


NOTICE 1765 OF 2004
DEPARTMENT OF TRADE AND INDUSTRY
CONSUMER AFFAIRS (UNFAIR BUSINESS PRACTICES) ACT, 1988

I, Mandisi Mpahlwa, Minister of Trade and Industry, after having considered a report by the Consumer Affairs Committee in relation to an investigation of which notice was given in Notice 1904 of 2001 published in Government Gazette No. 22599 of 24 August 2001, which report was published in Notice 1764 in Government Gazette No. 26702 of 18 August 2004, and being of the opinion that an unfair business practice exists which is not justified in the public interest, do hereby exercise my powers in terms of section 12(1)(b) of the Consumer Affairs (Unfair Business Practices) Act, 1988 (Act No. 71 of 1988), as set out in the Schedule.



M MPAHLWA

MINISTER OF TRADE AND INDUSTRY

SCHEDULE

In this notice, unless the context indicates otherwise -

"the parties" means, Holiday Concepts Marketing (Pty) Ltd and Anthony Vernon Strelensky trading as Coral Cove Club, Coral Cove Trust, Holiday Concepts or any business in which the parties have an interest,

"unfair business practice" means the business practice whereby the parties, directly or indirectly; are involved in a timeshare scheme that -

- (i) acquire or offer to acquire, either on their own or its behalf or on behalf of a third party, any right to or interest in the exclusive use or occupation, during determined or determinable periods during any year, of accommodation; and
 - (ii) confer or purport to confer on any person any right to or interest in the exclusive use or occupation, during determined or determinable periods during any year, of accommodation;
1. The unfair business practice is hereby declared unlawful in respect of the parties.
 2. The parties are hereby directed to
 - (a) refrain from the application or continuation of the unfair business

practice as described above, and

- (b) cease to have any interest in a business or type of business which applies to such a business practice or to derive any income therefrom and to refrain from at any time obtaining any interest in or deriving any income from a business or type of business applying such a business practice.
 - (c) refrain from at any time applying the unfair business practice.
3. This notice shall come into operation upon the date of the publication hereof.
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