



DEBT REVIEW APPLICATION FORM (FORM 16)

Email completed application form to **forms@debtmasters.net**

PART 1

NATIONAL CREDIT REGULATOR

APPLICATION BY CONSUMER FOR DEBT REVIEW IN TERMS OF SECTION 86 OF THE NATIONAL CREDIT ACT 34 OF 2005

Please note that:

- 1.1** On receipt of this application, the Debt Counsellor will advise all Credit Providers and all registered Credit Bureaus that you have applied for Debt Review.
- 1.2** You will be listed with all registered credit bureaus that you have applied for debt review, and you will not be able to obtain any further credit.
- 1.3** This form must be accompanied by a list of all credit providers as well as copies of all documents requested.
- 1.4** Should any documents not be submitted within 10 days of the Application being received by the Debt counsellor, your application will not be accepted.
- 1.5** All Payments need to be made directly to the Payment Distribution Agency (PDA) trust account. The Debt Counselor will provide you with the banking details of the PDA - DC Partner.
- 1.6** A consumer cannot withdraw from the Debt Counselling process after the Form 16 (application form) has been signed. The debt counsellor can only reject the application should it be found that the consumer is NOT over-indebted. Proof thereof will have to be submitted to the NCR in order to clear the debt counselling listing from the consumers credit profile.

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PART 2 – PERSONAL DETAILS OF APPLICANT *

TITLE **NCR NUMBER** **REFERRER**

FIRST NAMES *

LAST NAMES * **IDENTITY NUMBER ***

GENDER MALE FEMALE **PASSPORT NUMBER**

ETHNIC GROUP	MARITAL STATUS *	LANGUAGE PREFERENCE
<input type="checkbox"/> AFRICAN	<input type="checkbox"/> SINGLE	<input type="checkbox"/> ENGLISH
<input type="checkbox"/> COLOURED	<input type="checkbox"/> WIDOWED	<input type="checkbox"/> AFRIKAANS
<input type="checkbox"/> INDIAN	<input type="checkbox"/> COP (COMMUNITY OF PROPERTY)	<input type="checkbox"/> OTHER
<input type="checkbox"/> WHITE	<input type="checkbox"/> ANC (ANTENUPTIAL CONTRACT)	
<input type="checkbox"/> OTHER	<input type="checkbox"/> AFRICAN TRADITIONAL	
	<input type="checkbox"/> MUSLIM TRADITIONAL	

EMAIL ADDRESS *

PHONE (MOBILE) * **PHONE (HOME)**

PHYSICAL ADDRESS

POSTAL CODE

POSTAL ADDRESS

POSTAL CODE

NAME OF EMPLOYER

JOB TITLE

PHONE (WORK)

EMPLOYER ADDRESS

POSTAL CODE

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REGISTERED DEBT COUNSELLOR: JOHANN WASSERMAN (NCRDC 3409)

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NUMBER OF DEPENDENTS

NAMES OF DEPENDENTS	AGE	RELATION	ID NUMBER

WITH WHOM DO YOUR SCHOOL GOING CHILDREN STAY AFTER SCHOOL ?

WITH ME (PERMANENT) OTHER PARENT (PERMANENT) WITH OTHER (GRAND PARENTS ETC.)

PART 3 – PERSONAL DETAILS OF SPOUSE (OPTIONAL AND IF APPLICABLE)

* COMPULSORY IF MARRIED IN COMMUNITY OF PROPERTY (COP) OR AFRICAN TRADITIONAL

TITLE

FIRST NAMES

LAST NAMES

IDENTITY NUMBER

GENDER MALE FEMALE

PASSPORT NUMBER

EMAIL ADDRESS

PHONE (MOBILE)

PHONE (WORK)

NAME OF EMPLOYER

JOB TITLE

EMPLOYER ADDRESS

POSTAL CODE

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PART 4 – SALARY AND OTHER INCOME

(PLEASE ATTACH A COPY OF YOUR LATEST SALARY PAYSLIP)

(REQUIRED)

(ONLY IF APPLICABLE)

APPLICANT

CURRENT

SPOUSE

CURRENT

MONTHLY GROSS SALARY INCOME

1

MONTHLY GROSS SALARY INCOME

6

MONTHLY COMMISSION

2

MONTHLY COMMISSION

7

MONTHLY OVERTIME

3

MONTHLY OVERTIME

8

MONTHLY RENTAL INCOME

4

MONTHLY RENTAL INCOME

9

CHILD MAINTENANCE INCOME

5

CHILD MAINTENANCE INCOME

10

TOTAL INCOME

A1

TOTAL INCOME

A2

(ADD UP AMOUNTS 1 – 5)

