

In Voice Newsletter

Credit Applications, Are yours in order ?

Since the introduction of the District Courts process we have had a number prepared quite a number of new agreements for our clients. In addition enquiries have been to establish whether a clients credit application will stand up in court or achieve the collection of costs they have spent recovering the debt or is their personal guarantee good enough.

It is our recommendation that all credit applications should be reviewed at least every five years not just to ensure the terms are up to-date with current law but also those agreements with existing clients are still the same company or business you originally signed up and has the same structure that you agreed to provided credit to initially.

We are also finding that many guarantors that provided a guarantee at the time the application was originally taken, are no longer with the business and are most likely unaware that their guarantee is still in place. These situations can cause considerable legal cost to all parties as these types of problems invariably end up disputed and in a defended court action.

It cannot be stressed strongly enough that clauses for costs and interest to be claimed from the debtor are included as we see many disappointed clients who find out later that they cannot claim them because they were not in the original terms of trade signed by the now debtor party. Just a further note on this issue and to avoid future disappointment, that terms and conditions on an invoice to the client does not constitute sufficient grounds to claim those items as it must be by signed agreement before the fact of supply.

When you intend to update think of all of the problems the credit department has in regards to payments disputes credits returns and the many issues that occur that can often be resolved by a strong well thought application. Beware companies who provide 'One Off' standard terms of trade without discussion with you as it is likely these will not cover you when the time comes for the enforcement of those terms.

Legal Document Services

Many clients prepare their own Statutory Demands and under the New District Courts Rules there are several processes that require the personal service of a legal document that would require an affidavit to be sworn after the service has taken place. To ensure effective and prompt service that meets all the legal requirements we have appointed Legal Document Services (NZ) Ltd to carry out all service instructions on our behalf. They are also able to serve any legal documents on behalf of our clients.

They offer a nationwide service and should you require private document service they may be contacted at **09 2520249**



Its Not Too Late

If you are sitting on debts that need action, now is the time to get them to us so we can have these recovered for you before Xmas. The longer they are left the harder they will be to recover in the new year.

DEBTFORCE CLOSING DATES

We will be closed between Dec 23rd 09 and reopen 4th 2010

We wish all our clients and associates a Very Merry Xmas and Happy New Year

Last months winners of the Coffee and Cake draw was

Gilligan Rowe - Accountants.

Toni and her team thoroughly enjoyed being spoilt with delicious cake and coffees. All debts submitted each month go into the draw for this delicious Treat. BE IN TO WIN

