

SAMPLE LETTER

LETTER TO DEBT COLLECTOR THAT HAS NOT PROVIDED DOCUMENTS

Important:

We made this sample letter as a guide only for your use. It is not legal advice specific to your case. If you need more help, seek legal advice. You may ring us on (08) 9221 7066 for more help.

Insert your details where appropriate and delete any information that does not apply to you. We recommend that you date your letters and keep a copy of them.

[YOUR NAME]
[YOUR ADDRESS]

WITHOUT PREJUDICE

[DATE]

[DEBT COLLECTOR NAME AND ADDRESS]

Dear Sir / Madam

[NAME]
[REFERENCE NUMBER]

I refer to my letter dated [DATE OF PREVIOUS LETTER] requesting documents in relation to the debt [DEBT COLLECTOR] alleges that I owe it. I **enclose** a copy of this letter for your reference.

I refer to Section 188 of the *National Credit Code* which states:

- (1) *"If the rights of a credit provider under a credit contract...are assigned or pass by law to another person, this Code from then on applies to the other person and does not impose any further obligation on the credit provider."*
- (2) *"The debtor has and may exercise the same rights in respect of the credit contract against the assignee as the debtor has against the credit provider."*

I have not received the documents within the statutory time limit. [DEBT COLLECTOR] is leaving itself open to a fine under the *National Credit Code* for breach of its provisions.

Please forward copies of these documents to me immediately.

If you have any questions, please contact me on [EMAIL ADDRESS].

Yours faithfully,

[YOUR NAME]