(ADD UP AMOUNTS 6 – 10)

JOINT MONTHLY GROSS INCOME

A1 + A2

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PART 5 – SALARY DEDUCTIONS

(PLEASE ATTACH A COPY OF YOUR LATEST SALARY PAYSIP)

(REQUIRED)

(ONLY IF APPLICABLE)

APPLICANT

CURRENT

SPOUSE

CURRENT

PAYE

11

PAYE

18

UIF

12

UIF

19

PENSION / PROVIDENT FUND

13

PENSION / PROVIDENT FUND

20

MEDICAL AID

14

MEDICAL AID

21

GARNISHEE ORDERS

15

GARNISHEE ORDERS

22

STAFF LOANS

16

STAFF LOANS

23

OTHER DEDUCTIONS

17

OTHER DEDUCTIONS

24

TOTAL DEDUCTIONS

B1

TOTAL DEDUCTIONS

B2

(ADD UP AMOUNTS 11 - 17)

(ADD UP AMOUNTS 18 - 24)

NET SALARY

C1

NET SALARY

A2 - B2

A1 - B1

JOINT MONTHLY NET SALARY INCOME

C1 + C2

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PART 6 – LIVING EXPENSES / MONTHLY COMMITMENTS

(LIST ALL MONTHLY COMMITMENTS EXCLUDING YOUR OUTSTANDING DEBT REPAYMENTS)

(REQUIRED)		(ONLY IF APPLICABLE)	
APPLICANT	CURRENT	SPOUSE	CURRENT
FOOD / GROCERIES / CLOTHING	<input type="text"/> 25	FOOD / GROCERIES / CLOTHING	<input type="text"/> 38
PROPERTY RENTAL	<input type="text"/> 26	PROPERTY RENTAL	<input type="text"/> 39
WATER / ELEC / RATES / LEVIES	<input type="text"/> 27	WATER / ELEC / RATES / LEVIES	<input type="text"/> 40
SECURITY	<input type="text"/> 28	SECURITY	<input type="text"/> 41
SCHOOL FEES	<input type="text"/> 29	SCHOOL FEES	<input type="text"/> 42
SHORT TERM INSURANCE	<input type="text"/> 30	SHORT TERM INSURANCE	<input type="text"/> 43
VEHICLE INSURANCE	<input type="text"/> 31	VEHICLE INSURANCE	<input type="text"/> 44
LIFE INSURANCE	<input type="text"/> 32	LIFE INSURANCE	<input type="text"/> 45
FUEL / TRANSPORT	<input type="text"/> 33	FUEL / TRANSPORT	<input type="text"/> 46
CHILD MAINTENANCE	<input type="text"/> 34	CHILD MAINTENANCE	<input type="text"/> 47
MEDICAL COSTS	<input type="text"/> 35	MEDICAL COSTS	<input type="text"/> 48
TELEPHONE & INTERNET	<input type="text"/> 36	TELEPHONE & INTERNET	<input type="text"/> 49
OTHER EXPENSES	<input type="text"/> 37	OTHER EXPENSES	<input type="text"/> 50
TOTAL LIVING EXPENSES	<input type="text"/> D1	TOTAL LIVING EXPENSES	<input type="text"/> D2
(ADD UP AMOUNTS 25 - 37)			
NET AMOUNT AVAILABLE (AVAILABLE FOR DEBT REVIEW)	<input type="text"/> E1	NET AMOUNT AVAILABLE (AVAILABLE FOR DEBT REVIEW)	<input type="text"/> E2
C1 - D1			
E1 + E2			
(ADD UP AMOUNTS 38 - 50)			
C2 - D2			

JOINTLY AVAILABLE FOR DEBT REVIEW PER MONTH

E1 + E2

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PART 7 – THIS SECTION IS COMPULSORY IF MARRIED OUT OF COMMUNITY OF PROPERTY (ANTENUPTIAL CONTRACT) AND SINGLE APPLICATIONS

IS YOUR SPOUSE EMPLOYED? YES NO

IF YOUR SPOUSE IS EMPLOYED, WHAT AMOUNT DOES YOUR SPOUSE CONTRIBUTE TO THE MONTHLY EXPENSES?

