

22 October 2018

To whom it may concern

Commonwealth Finance SA (Pty) Ltd : NCRCP 8071 - Language Policy Proposal

1. Introduction and Background

Section 63(1) of the National Credit Act ("the Act") states that "a consumer has a right to receive any document that is required in terms of the Act in an official language that the consumer reads or understands, to the extent that is reasonable having regard to usage, practicality, expense, regional circumstances and the balance of the needs and preferences of the population ordinarily served by the person required to deliver that document".

Commonwealth Finance is situated in Cape Town, and provide finance mostly to clients in Cape Town and Gauteng. The majority of our clients are either English or Afrikaans, and we thus propose that we implement Afrikaans as our second language.

2. Language Policy Proposal

Commonwealth Finance (Pty) proposes to provide support to the client and documentation that is required to be delivered to the client in terms of the Act as follows:

- 2.1 **Credit Agreements:** Commonwealth Finance will initially provide credit agreements in English only. In addition to providing documents required under the Act in English, Commonwealth Finance will offer a summary of the salient terms of written credit agreements in one other language as well within 6 months after approval of Commonwealth Finance's language proposal. The language identified for this purpose is Afrikaans.
- 2.2 **Pre-Agreement Statements and Quotations:** Commonwealth Finance will provide pre-agreement statements and quotations (quotes) in English from the date of approval of Commonwealth Finance's language proposal. Within 24 months of the approval of Commonwealth Finance's language proposal Commonwealth Finance will provide quotes in Afrikaans.

2.3 **Enforcement Notices:** Commonwealth Finance will provide enforcement notices in English within 12 months from the date of approval of Commonwealth Finance's language proposal. Within 24 months of the approval of Commonwealth Finance's language proposal Commonwealth Finance will provide enforcement notices in Afrikaans.

2.4 **Marketing:** Commonwealth Finance's brochures regarding its loan/credit products are available in English only. The information on Commonwealth Finance's website (www.medifin.co.za) regarding Commonwealth Finance's loans are available in English only.

2.5 **Call Centre, Internet and Staff:** Commonwealth Finance's Client Care Centre will provide support in English and Afrikaans.

3. Other Areas impacting on Language Proposal

Commonwealth Finance does not operate its own loan management system and document solution software and has outsourced this function to a third party. Commonwealth Finance can currently only operate within the system parameters as provided by the service provider and all customer related documentation, including system generated quotes and credit agreements, are limited to English only. Commonwealth Finance intends to engage with the service provider to enhance its system to accommodate more languages when such system enhancements can be funded.

Insofar as documents required to be furnished under the Act in other languages, this will be done to the extent that it is practical and reasonable. Where, for instance, a certain term or phrase on such a document is not reasonably capable of being translated in a comprehensible concise manner, such term or phrase will be expressed in English only. We anticipate that we will experience problems in the translation of specialised financial terminology and legal terminology into languages other than English, resulting in concerns that these documents will currently not have the necessary legal standing in South African law courts or be standardised across all languages. This has resulted in Commonwealth Finance having to adopt the stance that any documentation requiring clients' signatures must be obtained on the English version only.

Yours sincerely,

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