



FSG FORENSIC INVESTIGATORS & AUDITORS | TRACERS | RISK MANAGERS | GUARDS

Corporate branches in Durban, Cape Town & Johannesburg – Satellite branches elsewhere – Tracer Field Agents in all Magisterial Districts

FSG is the founder member of the CSS Network | FSG is a LEVEL 4 BEE contributor

Members: M Nxumalo (Chairperson); Director: Corporate Business | W Jardine (CEO); Director: National Operations | S Deghaye (Company Secretary); Director: Admin & Finance

SERVICE PROFILE

STANDARD DEBTOR TRACING

1. Standard Debtor Tracing ('SDT') is one of five categories of tracing service offered by FSG's Tracing Division.
2. Our Tracing Division is only one of the service divisions of FSG. See our COMPANY AND SERVICES PROFILE for details, which will be provided upon request or can be downloaded from our website at www.fohlasecurity.co.za.
3. FSG accepts instructions to trace debtors whose current contact details are unknown or unconfirmed. The service is provided to clients nationally and FSG traces debtors nationally and internationally.
4. Our Standard Debtor Tracing ('SDT') Service is utilized by:
 - 4.1. Attorneys with a debt collections practice/division.
 - 4.2. Registered debt collectors regulated by the Debt Collectors Act.
 - 4.3. Financial services providers (including the recoveries/legal function of short term insurers who hold a third party responsible for the loss they incur on behalf on their insured parties).
5. Instructions for the purpose of debt recovery are received on a 'no trace, no fee' basis, against a fixed fee.
 - 5.1. Invoices settled prior to the last day of the month in which issued will attract a discount of 2%, which will be passed by way of a credit note.
 - 5.2. Unless by prior agreement, invoices settled later than 60 days from date of issue will attract interest at the rate of 2% per month (or part thereof).
6. SDT services are limited to locating the current whereabouts of a debtor under circumstance that client's intent is to instruct the Sheriff of the Court to serve legal process on the 'subject' debtor.
7. Trace reports are guaranteed for 60 days. If the Sheriff's attempt to serve process at an address provided by FSG is unsuccessful (or if our trace report is demonstrably inaccurate), FSG will re-trace the debtor without raising additional fees on condition that:
 - 7.1. In respect of clients who use our reports to instruct the Sheriff of the Court:
 - 7.1.1. Client gives FSG the opportunity to re-trace the debtor.
 - 7.1.2. Client has settled our invoice within 60 days of issue.
 - 7.1.3. The Sheriff's Return of Non-Service accompanies the instruction to retrace.
 - 7.1.4. FSG qualifies every trace report by informing whether a traced address was independently confirmed and by stating the best time of day and the day of the week to attempt service at a given address. For such qualified instructions the 60 day guarantee applies only if the Sheriff attempted service when and where specified in our SDT report. (Should a Sheriff disregard these instructions, FSG encourages clients to not pay the Sheriff to avoid wasted costs on Sheriffs' fees.)
 - 7.2. In respect of clients who use our reports in a manner that does not require the Sheriff to serve process, client has given notice during the guarantee period that our report was inaccurate, in a manner that FSG can verify client's assertion.
8. A debtor may be a natural person (living, deceased or sequestered), a partnership (the partners may be alive, dead or sequestered, and the partnership may either exist or be dissolved; if partners are traced to separate addresses a separate trace fee will be raised for each partner), or a juristic person (that may be trading, dormant, liquidated or de-registered).
9. A valid trace report (a trace report for which FSG may raise a fee), is one that conforms to the following:
 - 9.1. In respect of natural persons:
 - 9.1.1. It is a report that contains the residential and/or the employment address, and contact numbers, for the traced debtor (or a residential address only if client specifies that a residential address is required).
 - 9.1.2. It is a report that contains only a residential address if the debtor is unemployed, or if an employment address cannot be identified by the limited scope of work of a SDT, regardless of whether client specifies that an employment address is required.
 - 9.1.3. It is a report that identifies the trustee/executor of a sequestered/deceased estate, the Master's file number and the relevant office of the Master of the High Court.
 - 9.1.4. If the debtor is a partnership, it is a report that provides the traced details of any one of the partners. If FSG is instructed to trace each partner, a SDT fee will be raised for each partner traced to a different address (if the partnership is dissolved, if the partners work from different locations or if FSG is instructed to locate the residential address of each partner).
 - 9.2. In respect of juristic persons:
 - 9.2.1. If the entity is not dormant or liquidated or de-registered, it is a report that provides the current trading address of at least its head office, and the CIPRO-registered physical and postal addresses, as recorded on the SA Companies portal to the CIPRO database.