PART 8 – DEBT OBLIGATIONS (INCLUDING BANK OVERDRAFTS)

(PLEASE PROVIDE COPIES OF ALL OUTSTANDING BALANCES DUE)

NAME OF CREDITOR	ACCOUNT TYPE	ACCOUNT NUMBER	OUTSTANDING BALANCE	CURRENT INSTALMENT
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				

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NAME OF CREDITOR	ACCOUNT TYPE	ACCOUNT NUMBER	OUTSTANDING BALANCE	CURRENT INSTALMENT
15				
16				
17				
18				
19				
20				
TOTALS				

PART 9 – PREVIOUS DEBT REVIEW INFORMATION (ONLY IF APPLICABLE)

HAVE YOU PREVIOUSLY BEEN UNDER DEBT REVIEW? YES NO

IF YES, PLEASE PROVIDE DETAILS OF THE PREVIOUS DEBT COUNSELLOR

REASONS FOR LEAVING PREVIOUS DEBT COUNSELLOR

WAS A COURT ORDER GRANTED? YES NO

PART 10 – REASON FOR OVER INDEBTEDNESS

PLEASE PROVIDE A SHORT DESCRIPTION OF THE REASONS FOR YOUR OVER INDEBTEDNESS

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PART 11

DEBT COUNSELLING FEES DISCLOSURE

THE DEBT COUNSELLOR MAY RECEIVE THE FOLLOWING AMOUNTS IN RESPECT OF CONSUMERS WHO HAVE APPLIED FOR DEBT COUNSELLING

- 11.1 An application fee** – limited to the amount prescribed in terms of Schedule 2(2) of the Act, recoverable directly from the Consumer upon receiving an application for debt review.
- 11.2 An Administration fee** of R300 (excluding VAT), which covers the consultation with consumer, Form 17.1 process, loading consumers on DHS and/or applications which may be rejected.
- 11.3 A Restructuring fee** of the lesser of the first instalment of the debt re-arrangement plan and the maximum of R8000.00 (excl. Vat) in respect of a consumer whose applications have been accepted in terms of Section 86(7)(b) or Section 86(7)(c). In the event of a joint application (married COP), the fee may be increased to R9000.00 (excl VAT).
 - 11.3.1** 100% of the fee is payable on the first instalment.
- 11.4 A Reckless Lending Fee** up to maximum of R1500 per application. This may be charged after a Reckless Lending Assessment is complete, and the Reckless Lending documents were provided to an attorney to draft an affidavit of the assessment outcome.
- 11.5 A monthly care fee** of 5% (excl. Vat) of the monthly instalment of the debt re-arrangement plan, up to a maximum of R450 (excl VAT) for the duration of the Debt Review.
 - 11.5.1** Payment of the monthly after-care fee is to commence in the 2nd month after the amount in 3.1 above has been paid.
- 11.6 A submission fee for a consent order** of R 500.00 (excl Filing Fee). The submission fee for the consent order may only be deducted from the 2nd month after the amount in 3.1 above has been paid. If the consumer's affairs cannot be resolved through a consent order, and there are additional costs for further legal processes, these need to be separately negotiated with the client. The Debt Counsellor should be able to produce pro forma invoices issued to them by their lawyers for legal services, when so requested by the NCR.

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- 11.7** The fees which a Payment Distribution Agent (PDA) may recover in respect of payment distribution services rendered are as follows:
- 11.7.1** A fee of R5.00 for each payment of between R100.00 and R200.00 distributed in respect of each credit agreement included in the consumer's debt re-arrangement plan;
- 11.7.1** A fee of R10.00 for each payment between R201.00 and R500.00 distributed in respect of each credit agreement included in the consumer's debt re-arrangement plan;
- 11.7.1** A fee of R15.00 for each payment exceeding R500.00 distributed in respect of each credit agreement included in the consumer's debt re-arrangement plan;
- 11.8** The fee structure is disclosed in the table below (to be inserted by the Debt Counsellor):

FEE TYPE	AMOUNT
Restructuring Fee	
Legal Fee	
Aftercare Fee	
Monthly PDA Fee	
Reckless Lending Fee	
Legal – NCT Fee	
Administration Fee	
Application Fee	
TOTAL FEES	

- 11.8.1** The Fees above are correct at the time of printing but may be adjusted according to your monthly distribution;
- 11.8.2** Court Preparation fees relate to either a Consent Order or Court Order for the Debt Re-arrangement and this can vary depending on the response from the Credit Provider.

