



KWAZULU-NATAL LAW SOCIETY CONSUMER PROTECTION ACT

Presenter:

***Mr Saber Jazbhay, Senior
Practising Attorney, Omar and
Jazbhay***

Beware of the Consumer Protection Act (CPA)

Members are encouraged to attend workshops in respect of this Act which was promulgated in the wake of the National Credit Act in April 2009, all be it that the Act only becomes operational in October 2010. It is imperative that practitioners become well versed prior thereto in light of the implications of the Act vis-à-vis the organized legal profession.

The introduction of the National Credit Act (NCA), in respect of which several workshops were conducted throughout KZN, was the first radical as well as a major development in favour of consumer protection in keeping with the imprimatur inherent and prescribed under the Constitution of the Republic of South Africa. The NCA created the first regulatory framework through the National Credit Regulator, which is responsible for monitoring compliance with the NCA and for educating consumers about their rights. The NCA is designed to improve transparency; prohibit unfair contract terms and practices; and prohibit anti-competitive practices.

The Preamble to the CPA eloquently sets out the purposes of this Act, namely to promote and advance the social and economic welfare of consumers in South Africa by establishing a legal framework for the achievement and maintenance of a consumer market that is fair, accessible, efficient, sustainable and responsible for the benefit of consumers generally.

Supported by the National Credit Act and the Competition Act the emphasis under the CPA is to protect the public by holding businesses strictly liable, something which the common law was unable to give effect to.

The CPA also provides for punitive action to be taken by the imposition of fines up to R1 000 000-00 or 10% of turnover, whichever is higher. Furthermore, it permits class actions on behalf of groups of consumers.

***Time for all Workshops:
09:00 – 11:30***

WORKSHOP 3

11 July 2009, Empangeni
Amble Inn, 93 Old Main Road,
Empangeni

WORKSHOP 4

25 July 2009, Stanger
KwaDukuza Sappi Resource Centre,
corner of Hulette and Jackson Streets,
Stanger

WORKSHOP 5

1 August 2009, Port Shepstone
Port Shepstone Country Club, Old Main
South Coast Road, Port Shepstone

WORKSHOP 6

8 August 2009, Newcastle
Newcastle Inn, corner of Hunter &
Victoria Streets, Newcastle

***COST: R80.00 per person
per workshop***

Business Bank details are as follows:

KwaZulu-Natal Law Society

First National Bank

Branch code: 221-325

Account number: 50933927491

***Please fax or e-mail the direct deposit slip or electronic
payment confirmation to Patty Forbes-Milne at the
contact details below.***

Each delegate must complete a separate registration form.

Tea, coffee & muffins will be served.

**Forward the completed registration form to Patty Forbes-Milne
{E-mail: patty@lawsoc.co.za}**

**PO Box 1454, Pietermaritzburg, 3200 / Docex 25, Pietermaritzburg
Tel: (033) 345 1304, Fax: (033) 394 9544**

The KZNLS reserves the right to cancel a workshop should the number of delegates not justify the costs involved.

<p>Selected workshop centre: _____</p> <p>Surname: _____ First name: _____</p> <p>Title: _____ Gender: _____</p> <p>Firm: _____ Position: _____</p> <p>Postal address: _____</p> <p>Docex address: _____ E-mail address: _____</p> <p>Tel: (_____) _____ Fax: (_____) _____ Cell _____</p> <p>Signature: _____</p>