HEAD OFFICE

7 Cedar Road, Westville, DURBAN, South Africa, 3629 | PO Box 17, Pavilion, South Africa, 3611

Tel: + 27 (0) 86 1000979 | Fax: + 27 (0) 86 5168722 | Cell: + 27 (0) 83 7841523

EMAIL: fohladbn@yabo.co.za | WEBSITE: www.fohlasecurity.co.za | PSIRA REG NO.: 1144490 | VAT NO.: 4370208110

Fohla Security CC (2003/050972/23) t/a FSG Forensic Investigators & Auditors | Tracers | Risk Managers | Guards

ALL INSTRUCTIONS AND ENQUIRIES MUST BE ADDRESSED TO OUR DURBAN HEAD OFFICE



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- 9.2.2. In respect of an entity that is dormant (but not liquidated or de-registered) it is a report that provides the CIPRO-registered physical and postal address as recorded on the SA Companies portal to the CIPRO database, and the address for at least one member/director. (If instructed to trace each member/director, a separate SDT fee will be raised for each member/director traced to a different address.)
- 9.2.3. In respect of an entity that is liquidated/under curatorship, it is a report that identifies the details of the liquidator/curator, the Master's reference and office.
- 9.2.4. If the entity is a de-registered CC, given Sec 28 of the Close Corporations Act, it is a report that identifies the address for any member. (If FSG is instructed to trace each member, a separate STD fee is raised for each member traced to a different address.)
10. All SDT trace instructions must be sent to FSG's Durban head office (where our administration, accounting and credit control functions are centralized):
 - 10.1. By courier to 7 Cedar Road, Westville, Durban, 3629.
 - 10.2. By ordinary or registered Post Office/Postnet mail to PO Box 17, Pavilion, 3611.
 - 10.3. By fax to 086 5168722.
 - 10.4. By email to fohladbn@yebo.co.za. (Email is FSG's preferred method for the receipt of instructions and the transmission correspondence/reports. Clients are asked to provide their email address.)
 - 10.5. Clients are asked to provide their VAT registration numbers when instructing FSG. (Our VAT registration number is included on our letterhead and invoices.)
11. FSG acknowledges instructions within three working days from the date of receipt. If an instruction is not acknowledged, clients must assume that FSG did not receive it.
12. FSG requires a mandate period of 30 days for SDT instructions, but strives to achieve a 14 day turn-around period. When required by exceptional circumstances, it is deemed that client permits FSG a further mandate period of 15 days should FSG request this in writing, regardless of whether client acknowledges the mandate extension request. FSG will in any event communicate with client upon expiry of the 30 day mandate period if the debtor has not yet been traced.
13. The fee of FSG for a valid SDT report for the 2011/12 financial year is R 245.00 plus VAT. Please note:
 - 13.1. This fee applies only to tracing debtors for clients located in South Africa and for debtors traced in South Africa (regardless of where the debtor is traced in South Africa).
 - 13.2. If a debtor is deceased and a death certificate is required, an additional fee of R 100.00 plus VAT will apply.
 - 13.3. Some adept, savvy, evasive debtors cannot be traced using the limited scope of work justified by the limited STD fee, under circumstance of 'no trace, no fee'. Should merits and quantum justify the effort and cost, FSG's Investigation Division can be retained to conduct a comprehensive investigation to locate a debtor. However the fee and terms and conditions of FSG's Investigation Division will apply. (A separate Service Profile for investigation services is available upon request).
14. FSG's fixed fee to trace a debtor believed to be, or found to be, residing outside South Africa is R 1 750.00 plus VAT. So-called 'international SDT' is also provided on a 'no trace, no fee' basis. (When we receive a SDT instruction and our enquiries suggest the debtor has re-located to another country, we will first seek client's permission to conduct an international STD and to raise the international SDT fee.)
15. FSG issues a no trace report if FSG is unable to trace a debtor using the methods of a SDT.
16. FSG issues a tax invoice with each valid trace report and produces a consolidated statement of account at the end of each accounting month. FSG's accounting month starts the 26th day of the previous month and concludes on the 25th day of the current month. Statements are distributed on the 26th day of each month.
17. FSG is mindful that our clients are accountable to their clients. Consequently FSG is mindful that the efficient administration of our clients' instructions is as important as successfully tracing debtors. For this reason FSG conducts a weekly audit of all trace instructions on hand to:
 - 17.1. Physically account for each instruction recorded on our custom-designed SDT Instruction Control Database computer software.
 - 17.2. Check progress and give guidance to tracers experiencing difficulty with specific instructions.
 - 17.3. Identify instructions that are approaching the expiry of mandate periods, in order to communicate accordingly with the relevant instructing client.
18. FSG is available to point out debtors and/or assets, but FSG's Investigation Division tariff and terms and conditions of service will apply.
19. FSG also offers an holistic SDT service to trace debtors and to meet with debtors to deliver Letters of Demand ('LOD') in terms of Sec 129 of the National Credit Act and to secure Acknowledgements of Debt ('AOD') in terms of Sec 57/58 and 65(J) of the Magistrates Court Act:

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- 19.1. FSG refers to this service as its Consent Signing Services (abbreviated as 'CSS Services') and has initiated a strategy that intends that all tracing agencies in South Africa and the consumers of their services, adopt the terms of reference of FSG's CSS Services..
 - 19.2. FSG is the first service provider in SA to introduce a national infrastructure to reliably provide this service everywhere in South Africa. FSG has appointed Tracer Field Agents in all Magisterial districts to perform CSS Services and has established the CSS Network, a network of tracing agencies that effectively provides its members with resources on the ground in every place in South Africa to perform CSS Services.
 - 19.3. A separate CSS SERVICES SERVICE PROFILE is available upon request, or can be downloaded from our website at www.fohlasecurity.co.za.
 - 19.4. FSG is motivating that attorneys attempt debt recovery in terms of the CSS Services method before commencing the process by issuing a Summons Commencing Action because:
 - 19.4.1. CSS Services are also provided on a 'no success, no fee' basis (where 'success' is defined as 'the successful service of LOD and the conclusion of AOD'), against a fixed, limited fee that is either R 285.00 plus VAT (if the debtor's whereabouts are known when FSG is instructed) or R 385.00 plus VAT (if FSG must first trace the debtor).
 - 19.4.2. Assuming the co-operation of the debtor (under circumstance that FSG's role is also to sell to the debtor the advantages of co-operating with the CSS Services method of debt recovery):
 - 19.4.2.1. The CSS Services method of recovering debt costs less than recovering debt by commencing with the service of a Summons Commencing Action.
 - 19.4.2.2. The CSS Services method results in faster cash flow from a collections instruction and generally causes a debt to be recovered over a shorter period.
 - 19.4.2.3. The realities of 19.4.2.1 and 19.4.2.2 should be a significant consideration to motivate attorneys to first attempt to recover debt in terms of the CSS Services method, especially for attorneys who accept large volumes of debt recovery instructions on a contingency basis.
20. FSG asks that clients accept receipt of the two brief emailed communiqués distributed monthly by FSG to all clients:
 - 20.1. To maintain an avenue for dialogue with clients.
 - 20.2. To keep clients informed about FSG innovations and developments.
 - 20.3. To share relevant information, ideas and experiences.

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