

**Form 5**  
**REGULATIONS RELATING TO DEBT COLLECTORS, 2003**  
**PUBLIC ACCOUNTANTS'/AUDITORS' INDEPENDENT REPORT**  
[Regulation 10]

We have audited the trust account(s) of \_\_\_\_\_  
(*insert the name of the company/close corporation/juristic person/person*) to determine whether those account(s) were maintained in compliance with section 20 of the Debt Collectors Act, 1998 (Act 114 of 1998), and regulation 10 of the Regulations relating to Debt Collectors, 2003 for the period from \_\_\_\_\_ (*insert date*) to \_\_\_\_\_ (*insert date*).

The particulars of the trust account are as follows:

Bank: \_\_\_\_\_ Account number: \_\_\_\_\_

The directors/members/partners/proprietor of \_\_\_\_\_ (*insert the name of the company/close corporation/juristic person/person*) is/are responsible for ensuring that the trust account(s) are maintained in compliance with the provisions of the Debt Collectors Act, 1998. The directors/members/partners/proprietor is/are also responsible for the implementation of accounting and internal control systems. Our responsibility is to express an opinion on whether the trust account(s) were maintained in compliance with section 20 of the Debt Collectors Act, 1998, and regulation 10 of the Regulations relating to Debt Collectors, 2003, for the period \_\_\_\_\_ (*insert date*) to \_\_\_\_\_ (*insert date*) based on our audit.

This report covers the accounting records relating to the debt collector's trust account(s) and does not extend to the financial statements of the business of \_\_\_\_\_ (*insert the name of the company/close corporation/juristic person/person*) taken as a whole.

Our audit was conducted in accordance with International Standards on Auditing applicable to special purpose audit engagements. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the trust account(s) are free of any material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the trust account(s), and assessing the accounting principles used by management.

We believe our audit provides a reasonable basis for our opinion.

**Qualification**

*The report is subject to the following qualifications (if none, state NIL) \_\_\_\_\_*

*(Any contravention of section 20 of the Debt Collectors Act, 1998, and regulation 10 of the Regulations relating to Debt Collectors, 2003, relating to trust accounts is regarded as material and should be reported. If the report is qualified then the next heading is to be changed to "Qualified opinion" and the wording is to change to "In our opinion, except as noted above, the ...")*

**Opinion**

In our opinion, the debt collector's trust account(s) of \_\_\_\_\_ (*insert the name of the company/close corporation/juristic person/person*) for the period from \_\_\_\_\_ (*insert date*) to \_\_\_\_\_ (*insert date*) were maintained in compliance with section 20 of the Debt Collectors Act, 1998, and regulation 10 of the Regulations relating to Debt Collectors, 2003.

**Supplementary information**

Our audit procedures indicated the following:

1. The debt collector's trust account for the period reported on has been updated \_\_\_\_\_ (*indicate how regular*).
2. The debt collector's trust account for the period subsequent to the period being audited, was last inspected by us on \_\_\_\_\_ (*insert date of last inspection*), has been

written up to \_\_\_\_\_ (*insert date*) and the trial balance was last balanced at \_\_\_\_\_ (*insert date*).

3. The debt collector provided us with the following changes in the composition of the business which occurred during the period from \_\_\_\_\_ (*insert date*) to \_\_\_\_\_ (*insert date*) – \_\_\_\_\_ (*insert changes*)
4. The debt collector's principal place of business is at \_\_\_\_\_ (*insert full physical address*).

The following information was extracted from the audited trust account:

1. Reconciliation of interest earned on the debt collector's trust account from the beginning of the period \_\_\_\_\_ (*insert date*) to the end of the period \_\_\_\_\_ (*insert date*):

Amount brought forward from the previous financial year in respect of interest earned on monies deposited in terms of section 20 of the Debt Collectors Act, 1998, is	
Amount earned during the current period on monies deposited in trust banking accounts in terms of section 20 of the Debt Collectors Act, 1998 is	
Amount incurred during the current period in respect of bank charges (excluding VAT) is	
Amount already paid over to the Council for Debt Collectors during the period under review in terms of section 20 of the Debt Collectors Act, 1998, is	
Amount carried over to the next financial year in respect of interest earned on monies deposited in terms of section 20 of the Debt Collectors Act, 1998, is	

2. The ratio as a percentage of total bank charges (excluding VAT) incurred during the current period to the total of interest earned during the year was \_\_\_\_\_
3. Trust liabilities/creditors and trust funds available at the year end \_\_\_\_\_ (*insert date*) and on one other date \_\_\_\_\_ (*insert date*), were as follows:

	<b>At year end</b>	<b>Other date selected</b>
Trust liabilities/creditors		
Trust funds available in terms of:		
Section 20 trust money		
Trust surplus/ (deficit)		

### **Use of the report**

This report is intended solely for the use of the debt collector and the Council for Debt Collectors.

Name:

Registered Accountants and Auditors:

Chartered Accountants (SA):

Address:

Signature:

Date:

### **Notes**

1. The public accountant/auditor must be registered in terms of the Public Accountants' and Auditors' Act, 1991 (Act 80 of 1991).

2. If the public accountant/auditor is unable to furnish an unqualified report the fact thereof and the reasons therefore shall be set out fully in the report transmitted by him/her which shall otherwise be as far as possible in the above form.
3. All alterations must be signed by the public accountant/auditor.”