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11.8.3 Additional information or additional disclosures by the Debt Counsellor:

- 11.8.3.1** _____
- 11.8.3.2** _____
- 11.8.3.3** _____
- 11.8.3.4** _____

PART 12

DECLARATION BY THE CONSUMER/S

I/We declare as follows:

- 12.1** I/We undertake to comply with all requests from the debt counsellor to assist him/her to evaluate my/our state of indebtedness and the prospects for responsible debt restructuring.
- 12.2** I/We hereby consent to the submission of my/our information to all registered credit bureaus by the debt counsellor.
- 12.3** I/We also consent that the debt counsellor may obtain my/our credit record from any/all registered credit bureaus and any other registers which may contain any of my/our credit information.
- 12.4** I/We undertake not to enter into any further credit agreements, other than a consolidated agreement, with any credit provider until one of the following events has occurred:
- 12.4.1** The debt counsellor rejects my/our application;
- 12.4.2** The court determines that I/we am/are not over-indebted; or;
- 12.4.3** All my/our obligations under credit agreements as re-arranged are fulfilled.
- 12.5** I understand that I must not sign any documents whatsoever that I receive from my credit providers, and shall make no promises, either verbally or in writing, to any of my credit providers.

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- 12.6** I/We confirm that the information obtained in this document is, to the best of my/our knowledge, true and correct.
- 12.7** I/We the undersigned consumer/s hereby agree and undertake to keep the Debt Counsellor indemnified against all loss or damage from any cause arising which I/we may sustain as a result of the application in terms of Section 86 of the National Credit Act 34 of 2005.
- 12.8** I/We confirm my instructions to the Debt Counsellor to investigate reckless credit in respect of all my credit agreements and to furthermore instruct the Debt Counsellor to seek a declaration of reckless credit on my behalf should reckless credit be evident.
- 12.9** I/we hereby confirm that the Debt Review Process and Debt Counselling Fee Structure has been explained and is understood and accepted.
- 12.10** Furthermore I/we undertake to make the interim payments as reflected in the Payment Schedule pending the finalisation of the Consent or Court Order and that failure to do so can result in the termination of the Debt Review application by the Debt Counsellor or Credit Providers.
- 12.11** I hereby confirm that by signing this declaration, I enter into a mandate agreement with the debt counsellor willingly, in terms whereof the debt counsellor may elect to suspend their services for default on my part. I hereby confirm that I have been informed that the National Credit Act does not provide for termination by a debt counsellor, but that mandate agreements such as these are regulated by common law principles and that I accept this mandate agreement in terms thereof.
- 12.12** I/we hereby choose as my/our domicile citandi et executandi (legal address for all notices) for the purposes of giving notice, the serving of any process and for any purpose arising from this agreement.
- 12.13** I/we hereby agree to pay all legal costs and expenses of whatsoever nature on an Attorney and Client basis including collection commission, tracing agent charges, letter of demand costs or any other disbursements incurred by the Debt Counsellor employed by in the event that the Professional Fee, the after-care fee or the Legal Fee is not paid by me/us and action is instituted against me/us.

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- 12.14** I/we agree that the amount owing to in terms of this agreement at any time shall be determined and proved by a certificate signed by the Company's duly authorized representatives or debt counsellor. I/we irrevocably waive and abandon any right to call upon the Company in any litigation or other proceedings to furnish security for costs.
- 12.15** I/We the Consumer(s) authorise my/our debt counsellor and it's staff and/or agents to process, store and keep my/our personal information that has bearing to my/our debt review and whilst I/we do explicitly give my/our consent to our debt counsellor to do so, I/we understand and accept that my/our debt counsellor is obliged to act within the parameters of the Protection of Personal information Act ("POPI").

SIGNATURE (MAIN APPLICANT) _____

SIGNATURE (JOINT APPLICANT) _____

DATE _____

RECEIPT NO _____

SIGNED AT CAPE TOWN ON THIS _____ **DAY OF** _____ **20** _____

REGISTERED DEBT COUNSELLOR

**JOHANN WASSERMAN
NCRDC3409**