

**NOTICE 308 OF 2005****DEPARTMENT OF TRADE AND INDUSTRY  
CONSUMER AFFAIRS (UNFAIR BUSINESS PRACTICES) ACT, 1988**

I, Mandisi Mpahlwa, MP, 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 2818 of 2004 published in Government Gazette 27030 of 25 November 2004, which report was published in Notice 307 in Government Gazette No. 27315 of 21 February 2005, 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) and 12 (1) (c) of the Consumer Affairs (Unfair Business Practices) Act, 1988 (Act No. 71 of 1988), as set out in the Schedule.

**M B M MPAHLWA**  
**MINISTER OF TRADE AND INDUSTRY**

**SCHEDULE**

In this notice, unless the context indicates otherwise -

1. "The parties" means Business Brokers (**SA**) (Pty) Ltd and **JHB** Kleinhans.
2. "Unfair business practice" means the business practice whereby the parties, directly or indirectly,
  - (a) place misleading advertisements in which it is stated that the product involved is registered with or complies with certain requirements of the **SABS** and that the product carries the **SABS** mark or any mark or specifications of the Europac Bureaus of Standards or any international standards whatsoever and
  - (b) imply in any manner whatsoever that they have the sole importing and distribution rights if that is not the case.
3. **The** parties are hereby directed to:
  - (a) **cease to** commit the unfair business practice;

- (b) refrain from at any time applying the unfair business practice;
  - (c) cease to have any interest in a business or type of business which applies the unfair business practice or derive any income therefrom;
  - (d) refrain from at any time obtaining any interest in or deriving any income from a business or type of business specified in the notice.
- 4.** The unfair business practice is hereby declared unlawful in respect of the parties.
- 5.** This notice shall come into operation upon the date of the publication hereof.
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