**THE NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**204. Ms J F Terblanche (DA) to ask the Minister of Trade and Industry:**

(1) (a) What remedial action was decided in case NCT/26396/2015/140(1), between the National Credit Regulator and ABSA Bank Ltd, which was heard by the National Consumer Tribunal on 21 November 2016 and (b) what fines were imposed;

(2) whether the consumers affected by the specified case will benefit in any way from the outcome; if not, why not; if so, (a) in what way and (b) why was this not communicated to the affected consumers;

(3) whether any (a) fines, (b) settlements and/or (c) criminal charges were pursued against any person found guilty in the case; if not, in each case, why not; if so, what are the relevant details in each case?NW216E

**Response:**

(1)(a) The matter was settled between the NCR and ABSA Bank Ltd on the basis that ABSA pay an administrative fine.

(1)(b) A fine of R10 000 000.00 (Ten million Rands) was imposed.

(2)(a) The consumers will benefit as follows – ABSA to:

1. Write-off the cost of credit on credit agreements.
2. Restructure repayments for consumers who are currently in arrears.
3. Rescind any civil court judgments against consumers at own cost.
4. Instruct the credit bureaus to remove adverse listings from the credit records of consumers.

(2)(b) ABSA is required to submit to the NCR an audit report confirming compliance with the terms of the agreement and once the audit report is submitted, the NCR will inform the affected consumers.

(3) The alleged contravention is not a criminal offence; therefore no criminal charges were pursued.