



## - THE DYNAMIC DIGEST - UPDATE 208

### ENFORCEMENT GUIDELINES GAZETTED BY CONSUMER COMMISSION

The National Consumer Commission published final enforcement guidelines in the Government Gazette last week. The guidelines determine how the Commission is to enforce the Consumer Protection Act (CPA) of 2008. The Commission was launched in March 2011 and opened its doors on 1 April. Its primary function is to strengthen consumer protection in line with the provisions of the act. The guidelines also deal with the process around consumer complaints. The Commission is required to investigate and evaluate alleged prohibited conduct.

A complaint is defined as an "allegation that a consumer's rights in terms of the CPA have been infringed, impaired or threatened; or that prohibited conduct has occurred or is occurring".

Complaints can be lodged by those who received goods or services from a supplier or those who received marketing from a supplier. The Commission itself may directly initiate a complaint or an investigation. The guidelines also list the matters over which the commission has jurisdiction and list the types of matters that the commission cannot deal with. The process to be followed in enforcing a consumer's rights is laid down.

The National Consumer Commission Enforcement Guidelines are included in this month's update to the CPA.

Give us a call at 031-2628240 or email us at [sales@ddyn.com](mailto:sales@ddyn.com) to add this Act to your subscription.

### UPDATES TO NOTE

- Amendments have been made to the Policies and Regulations published under the following Acts:
  - **Basic Conditions of Employment Act**
  - **Civil Aviation Act**
  - **Consumer Protection Act**
  - **National Credit Act**
  - **National Environmental Management Act**
  - **National Environmental Management: Protected Areas Act**
  - **National Road Traffic Act**
- Amendments have been made to the following Act:
  - **Customs and Excise Act**
  - **Local Government: Municipal Structures Act**
  - **Local Government: Municipal Systems Act**
- New Rules and Regulations have been legislated under the:
  - **Civil Aviation Act**
  - **Consumer Protection Act**
  - **Engineering Profession Act**
  - **National Education Policy Act**

### LATEST UPDATES

- 1. Basic Conditions of Employment Act and Regulations (75/1997)**
  - Amendments of Sectoral Determination 11: Taxi Sector, South Africa
- 2. Civil Aviation Act (13/2009)**
  - Amendment of the Civil Aviation Authority Passenger Safety Charge Regulations, 2010
- 3. Consumer Protection Act (68/2008)**
  - National Consumer Commission Enforcement Guidelines
  - Notice to Exempt Banks from the Provisions of Section 14 of the Consumer Protection Act, 2008
  - Notice to Exempt the Pension Fund Industry, the Collective Investment Schemes Industry and the Security Services Industry from the Consumer Protection Act, 2008
  - Regulations for the Amendment of the Regulations of the Matters Relating to the Functions of the Tribunal and Rules for the Conduct of Matters before the National Consumer Tribunal
- 4. Customs and Excise Act (91/1964)**
  - Fixing a Date on which Section 36(1) of the Revenue Laws Second Amendment Act, 2008, Shall Come into Operation
  - Revenue Laws Second Amendment Act, 2008
- 5. Engineering Profession Act and Rules (46/2000)**
  - Rules: Procedure for the Nomination of Council Members
- 6. Income Tax Act and Regulations (58/1962)**
  - Notice to Furnish Returns for the 2011 Year of Assessment
- 7. Local Government: Municipal Structures Act (117/1998)**
  - Local Government: Municipal Systems Amendment Act, 2011

### UPCOMING EVENTS AUGUST 2011

09<sup>th</sup> National Women's Day



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Should you require assistance with using this tool, please do not hesitate to contact us.

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- 8. Local Government: Municipal Systems Act and Regulations (32/2000)**
  - Local Government: Municipality System Amendment Act, 2011
- 9. National Credit Act (34/2005)**
  - Regulations for the Amendment of the Regulations for Matters Relating to the Functions of the Tribunal and Rules for the Conduct of Matters before the National Consumer Tribunal
- 10. National Education Policy Act and Regulations (27/1996)**
  - Policy on the Minimum Requirements for Teacher Education Qualifications
- 11. National Environmental Management Act and Regulations (107/1998)**
  - Protected Areas Act: Admission of Guilt Fines Regulations, 2011
- 12. National Environmental Management: Biodiversity Act (10/2004)**
  - Amendments to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) Regulations
  - Biodiversity Management Plan for Albany Cycad, Encephalartos Latifrons
  - Threatened or Protected Species Amendment Regulations, 2011
- 13. National Environmental Management: Protected Areas Act (57/2003)**
  - Protected Areas Act: Admission of Guilt Fines Regulations, 2011
- 14. National Heritage Resources Act and Regulations (25/1999)**
  - Declaration of the 'Voortrekker Monument', Farm Groenkloof, Situated on Certain Portions of Portion 12, 13 and 24/R of Farm 358-JR, Pretoria as a National Heritage Site
- 15. National Qualifications Framework Act (67/2008)**
  - Policy on the Minimum Requirements for Teacher Education Qualifications
- 16. National Road Traffic Act and Regulations (93/1996)**
  - Seventeenth Amendment to the National Road Traffic Regulations
- 17. Occupational Diseases in Mines and Works Act and Regulations (78/1973)**
  - Increase of Levies
- 18. Pension Funds Act and Regulations (24/1956)**
  - Amendment of Regulation 28 of the Regulations made under Section 36 of the Pension Funds Act
- 19. Public Service Act and Regulations (Proclamation 103/1994)**
  - Amendment of Schedule 2 to the Public Service Act, 1994: Free State
  - Amendment of Schedule 2 to the Public Service Act, 1994: Limpopo

Comprehensive information regarding specific updates may be accessed in the Insight Document Browser by clicking on the Updates Page button on the Document Page toolbar of the relevant Act.

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- Data Dynamics Editor -*