15 business days after receiving this Notice.

Signed at Midrand on this 11th day of December 2009.



Gabriel Davel  
Chief Executive Officer  
National Credit Regulator