

NOTICE 1759 OF 2004**DEPARTMENT OF TRADE AND INDUSTRY
CONSUMER AFFAIRS (UNFAIR BUSINESS PRACTICES) ACT, 1988**

I, Mandisi Mpahlwa, MP, Minister of Trade and Industry, in terms of section 12(6)(a)(iii) of the Consumer Affairs (Unfair Business Practices) Act, 1988 (Act No 71 of 1988), hereby give notice that I intend publishing the following notice in the Government Gazette. Interested parties are hereby invited to comment on the proposed notice. These comments must be directed to the address which appears at the end of the proposed notice within a month from date of publication.

**NOTICE IN TERMS OF SECTION 12(6) OF THE
CONSUMER AFFAIRS (UNFAIR BUSINESS PRACTICES) ACT, 1988**

I, Mandisi Mpahlwa, Minister of Trade and Industry, by virtue of the powers vested in me by section 12(6) of the Consumer Affairs (Unfair Business Practices) Act, 1988 (Act No 71 of 1988), and after having considered a report by the Consumer Affairs Committee in relation to an investigation of which notice was given in Notice 4083 of 2002 published in Government Gazette No 21665 dated 20 October 2000, which report was published in Notice 1758 in Government Gazette No. 26700 of 18 August 2004, and being of the opinion that an unfair business practice exists which is not in the public interest, promulgate the notice in the Schedule.

SCHEDULE

In this notice, unless the context indicates otherwise -

1. "Unfair business practice" means the business practice whereby goods and services, defined as commodities in section 1 of the Consumer Affairs (Unfair Business Practices) Act, 71 of 1988, are supplied, offered or in any other way presented to consumers without their unequivocal authorization, a practice known as inertia selling.
2. The unfair business practice is hereby declared unlawful and persons are hereby directed to:
 - (a) refrain from applying the unfair business practice;
 - (b) refrain at any time from applying the unfair business practice.
3. On the recommendation of the Consumer Affairs Committee I may, in a

particular case, in terms of section 12(6)(c) of the Act, grant exemption from a condition or requirement contemplated in this notice to such extent and for such period and subject to such conditions as may be specified in the exception. Such applications for exemption must be directed to:

The Secretary
Consumer Affairs Committee
Private Bag X84
PRETORIA
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[For attention: Mr E Mohamed, (F) 012-394-2542]



M B M MPAHLWA

MINISTER OF TRADE AND INDUSTRY
