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department of
Economic, Small Business Development,
Tourism and Environmental Affairs
FREE STATE PROVINCE

MEDIA STATEMENT

CONSUMER PROTECTION OFFICE SERVICING CONSUMERS

20 NOVEMBER 2020

Following the swearing-in and affirmation of office to ten newly appointed Consumer Affairs Court officials, the Free State's Consumer Affairs Court's hearings are now in full swing, adjudicating on complaints of dissatisfied consumers. The court officials were sworn-in by MEC for Department of Economic, Small Business Development, Tourism and Environmental Affairs Makalo Mohale on the 29th September 2020.

The members resumed responsibilities on Friday the 1st of October - 2020 and will go on for four years until the end of March 2024. The Office of the Consumer Protector has since started to issue summons to the defendants as a result of disputes between consumers and businesses. Attempts would have been made at an investigation level to try and resolve the matter amicably.

If the matter remains unresolved, it will then be escalated to the level of the consumer affairs court. This will be done by way of issuing of a summons which is prepared by a consumer protector and have to be issued by the sheriff of the magistrate court. This is enshrined in the consumer affairs ACT 14 of 1998.

When the defendant denies the charges, he ought to have issued a notice of intention to defend in a proper way so that the representative of the consumer, being the consumer protector must prepare the answering affidavit of the notice of intention to defend. The court will then have to satisfy itself about the allegations of the charges that would have been levelled against the business and as well as the responses to the business as to the charges that have been levelled against it.

The presence of the consumer affairs court is to see to it that there is equality in the face of law between the allegations brought by the consumer as well as the responding affidavit by the defendant to see to it that there is equal jurisprudence in the administration of the consumer affairs legislation.

Other responsibilities of the court is that immediately when there is recultrisency on the part of the business not to cooperate, then the court will issue out a judgement which must be implemented. The judgement will be implemented by making an application through the magistrate court for the reit of execution.



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If the matter gets full trial by the court, the results must be published in the area of jurisdiction where the allegation of the unfair business practice would have occurred in that particular area. This is done to alert the consumers in that area to make them aware that a particular business has appeared before the consumer affairs court so that they are discouraged not to further engage with the business because their actions are seen to be an unfair business practice as enshrined in the consumer protection legislation.

In light of this, the Consumer Protection Office has won several cases in favour of the consumers, saving consumers a lot of money. Most of the cases were about the motor vehicle companies, real estates, insurance companies, funeral covers, medical aids, furniture shops, housing and electrical appliances.

Many consumers are losing lot of money by paying unnecessary legal fees to representatives to handle their consumer complaints. Free Staters are urged to take advantage of this free and speedy service that government offers to its people.

Consumers can contact the Consumer Protection Office at:

Physical Address: 113 St. Andrew Street, Bloemfontein, 9300
Postal Address: Private Bag X 20801, Bloemfontein, 9300
Tel: 051 400 9656/ 9611/4857/ 4854/ 4855/ 9612/ 4856
e-complaint system: Access the e-government portal through the e-services URL www.eservices.gov.za
Fax: 086 514 6112
E-mail: radikelt@destea.gov.za
Website: www.destea.gov.za

END!!!

For more information please contact Elsie Ntsane @ 051 404 9573 or ntsane@destea.gov.za

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